

LOK SABHA DEBATES

Third Series

Volume VIII, 1962/1884 (Saka)

[September 3 to 7, 1962/Bhadra 12 to 16, 1884 (Saka)]



SECOND SESSION, 1962/1884 (Saka)

(Vol. VIII contains Nos. 21 to 25)

**LOK SABHA SECRETARIAT
NEW DELHI**

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N.B.—The Sign + marked above the name of a member on questions which were orally answered indicates that the question was actually asked on the floor of the House by that Member.

LOK SABHA

Monday, September 3, 1962/Bhadra
12, 1884 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

House-Rent in Delhi

- +
- Shri Harish Chandra
Mathur:
- Shri M. L. Dwivedi:
- *743. Shri S. C. Samanta:
- Shri Subodh Hansda:
- Maharajkumar Vijay
Ananda:
- Shri Heda:

Will the Minister of Home Affairs be pleased to state:

(a) to what extent Government have succeeded in bringing down house-rent in Old and New Delhi;

(b) what steps have already been taken and what steps are now to be taken to bring down the rents; and

(c) what is the factual position from year to year?

The Minister in the Ministry of Home Affairs (Shri B. N. Datar): (a) to (c). A statement is laid on the Table of the House.

(a) and (b). The Delhi Rent Control Act, 1958, was enacted to provide *inter alia* for the control of rents in urban areas of the Union territory of Delhi. Section 6 of the Act specifies as to how standard rent in relation to any premises is to be fixed. If the owner of any premises charges from 1730(Ai)LSD-1.

a tenant rent in excess of the standard rent it is open to the tenant to have recourse to take the legal remedies provided in that Act.

As the increase in rents in the urban areas of Delhi is due to the growing demand for residential and other accommodation in Delhi, steps are also being taken to provide a large number of residential and commercial plots and for this purpose Government have formulated a scheme for the large scale acquisition, development and disposal of land in Delhi, details of which were placed on the table of the House in connection with 'Call to Attention Motion' by Shri P. G. Deb on 23rd March 1961.

(c) There is no agency through which the position regarding rents actually charged by landlords from year to year can be ascertained.

Shri Harish Chandra Mathur: The high soaring prices of land and the absence of any single authority to control the affairs have been reported to be responsible for the high rents. Even the Minister for Housing has stated, so. May I know whether Government owns that responsibility, and what is their explanation, and what they propose to do in the matter?

Shri Datar: This question was considered and a committee was appointed with the Chief Commissioner of Delhi as the Chairman. A copy of the report of this committee has been placed on the Table of the House. Government are taking a number of steps in this direction, namely, acquiring hundreds of acres of land and reserving a portion of them for the house-building co-operative societies. We have also got the Rent Control Act passed by the Parliament in 1958. It lays down, subject to certain reserva-

tions, that a standard rent has to be paid.

Shri Harish Chandra Mathur: In the statement which has been laid before the House the legal position has been stated. But, is the hon. Minister not aware that in spite of their efforts and assurances to this House for the last four years, the rents have been rising all the time? I do not mind the rich robbing the rich, another rich. But may I know what they are doing about the middle and the lower middle classes, whether they have been able to take any concrete steps; and may we have any specific assurance that something will be done?

Shri Datar: The concrete step is the passage of the Rent Control Act and the establishment of a number of officers as Rent Controllers. On the other hand the fact also remains that the construction of buildings through private agencies has also to be encouraged, because only thereby this problem will be eased to a certain extent. So far as the Rent Control Act is concerned, certain periods of, what is known as, rent holidays have been given, namely for five years the agreed rent might continue. But in all other cases, may I point out that the standard rent has to be fixed by the Rent Controller. And I have seen that there are a number of cases where the tenants have approached the Rent Controller for the fixation of standard rent.

Shri Subodh Hansda: The hon. Minister stated just now that the tenants have approached the Rent Controllers for charging more than the standard rent. May I know how many cases have gone to the court for relief in this direction?

Shri Datar: I have got the figures here with me. I gave the figures in answer to a question in this House. . .

Mr. Speaker: If it has already been given it need not be repeated.

Shri Datar: Only one figure, Sir. The number of cases filed by tenants

for fixing standard rent was 204 in 1961.

Shrimati Savitri Nigam: May I know if the hon. Minister is aware that in spite of the Rent Control Act, a number of people have not been able to get their houses vacated in spite of the decisions of the court?

Shri Datar: There are also provisions in the said Act for preventing eviction by the landlords.

श्री म० ला० द्विवेदी : क्या मंत्री महोदय को मालूम है कि मकानमालिक लोग किराया ज्यादा वसूल करने के साथ साथ किरायेदारों से दुकानों और मकानों के लिए कई कई हथार रूपा बतौर पगड़ी के मांगते हैं, यदि हां, तो उस को नीची करने के लिए या इस पगड़ी को बन्द करने के लिए क्या किया जा रहा है ?

Shri Datar: To ask for *pugree* or for higher rent is not only an infraction of the civil law but is also an offence against the penal provisions.

अध्यक्ष महोदय : पगड़ी उतारने के लिए गर्नमेंट क्या करे ।

Shri Heda: In reply to part (c) of the question the hon. Minister has stated that there is no agency through which the position regarding rents actually charged by the landlords from year to year can be ascertained. If that is so, how do the Government know about the gravity of the situation? How do they assess the situation at all?

Shri Datar: That is what exactly I said. It is difficult, it is not possible to know exactly where extravagant rents are paid. The tenants themselves do not come forward to give this information.

Mr. Speaker: Next question.

Experiments regarding turning heat into Electricity

***744. Shri Raghunath Singh:** Will the Minister of Scientific Research

and Cultural Affairs be pleased to state:

(a) whether it is a fact that experiment for turning heat into electricity has succeeded in U.S.A. and a giant magneto-hydrodynamic generator is under construction; and

(b) if so, whether India will take advantage of the new invention as it has abundant heat resources?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir, experiments on the generation of power by the Magneto-hydrodynamic principle are in progress in the U.S.A. and other countries. Devices set up so far are experimental.

(b) Heat sources in India are in the nature of solar heat which is not suitable for generation of power by this method. In any case, it is too early for us to think in terms of using this technique as it is still in an experimental stage.

श्री रघुनाथ सिंह : हिन्दुस्तान में अभी यह सम्भव नहीं है तो क्या अमरीका में जो ऐक्सपेरिमेंट्स हो रहे हैं उन को जानने के वास्ते हिन्दुस्तान से आप कोई साइंटिस्ट्स भेजेंगे ?

श्री हुमायून कबिर : इस को जानने के लिए अभी भेजने का कोई सवाल नहीं है लेकिन जो हमारे साइंटिस्ट्स वहां जाते हैं वे इस की जरूर खबर करेंगे ।

Shri D. C. Sharma: Some time back, we had a solar cooker manufactured. May I know what happened to that experiment?

An Hon. Member: It was a grand failure.

Shri D.C. Sharma: May I know what happened to that experiment and how that experiment was carried out in India when the hon. Minister says that there are not many sources available for this kind of experiment?

Mr. Speaker: Was that connected with the turning of heat into electricity?

Shri Humayun Kabir: No.

Mr. Speaker: That does not arise.

श्री विश्राम प्रसाद : अभी माननीय मंत्री जी ने कहा था कि और मुल्कों (यू० एस० ए०) में जो ऐक्सपेरिमेंट हुए हैं और बिजली जेनरेट हुई है वह दूसरी हीट है तो क्या मंत्री जी बताने की कृपा करेंगे कि हमारे यहां सोलर हीट से कोई जेनरेशन या बिजली पैदा की जा सकती है ?

श्री हुमायून कबिर : मैं ने अभी बतलाया कि अमरीका में सोलर इनर्जी से यह ऐक्सपेरिमेंट नहीं हो रहे हैं । हमारे यहां सोलर इनर्जी जिसको कि हम इस्तेमाल करने की कोशिश कर रहे हैं अभी थोड़ा काम हुआ है । एक खास सोलर इनर्जी डिवाइज अभी बनाया गया है लेकिन कुर्कस की तरफ हमारा इतना ज्यादा खयाल नहीं है । जितना अभी तक काम हुआ है उससे पानी गरम किया जा सकता है, मैं चा ते हैं कि ऐयरकंडीशनिंग और रेफ्रिजरेशन भी हो सके । यह ऐक्सपेरिमेंट हो रहे हैं । यह अगर सफल हो गये तो कुछ उम्मीद है । लेकिन जो एलेक्ट्रिसिटी बननी है और जिसको अभी तीन मुल्कों यू० एस० ए०, यू० एस० एस० आर० और य० के० में चर्चा हो है रही और ऐक्सपेरिमेंट्स हो रहे हैं, उस पर खर्चा भी बहुत ज्यादा है और उस में २५०० से ३००० सेंटीग्रेड हीट में काम करना पड़ता है । यह सोलर इनर्जी से नहीं बनती है ।

Oil Refinery, Calcutta

*746. **Shri Indrajit Gupta:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether Government's experts have recommended establishment of a public sector oil refinery in Calcutta; and

(b) if so, whether Government have approved the project for the Fourth Five Year Plan?

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

(b) Does not arise.

Shri Indrajit Gupta: May I know if the Government has made any assessment of the comparative costs in the long run between transporting refined product all the way to Calcutta by pipe line and the establishment of a refinery near Calcutta itself?

The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajarnavis): No, Sir.

Shri Hem Barua: May I know if it is not a fact that an expert committee appointed to report on the establishment of a refinery to process the Nahorkatiya crude recommended that a refinery in Calcutta would be the most economical proposition and if so, why the Government has shelved the recommendation of that committee?

Shri Hajarnavis: I am not aware of that recommendation.

Shri Hem Barua: What is the answer?

Mr. Speaker: He is not aware whether that committee had made that recommendation.

Shri Hem Barua: I have got a copy of the report with me. It has recommended like that. As far as the Minister is concerned. . .

Mr. Speaker: He does not say that what the hon. Minister says is untrue. He says he has not got that information.

Shri Bhagwat Jha Azad: Since we are expecting to produce about 5 million tons out of a demand for 14 million tons by the end of the Third Five Year Plan, how do the Government propose to meet this since it has not assessed any possibility at Calcutta for an oil refinery?

Shri Hajarnavis: The next refinery will probably be in South India. For that purpose, we have already received two reports, one by the E.N.I.

and the other is by an American company. We have also requested the Indian Petroleum Institute to undertake a techno-economic survey for the establishment of a refinery in South India. When all these three reports come in, we shall consider the establishment of the next refinery, but it will very probably be in South India.

Shri Yallamanda Reddy: What is the definite recommendation made by this enquiry committee in respect of a refinery in South India?

Mr. Speaker: Order, order. From the refinery in Calcutta we are passing on to the establishment of a refinery in South India. Next question.

Cement Quota for Bihar

*747. **Shri Yogendra Jha:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that substantial cut has been made in the allotment of cement quota to the Government of Bihar; and

(b) whether it is also a fact that this cut has created a crisis in the industries in that State?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) No cut has been made in the quarterly quota of cement for Bihar State. The quota remains at 91,800 tonnes per quarter.

(b) Does not arise.

श्री योगेन्द्र झा : क्या यह सत्य है कि बिहार सरकार ने सीमेंट की अपनी जितनी जरूरत बताई है, उसका तीस से चालीस प्रतिशत तक ही सीमेंट का कोटा बिहार सरकार को दिया गया है; यदि हां, तो वहां पर चल रहे विकास-कार्यों पर इस का क्या असर पड़ा है ?

श्री प्र० चं० सेठी : जैसा कि मैं ने प्रारम्भ में निवेदन किया है, बिहार का सीमेंट का कोटा ९१,८०० टन पर क्वार्टर है और

तीनों क्वार्टरों में उतना ही उस को दिया गया है। दूसरे क्वार्टर में ६१,६७६ टन का आफ्रटेक हुआ है। ऐसी सूरत में उस में कोई कमी नहीं हुई है। इस के अलावा बिहार को बीस हजार टन का एक एड हाक क्वोटा दिया गया है।

श्री योगेन्द्र झा : अभी भी बिहार को मिलने वाले सीमेंट के क्वोटे का आधार वही है, जब कि सीमेंट का उत्पादन ७.५ मिलियन टन था। मैं यह जानना चाहता हूँ कि आज जब कि सीमेंट का उत्पादन ८.२ मिलियन टन हो गया है, तो क्या उसी अनुपात में बिहार का क्वोटा बढ़ाया गया है या नहीं।

श्री प्र० चं० सेठी : यदि सीमेंट का उत्पादन बढ़ा है, तो उस की मांग भी बढ़ गई है। जहां तक किसी स्टेट को सीमेंट देने का सम्बन्ध है, वह इस आधार पर दिया जाता है कि गये साल उस स्टेट को कितना दिया गया था।

श्री विभूति मिश्र : बिहार में हतिया का कारखाना लग रहा है बोकारो और बरौनी के कारखाने लगने जा रहे हैं। इसी प्रकार गैर-सरकारी क्षेत्र में भी कारखाने लग रहे हैं। इस के बावजूद बिहार को सीमेंट का पुराना ही कोटा मिलता है मैं यह जानना चाहता हूँ कि इस बात को मद्देनजर रखते हुए कि बिहार में सरकारी और गैर-सरकारी दोनों क्षेत्रों में, कारखाने लगने जा रहे हैं, क्या उसका कोटा बढ़ाया जायेगा।

श्री प्र० चं० सेठी : माननीय सदस्य को कुछ गलती हो गई है। अभी मैं ने स्टेट क्वोटे के बारे में बताया है। जहां तक और कारखानों का सम्बन्ध है, उनको सेंट्रल कोटे में से एलाटमेंट किया जाता है।

Shri Tyagi: Will the Government be pleased to give us some idea as to the proportion that they have fixed in regard to the consumption of cement as between the public sector—the Government and the State projects—and the private sector?

Mr. Speaker: All over India?

Shri Tyagi: Most of it goes to the Government buildings.

Mr. Speaker: That is too wide a question.

Shri Tyagi: I only wanted to know whether they have fixed any proportion between these two sectors.

Mr. Speaker: That will be going too far.

श्री क० ना० तिवारी : अभी कल माननीय मंत्री जी ने बताया कि बिहार का जितना कोटा निश्चित है, वह सारा कोटा दिया जाता है, लेकिन क्या यह सही है कि जो कन्ज्यूमर्ज क्वोटा है, वह पूरा नहीं दिया जाता है ?

श्री प्र० चं० सेठी : मैं ने अभी बताया है कि पिछले तीन क्वार्टरों में बिहार को उतना ही दिया गया है, जितना कि निश्चित है। वहां का बाकी जो डिस्ट्रिब्यूशन है, वह वहां की स्टेट सरकार करती है।

श्री क० ना० तिवारी : अध्यक्ष महोदय, मैं ने पूछा है कि जो बिहार का कोटा निश्चित है, उतना नहीं दिया गया है, इसका क्या कारण है।

अध्यक्ष महोदय : मिनिस्टर साहब न कहा है कि उतना ही दिया जाता है। उन्होंने कहा है कि जो गवर्नमेंट का कोटा है, वह उन को मिलता है और पिछले तीन क्वार्टरों से दिया जा रहा है। उस के बाद बाकी काम स्टेट गवर्नमेंट का है।

Shri Bhagwat Jha Azad: In regard to the quota allotted to Bihar, may I know if the quota is based on the last year's quota, or whether it is based on the demand, as demanded by the Bihar Government?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): The point for consideration is, we are in short supply as far as cement is concerned. It has got to be equitably distributed to all the States. There-

fore, all the State representatives assembled together, and they have arrived at a formula on which basis this quota should be fixed and should be distributed. On that basis the quota has been fixed, and the allotments are made on that basis.

Foreign Experts to Study Coal Transport Problem

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748. { Shri Narendra Singh Mahida:
Shri P. K. Deo:
Shri Harish Chandra Mathur:
Shri Rameshwar Tantia:

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

(a) whether Government are proposing to invite a team of foreign experts to study the coal transport problem;

(b) if so, when; and

(c) whether Government feel that this would solve the coal transport problem?

The Minister for Mines and Fuel (Shri K. D. Malaviya): (a) to (c). A proposal in this regard is under consideration; the extent to which the study will help to solve the transport problem can be known only after the study has actually been completed.

Shri Narendra Singh Mahida: May I know whether there is any dearth of talent in this country to solve this coal transport problem?

Shri Hajarnavis: No, Sir. Our own experts are examining the question. A suggestion came from the World Bank that they might also take a hand at examining the problem and making suggestions. We could not turn down their sympathetic approach.

Shri Narendra Singh Mahida: May I know when the Government of India propose to solve this problem?

Shri Hajarnavis: As early as possible.

Shri S. M. Banerjee: May I know from which country the expert is being invited and what are his specific qualifications in regard to this subject?

The Parliamentary Secretary to the Minister of Mines and Fuel (Shri Maimmaiah): An official from World Bank who visited India suggested to the Government of India that we should approach the World Bank and request them to make a feasibility study of all modes of transport. In accordance with that advice, we requested them to make a feasibility study of all modes of transport. That is under the consideration of the World Bank.

Mr. Speaker: But the question is from which country the expert is being brought and what qualification he possesses in this subject?

Shri Hajarnavis: We have only conveyed to them our acceptance of their proposal. But we have not heard from them.

Shri Harish Chandra Mathur: We have the Neogy Committee, which is a high-powered committee going into the matter. Then, I understand from the Minister of Transport that he has recently appointed another committee to go into the matter. May I know whether these facts were brought to the notice of the World Bank that we have the highest-powered committees examining this matter and whether in spite of that they insisted on further examination by foreign experts? May I know whether they have given some special features and trends which are being examined by them?

Mr. Speaker: Certainly the question should not be so long and contain arguments.

Shri Harish Chandra Mathur: It is not argumentative.

Mr. Speaker: Arguments have been given and support has been brought from certain other facts also. It should not be so long.

Shri Harish Chandra Mathur: Under the rules, it can be 150 words; it is within that.

Shri Hajarnavis: The World Bank said that they would extend their help to us for which we intend to bear no expenditure. If they are going to suggest to us a certain solution, it is not for us to decline to accept it, merely because we feel that our people are the best and that others have nothing else to say.

Shri Tyagi: What are the specific points on which these foreign experts are expected to advise the Government—road transport, rail transport or pumping through tubes?

Shri Hajarnavis: All modes of transport. So far as the transport of coal by pipeline is concerned, the matter is being examined by two foreign firms. One is Messrs Brown and Root Incorporated and the other is Messrs Bechtel International Corporation.

Shri Sham Lal Saraf: May I know to what extent the situation has improved by the application of the local talent available in this country and whether Government are satisfied with the progress made so far in coal transport?

Shri Hajarnavis: We are not satisfied in the sense that we have solved the problem, but there has been some definite improvement.

Shri P. R. Patel: May I know the necessity of having foreign experts to advise us on transport? Am I to believe that we have no experts in this country to solve this problem?

Shri Hajarnavis: We did not ask the experts to come. The assistance was offered to us and we thought it would not be proper for us to decline to accept it, especially when we do not propose to pay for it.

श्री विभूति मिश्र : क्या सरकार ने अपने एक्सपर्ट्स से पूछ कर के तय कर

लिया है कि हिन्दुस्तान में जो एक्सपर्ट्स हैं वे काबिल नहीं हैं, इसलिये बाहर से एक्सपर्ट्स मंगाये जा रहे हैं ?

अध्यक्ष महोदय : यह तो उसी प्वायंट पर बहस की जा रही है। कोई फ़रदर इंकमेंशन नहीं मांगी जा रही है।

श्री विभूति मिश्र : अध्यक्ष महोदय, कोयला तो सड़क या रेल से जायेगा। क्या सरकार ने यह देख लिया है कि उस के पास आवश्यक साधन हैं या नहीं ?

अध्यक्ष महोदय : और दो तीन माननीय सदस्यों ने भी यह सवाल पूछा है।

Shri Hem Barua: Is it not a fact that the Planning Commission has examined this problem through its work groups and experts and made provisions—financial and otherwise—to solve this problem of transport bottleneck? If so, may I know how Government propose to coordinate the activities of the Planning Commission in this respect with those of these foreign experts?

Shri Hajarnavis: As a matter of fact, the World Bank have not conveyed to us their acceptance of the proposal nor have they sent any expert. Whether there is any need for co-ordination or not can only arise after the recommendations are received. The Government as a whole will certainly co-ordinate the recommendations of the agencies which make their recommendations to them.

Shri Indrajit Gupta: Can the Government give us a categorical assurance that this sympathetic approach of the World Bank if accepted by us will not eventually lead to our having to take another loan from the World Bank for the services of the expert?

Shri Hajarnavis: I am not in a position to give any such assurance.

Mr. Speaker: No assurances can be sought for during the Question Hour.

Bhilai Steel Plant

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*749. { **Shri Subodh Hansda:**
Dr. R. Banerjee:

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

(a) whether it is a fact that the expansion programme of Bhilai Steel Plant will be affected due to shortage of trained technical persons; and

(b) if so, to what extent it will be affected or delayed?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) No, Sir.

(b) Does not arise.

Shri Subodh Hansda: May I know whether there is any arrangement for training of technical personnel in the Bhilai Steel Plant; if so, how many people are being trained for this future programme?

Shri P. C. Sethi: There is a programme to train the workers in Bhilai. About 100 graduate apprentices, 133 senior operatives, 244 junior operatives, and 228 artisan trainees are being trained annually.

Shri Subodh Hansda: May I know whether the Government is still sending some technicians to Russia to get training for manning this Bhilai Steel Plant?

Shri P. C. Sethi: Yes, Sir; to the extent necessary, people are being sent to USSR.

डा० गोविन्द बास : क्या माननीय मंत्री जी ने गत मास में भिलाई में जो उत्पादन हुआ है उस के अंक देखे हैं और क्या हर महीने यह उत्पादन बढ़ता जायेगा, ऐसी आशा है ?

Shri P. C. Sethi: Sir, this does not come within the purview of this question. The question relates to trainees and shortage of personnel.

Shri Mohammad Elias: May I know whether it is a fact that the authority gave an assurance to the 5,000 workers and technicians engaged in this expansion work that they would be paid a lump sum amount and subsequently it was not paid to them with the result that it has affected the work on this expansion programme; if so, may I know whether the assurance will be fulfilled by the authorities, or if it will be withdrawn may I know the reasons for withdrawing it?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): Sir, the question relates to...

Mr. Speaker: That is quite a different question.

Shri Mohammad Elias: It is regarding the expansion programme.

Mr. Speaker: The question is whether the expansion programme will be affected due to shortage of technical personnel.

Shri Mohammad Elias: Technical personnel are not being trained properly. They were given an assurance by the authorities.

Mr. Speaker: That does not arise out of this.

Shri Surendranath Dwivedy: May I know the number of foreign technical personnel in Bhilai and whether we are working out a phased programme to see that we are able to carry out the work without depending on foreign technical personnel?

Shri C. Subramaniam: Sir, this is with reference to the expansion programme, and to the extent necessary we will have to employ them. As a matter of fact, during the construction of the first stage of the million-ton plant, we were employing 1000 Russian specialists. But during the expansion stage it is contemplated to employ only 256 Soviet experts.

श्री विभूति मिश्र : हिन्दुस्तान टाइम्स के कारेस्पॉण्डेंट ने जो किताब लिखी है "पब्लिक सैक्टर" उस में कहा गया है कि भिलाई तथा और भी जो पब्लिक सैक्टर के कारखाने हैं, उन में आदमियों की कमी है जिस की वजह से उत्पादन नहीं बढ़ रहा है। क्या इस की ओर माननीय मंत्री जी का ध्यान गया है ?

अध्यक्ष महोदय : कैसे आदमी ?

श्री विभूति मिश्र : हिन्दुस्तान टाइम्स के कारेस्पॉण्डेंट ने

अध्यक्ष महोदय : आप कहिये जो कहना चाहते हैं, ट्रेड परसनेल की बात कर रहे हैं या बाकी आदमियों के बारे में कह रहे हैं ?

श्री विभूति मिश्र : उस में लिखा है कि जितने हमारे पब्लिक सैक्टर के कारखाने हैं भिलाई समेत उन में ट्रेड आदमियों की कमी है जिस के कारण उत्पादन कम हो रहा है। मैं जानना चाहता हूँ कि क्या सरकार का ध्यान उधर गया है।

अध्यक्ष महोदय : यही तो सवाल है। और क्या है इस में ?

Shrimati Savitri Nigam: May I know whether any assessment has been made to find out the number of **technicians** necessary in the coming years; and, if the answer is in the affirmative, whether a phased programme for training has been chalked out or not?

Shri C. Subramaniam: Yes, Sir. Both have been done.

Shri Daji: When the technical programme has been regularised will it fulfil our needs for the coming Five Year Plans?

Shri C. Subramaniam: Yes, Sir.

I.A.S. Officers on Deputation from States

***750. Shri P. R. Chakraverti:** Will the Minister of Home Affairs be pleased to state:

(a) how many I.A.S. officers are now on deputation from the States to work in the Central Secretariat under different categories;

(b) what extra emoluments are drawn by these officials while on deputation; and

(c) what are the special grounds for requisitioning the services of State I.A.S. officials especially in the cadre of Under Secretaries

The Minister of State in the Ministry of Home Affairs (Shri Datta): (a) Under Secretary—29.

Deputy Secretary—67.

Joint Secretary—45.

Secretary/Addl. Secretary—35.

(b) No extra remuneration is paid. Pay of these officers is governed by the IAS (Pay) Rules, 1954.

(c) This system ensure:—

(i) that evolution of high policies is not divorced from practical administration, i.e., administration which comes into close contact with the people and their problems;

(ii) that the States, on return of officers from the Centre, get an all-India outlook;

(iii) a field from which officers with proved abilities can be selected for higher assignments;

(iv) that the service contributes to the administrative unity of the country.

Shri P. R. Chakraverti: Is it not a fact that the requisitioning of services of State IAS Officers in the cadre of Under Secretaries robs the chances of promotion of senior Assistants here such as the Superintendents?

Shri Datar: No, Sir.

Shri P. R. Chakraverti: Is it not a fact that in the process of development of the country the idea of putting fervour and devotedness to service is essential? If so, how is it that the senior officers working at the Centre are now being debarred from promotion by getting people from the States?

Shri Datar: The Government of India ought to have officers, to a certain extent, from all the State services. As I have pointed out, there ought to be a system of knowing what is happening at the other quarters where actually contact with the people is had. Secondly, so far as the Central Services are concerned, they claim that the whole cadre of Under Secretaries should be reserved for them. This question was considered by the Pay Commission and was over-ruled.

Shri Daljit Singh: What is the age limit fixed for candidates to appear for the IAS examination at present?

Mr. Speaker: That is not covered by this question.

श्री भक्त दर्शन : श्रीमन्, जब हमारे सैक्रेटरीट में अच्छे अनुभवी कर्मचारी मौजूद हैं तब कौन से विशेष कारण हैं कि राज्यों से लोग लिये जायें और क्या कोई कोटा फिक्स्ड है जैसे, ग्रैंडर सैक्रेटरीज में खास कर के कि इतने राज्य सरकारों के लिये जायेंगे ?

अध्यक्ष महोदय : इस का जवाब दे नहीं दिया गया है ?

श्री भक्त दर्शन : श्रीमन्, मैं यह जानना चाहता हूँ कि किस परिमाण में, किस संख्या में लिये जाते हैं, क्या इस का कोई कोटा फिक्स्ड है ?

Shri Datar: A quota as such is not fixed but, generally, we give them preference, so far as the Under Secretary's post is concerned, to the largest extent possible. May I point out here that 73 per cent. of the posts are held by the members of the Central Secre-

tariat. Service and only 6.8 per cent. is held by IAS officers.

Shri Bhagwat Jha Azad: The hon. Minister stated that from different States officers are drawn to the Central Secretariat for different considerations. Is it not a fact that when such requisitions have been made most of the States have not been able to send the requisite number of officers?

Shri Datar: We have fixed the quota for the various cadres and, generally, consistent with their requirements, the States are co-operating with us in lending the services of their IAS officers.

Shri Tyagi: Are these officers requisitioned in the Centre by the method of Central Government picking and choosing from amongst them or are they those whom the State Governments have tried to throw up here?

Shri Datar: We inform them of our requirements in terms of the particular type of work that we expect from them. Then the States give us their recommendation and we accept them.

Shri Harish Chandra Mathur: May I know if any criterion or procedure has been laid down for drawing officers and, if so, how does it happen that from certain States you hardly find any officers in the senior cadre while from other States officers are dominating the senior cadre?

Shri Datar: There is no question of any domination at all. Once upon a time the number from certain States was somewhat meagre. Then we impressed upon the State Governments the advisability of giving as the required quota, not only only in our interests but in their own interests also. Now the position is fairly satisfactory.

श्री भानुप्रकाश सिंह : मैं जानना चाहता हूँ कि जो अधिकारीगण राज्यों से केन्द्र को आते हैं एक नियत अवधि के लिये वे अवधि के समाप्त होने के पश्चात् वापस जाने में आनाकानी करते हैं, इस का क्या कारण है, और केन्द्रीय सरकार जिस उत्सुक

से उन को यहां बुलाती है, उस उत्सुकता से उन को वापस नहीं भेजती, और क्या गवर्नमेंट को यह

अध्यक्ष महोदय : आप क्या सारे सवाल कर लेंगे ? पहले इतने सवालों का ही जवाब आने दीजिये ।

Shri Datar: We have answered this question a number of times. Ordinarily, a tenure has been fixed. It is three years, for Under Secretaries, four years for Deputy Secretaries and five years for Joint Secretaries. I might also tell the House that after completing this tenure, except when we require their services for a longer period, they go back as early as possible and others come in. This is a two-way traffic and not one-way traffic.

Shri Hari Vishnu Kamath: According to this programme which the hon. Minister of State has outlined, is the number of officers selected in each State proportionate to the strength of the cadre in that State and are the officers selected from all the States or only from a few States at random?

Shri Datar: That is what I have pointed out, namely, that we have reached parity to the largest extent possible.

Shri Basumatari: May I know whether there is differential treatment between IAS officers who have been recruited directly and those who were allowed to sit for the examination from the different services?

Shri Datar: This question is irrelevant but I would like to dispel this insinuation. They are treated alike.

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूँ कि क्या सरकार के अनुभव में यह बात आई है कि राज्य सरकारें अपने अच्छे अफसरों को नहीं भेजती हैं, बल्कि जो अफसर अच्छे नहीं होते, उन को भेजती हैं ?

Shri Datar: I would not go to that extent at all.

श्री म० ला० द्विवेदी : केन्द्रीय सरकार ने कुछ आई० ए० एस० अधिकारियों को विभिन्न राज्यों में तायनात किया है, जैसे मद्रास के उत्तर प्रदेश में, उत्तर प्रदेश के केरल में, इस तरह से और जगहों पर भी हैं । इस तरह के जिन अधिकारियों को केन्द्रीय सरकार ने दूसरी सरकारों से ऋण पर लिया है और जो राज्य में काम कर रहे हैं, मैं जानना चाहता हूँ कि वे भी उस संख्या में, जोकि माननीय मंत्री महोदय ने दी हैं, सम्मिलित या उन के अतिरिक्त हैं । और कितने ऐसे अधिकारी राज्यों में काम कर रहे हैं ?

Shri Datar: Let the hon. Member give notice of another question.

श्री म० ला० द्विवेदी : मेरे प्रश्न का क्या उत्तर है ?

अध्यक्ष महोदय : इस सवाल का जवाब तैयार नहीं है, अलाहदा सवाल कर लीजिये ।

श्री म० ला० द्विवेदी : माननीय मंत्री सदन के पटल पर उत्तर रख दें ।

अध्यक्ष महोदय : जब सवाल ही नहीं करेंगे तो वे कैसे रख देंगे ?

Merger of A.F.H.Q. and Ministry of Defence

*751. **Shri S. M. Banerjee:** Will the Minister of Defence be pleased to refer to the reply given to Unstarred Question No. 2851 on the 8th June, 1962 and state:

(a) whether the proposal for the merger of the staff of Ministry of Defence and Armed Force; Headquarters has been finalised;

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

(c) if finalised, the details thereof?

The Minister of State in the Ministry of Defence (Shri Raghuramiah): (a) No, Sir.

(b) Replies have not so far been received from all the Associations of Armed Forces Headquarters Civilian employees whose views in the matter have been sought by Government.

(c) Does not arise.

Shri S. M. Banerjee: May I know whether Government will take a decision only on the basis of information received from the associations or have they already taken a decision and want confirmation of that?

Shri Raghuramaiah: Before taking a decision Government would like to consider the views of the associations.

Shri Bhakt Darshan: By what time a final decision is expected?

Shri Raghuramaiah: It is very difficult to say. The matter has been pending for some time now. It bristles with very many complications and difficulties.

Indian Ocean Expedition

***752. Shri Dinen Bhattacharya:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Government are aware of the findings of the International Indian Ocean Expedition which announced that they have recently discovered a rather extensive layer of water with high concentration of Hydrogen Sulphide at varying depths in the Arabian Sea and Bay of Bengal;

(b) whether it is a fact that this is one of the reasons for the mysterious deaths of millions of fish in the Arabian Sea in 1957; and

(c) if so, the details thereof?

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

(b) and (c). Careful and thorough investigation of the data obtained will have to be conducted before any statement can be made one way or the other.

Shri Dinen Bhattacharya: What steps do the Government want to take to

break the future concentration of hydrogen sulphide in the Bay of Bengal and in the Arabian Sea?

Shri Humayun Kabir: First of all we want a thorough study and survey of the thing. The Indian Ocean Expedition will be working for about three or four years and when all the data is available and proper studies have been made, we shall try to take whatever steps are feasible.

Shri Dinen Bhattacharya: What is the expected time by which this result will be brought to our knowledge?

Shri Humayun Kabir: As I said, this Expedition will take about four years. It started work in 1962 and will go on upto 1966. But, as reports come in they will be studied. However, we cannot give any final reply till the whole investigation has been completed.

Shri Narendra Singh Mahida: May I know whether the Government intend to establish a research office in connection with the ocean expedition?

Shri Humayun Kabir: It is not a research office as such, but certain research institutions will develop as a result of this expedition. For example, we have already decided that there will be a unit at Cochin where there will be studies in marine zoology and biology.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूँ कि क्या सरकार ने इस एक्स्पेडिशन के द्वारा या दूसरे ढंग से यह पता लगाया है कि समुद्र की लहरों से बिजली पैदा की जा सकती है या नहीं ? यदि हाँ, तो उस के सम्बन्ध में क्या रिसर्च यहाँ चल रही है ?

Shri Humayun Kabir: This is a general question which does not arise out of this particular question.

Shri K. C. Pant: In view of the fact that there is an acute shortage of sulphur in this country, may I know whether Government have any intention to study the possibilities of re-

covering sulphur from the hydrogen sulphide in the sea?

Mr. Speaker: From the ocean?

Shri K. C. Pant: Yes.

Shri Humayun Kabir: As I have said, the first reports indicate that in certain areas there is a heavy concentration of hydrogen sulphide. But the depth is quite high there....

An Hon. Member: Depth is quite high?

Shri Humayun Kabir: Yes, the depth is quite high there.

Shri Tyagi: They are known as the high seas. The seas are always high.

Shri Humayun Kabir: My hon. friend is a little surprised, but then there are many peculiarities in language of that type.

Mr. Speaker: Depth can also be high, if we measure it from the bottom.

Shri Humayun Kabir: So far as the recovery is concerned, I do not think that we can give any answer at this stage, till we know what the stocks are, whether it can be recovered easily and so on. The economics of the scheme etc. will have to be worked out.

Shri Daji: May I know whether Government are doing anything to prevent the maleffects of this on the fishing trade?

Shri Humayun Kabir: This is one of the question which this expedition will investigate. Whether this hydrogen sulphide is responsible for the large-scale death of fish is a matter which will require investigation.

Shri Prabhat Kar: The hon. Member has said that it will take four years to find out the reasons for the death of the fish. But, in view of the shortage of fish supply in Calcutta and in view also of the large-scale death of fish due to the concentration

of hydrogen sulphide, may I know in the meantime what steps Government propose to take to see that such a thing does not happen?

Shri Humayun Kabir: I am sure that my hon. friend will not ask Government to take steps before they know what the actual causes are.

Shri Hem Barua: May I know whether it is not a fact that some time back, the Russians discovered evidences of a huge monster on the sea-bed, and if so, whether Government have enquired from the Russian sources whether the death of these fishes is not due to the gluttonous habit of this monster?

Shri Humayun Kabir: The hon. Member is giving me information.

Shri Bhagwat Jha Azad: The supplementary question asked earlier has not been replied to. We want to know whether Government have got any proposal to examine the possibility of extracting sulphur from this hydrogen sulphide in the sea.

Shri Humayun Kabir: This has come to our notice very recently, and we shall certainly examine what can be done about it.

Shri Hari Vishnu Kamath: If I heard the hon. Minister aright, he said 'yes' in reply to parts (a) and (b) of the question. May I know how it is that the poor fish died in millions in the Arabian Sea, but not in the Bay of Bengal? Does the Bay of Bengal contains any antidote to hydrogen sulphide?

Mr. Speaker: The investigations would tell us the position.

Shri Humayun Kabir: I said 'yes' in reply to part (a), but not in reply to part (b). I wish that my hon. friend had heard me correctly.

Shri Mohammad Elias: For the last few years there has been shortage of Hilsa fish, which were available in abundance in the river Hooghly a

few years ago. May I know whether this shortage is due to the concentration of hydrogen sulphide in the sea or due to any other reason?

Mr. Speaker: From the ocean expenditure, we are now going to the river Hooghly. Next question.

Scholarships for Pakistanis and Chinese

*753. **Shri G. Mohanty:** Will the Minister of Education be pleased to state:

(a) whether Government grant scholarship to Pakistani and Chinese Nationals for studies in India;

(b) what is their number; and

(c) what are the subjects of studies for which scholarships are granted?

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

Chinese nationals—No, Sir.

(b) Pakistani nationals—2 for 1962-63, but no nominations received so far.

(c) All subjects for which facilities are available in India

Shri G. Mahanty: श्रीमान May I know whether Government's policy in this regard has in any way been affected by the Chinese aggression?

Dr. K. L. Shrimali: Government would like to keep the doors of their universities open.

श्री यशपाल सिंह : क्या मैं जान सकता हूँ कि पाकिस्तान में और चाइना में भारत के कितने नागरिक स्कालरशिप ले रहे हैं ?

अध्यक्ष महोदय : यह तो उन्होंने ने कह दिया ।

Shri Tridib Kumar Chaudhuri: Has the Pakistan Government accepted and agreed to this scholarship scheme?

Dr. K. L. Shrimali: This is a scheme under the Commonwealth scholarship programme. The hon. Member is aware that at the Oxford Conference all the Commonwealth countries offered to have exchange of scholars, and India also made a similar offer. It is under that scheme that Pakistan has been offered a scholarship.

Shri Tridib Kumar Chaudhuri: We have offered. That is all right. But has Pakistan accepted it

Dr. K. L. Shrimali: As regards Pakistan, there is one scholar who is studying at present. We have not received nominations for the scholarships which have been offered for 1962-63.

Shri Narendra Singh Mahila: Is this a reciprocal system, and if so, does Pakistan give any scholarship to Indians?

Dr. K. L. Shrimali: They also are members of the Commonwealth Conference and they have also offered scholarships.

Shri D. C. Sharma: For what particular subject do these Pakistani students come to India for studies?

Dr. K. L. Shrimali: The scholar from Pakistan is studying at the Indian Agricultural Research Institute for Ph.D. in soil science.

Coal Mining Rights in Madhya Pradesh

*754. **Shri Bishanchander Seth:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that Madhya Pradesh Government have approached the Central Government for empowering them to exploit its coal mines in Madhya Pradesh;

(b) if so, how far their request has been complied with;

(c) if not, the reasons therefor;

(d) whether such kind of request has been made by other States also; and

(e) if so, the names of the States and Government's decision thereon?

The Parliamentary Secretary to the Minister of Mines and Fuel (Shri Thimmaiah): (a) to (e). There was no specific proposal from the Madhya Pradesh Government to be allowed to exploit independently coal bearing areas in the State. It was the Madhya Pradesh State Electricity Board which made a request for opening up of Patherkhera coal mine for the limited purpose of feeding the Satpura Thermal Power Station. The State Government was informed that the National Coal Development Corporation and the State Government were already collaborating in the working of the Korba mine, and a similar pattern could be evolved for the development of the Patherkhera coal-field as well.

It was only the West Bengal Government which sent a specific proposal for exploiting the coal bearing areas within the State. In this regard, an agreement has been reached between the Government of India and the State Government. A copy of the said Agreement has already been laid on the Table of the House on August 10, 1962.

श्री बिसनचन्द्र सेठ : मैं यह पूछना चाहता हूँ कि क्या बंगाल गवर्नमेंट के लिये सरकार ने यह निश्चय किया है कि वह अपने प्रान्त को पहले कोयला दे और उस के बाद जब प्रान्त का सैटिसफैक्शन हो जाय तो डिस्ट्रीब्यूशन करे ?

ज्ञान और ईश्वर मंत्रालय में उपमंत्री (श्री हजरतबीस) : जो फाजिल कोयला रहेगा उस को कोल कंट्रोलर बांट देगा ।

Shri Hem Barua: In view of the fact that the West Bengal Government has been given almost exclusive rights to mine her coal mines, why is it that different norms are adopted by Government in the case of coal mines in different States?

Shri Hajarnavis: To examine every question and suggestion on its merits.

sidered on merits. But it would be impossible for Government to lay down any uniform pattern applicable to all the States.

Shri Daji: Is it not a fact that the scheme for the working of the Korba field suggested by the Madhya Pradesh Government or the State Electricity Board did not come through because there is a dispute as regards the rate? If West Bengal is permitted to work the mines, why is it not permitted to other States also who are willing to work them?

Shri Hajarnavis: We do not know what exactly induced the Madhya Pradesh Electricity Board to make such a request. But as we have already said, there is a pattern of collaboration between the Madhya Pradesh authorities and the NCDC which is the agency of the Government or India. We have suggested to the Madhya Pradesh Government that we can collaborate on that basis. After that we have not heard from them.

Shri Bhagwat Jha Azad: May I know whether the conclusion of the agreement with the Government of Bengal is any indication of the Government evolving a policy that the States producing coal will have the right to have their demands catered to, before they allow it to be sent outside?

Shri Hajarnavis: We examined a specific proposal which came from the West Bengal Government. As I have already said, that does not commit us to any particular principle. If there are proposals from State Governments which ensure better exploitation of the coal wealth, they will receive the consideration which they deserve.

Shri Jaswant Mehta: The hon. Minister stated that there is no uniform policy regarding the different States. Then, what is the policy of the Government of India?

Shri Hajarnavis: To examine every question and suggestion on its merits.

Cultural Agreements

*755. **Shri Ravindra Varma:** Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Unstarred Question No. 1022 on the 9th May, 1962 and state:

(a) whether the Government of India has since concluded cultural agreements with any more of the African countries that have become independent after 1956; and

(b) if so, the names of those countries and the nature of agreements?

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

(b) Does not arise.

Shri Ravindra Varma: May I know the reasons why it has not been possible for us to enter into cultural agreements with any of the newly independent African countries during the last five years?

Shri Humayun Kabir: The major reason is that the initiative for such agreements has generally come from the other countries, and our view is that in practice it makes no difference whether there is an agreement or not.

डा० गोविन्द दास : अभी चाहे एप्रीमेंट न हुए हों, लेकिन क्या कुछ देशों से इस सम्बन्ध में लिखा पढ़ी चल रही है और अगर नहीं चल रही है तो क्या आगे कुछ लिखा पढ़ी चलने की आशा की जा सकती है ?

श्री हुमायून् कबिर : मैंने कहा हम इस बारे में कदम नहीं उठाना चाहते । लेकिन इस की वजह से कल्चुरल एक्सचेंज बन्द नहीं रहता । जिस मुल्क से कोई एप्रीमेंट नहीं है, जैसे यूनाइटेड किंगडम और यू० एस० ए०, वहां से भी एक्सचेंज हो रहा है और दूसरे मुल्कों से भी हो रहा है ।

Shri D. C. Sharma: May I know with what countries in Africa our Government has cultural exchanges?

Shri Humayun Kabir: This question was answered last time.

Shrimati Savitri Nigam: May I know whether our cultural teams which are sent to the countries with which we have got agreements, get some special benefit there?

Shri Humayun Kabir: As I have said, it does not make much difference, but on the other hand, the signing of a cultural agreement often arouses expectations which we cannot satisfy.

Shri Ravindra Varma: May I know whether the Government is aware that the fact that we have not yet entered into cultural agreements with any of these newly independent African countries while we have entered into agreements with nine other countries during these five years has created a feeling that the priority we have accorded for cultural relations with these countries is rather low, and if so, what action Government propose to take to counteract this?

Shri Humayun Kabir: As I said, there are cultural exchanges even without any agreement, and we have not entered into any agreement except on the initiative generally from the countries which want it, because our general policy is to have these exchanges without agreement. So far as the African countries are concerned, during the current and next financial year there is a proposal to send cultural delegations to, and invite similar delegations from, these countries, and we are inviting a delegation of officers from African countries for administrative training course in India.

Cement Factory at Sabalgarh, Madhya Pradesh

*756. **Shri Ram Sewak:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that Government have sanctioned a licence to open a cement factory at Sabalgarh, Madhya Pradesh in the private sector;

(b) if so, the target of annual production of cement in the factory; and

(c) the name of the party to which the licence has been sanctioned?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) No, Sir.

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

World Olympics for the Deaf

*757. **Shrimati Savitri Nigam:** Will the Minister of Education be pleased to state whether any arrangement has been made for the coaching of the deaf-mutes to enable them to participate in the World Olympics for the deaf?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): No, Sir.

श्री भक्त दर्शन : पहले आप प्रश्न संख्या ७५६ पर तो सवाल पूछने का अवसर दे देते ।

अध्यक्ष महोदय : सवाल करने वाले उठे नहीं और आप देर से उठे । इसलिये मैंने दूसरा सवाल बुला लिया ।

Shri Hari Vishnu Kamath: Before you proceed to supplementaries, may I request you to ask the Minister to let us know what is meant by "World Olympics for the deaf", and whether in it only the physically deaf are included or also the otherwise deaf, whether the metaphorically deaf are included? What is it exactly?

Mr. Speaker: Shrimati Nigam.

Shrimati Savitri Nigam: May I know if the Education Ministry has given any grant to any deaf mute to attend these Olympics?

Shrimati Soundaram Ramachandran: No.

Shrimati Savitri Nigam: May I know if the hon. Minister is aware that a member of the All-India Federation for Deaf and Dumb was given a grant to visit the Olympics in Scandinavia?

1730(Ai)LS—2.

Some Hon. Members: No.

Shrimati Soundaram Ramachandran: No.

श्री बड़े : क्या इन्दौर के डेफ़ और डम्ब स्कूल ने कुछ लड़के तैयार किये हैं और सेंटर को लिखा है कि उनको इसमें मदद दी जाए?

Mr. Speaker: It can be presumed that every supplementary to this question would have the answer, 'No'.

Shri Hari Vishnu Kamath: Both are deaf and dumb?

Export Promotion

*758. **Shri P. C. Borooah:** Will the Minister of Finance be pleased to state:

(a) whether he had discussions with the Executive Committee Members of the Indian Merchants' Chamber relating to prospects of boosting exports during his recent visit to Bombay;

(b) if so, whether demand for more incentives for boosting exports was pressed in the course of the discussions; and

(c) if so, what were their main demands and what is Government's view about them?

The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha): (a) Yes, Sir.

(b) and (c). The discussion was of an informal nature and there was no occasion for any specific proposal to be pressed or considered.

Some members raised questions relating to export incentive during the conversation and the Finance Minister observed that the Indian industry has now come of age and should stand on its own legs. Exports alone can finance repayment of developmental loans and sustain the nation's economy ultimately. While incentives might be necessary for some time for promoting certain lines of exports, excessive dependence on export incentives should be avoided.

Shri P. C. Borooah: May I know whether there is a proposal for three-tier system of income-tax remission as an incentive to export promotion? If so, what is the reaction of Government.

Shrimati Tarkeshwari Sinha: The hon. Member knows that the Mudaliar Committee has suggested a three-tier system for export promotion and that is under consideration.

Shri P. C. Borooah: May I know whether the Finance Minister indicated in the course of the discussion at that meeting that there are other kinds of incentive proposals? May I know the nature of the other proposals?

Shrimati Tarkeshwari Sinha: The nature of the incentives depend upon the proposals that are received; and they are always under consideration.

Shri Tyagi: Are Government proposing to levy a cess on industries producing goods consumed in the country for the purpose of helping exports outside?

Shrimati Tarkeshwari Sinha: No decision has been taken in regard to this.

Shri Bhagwat Jha Azad: May I know whether Government is examining the policy of boosting export promotion not at the cost of the consumer but by way of reducing the transport cost and the cost of the raw materials or do they propose to continue the policy of boosting at the cost of the consumer?

Shrimati Tarkeshwari Sinha: Government never propose to do that export at the cost of the consumer unless and until such proposals are economically feasible. Government is constantly aware of this and is trying to improve matters.

Shri Indrajit Gupta: May I know whether Government have received any proposal to introduce export bonus scheme for jute similar to that

in Pakistan? If so, what is Government's reaction?

Shrimati Tarkeshwari Sinha: These are matters of detail. I am not answering on behalf of the Commerce and Industry Ministry. And, I do not know whether Government have any such proposal.

Shri Morarka: May I know whether this proposal to levy a cess for developing export is still under the consideration of Government or has it been finally dropped?

Shrimati Tarkeshwari Sinha: I have already said that it is still under consideration.

द्विभाषी शब्दकोष

*७५६. श्री सिद्धेश्वर प्रसाद : क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि साहित्य अकादेमी ने द्विभाषी शब्दकोष प्रकाशित करने की एक योजना बनाई है ;

(ख) यदि हां, तो ऐसे शब्दकोष किन भाषाओं में प्रकाशित करने का प्रस्ताव है ; और

(ग) ये द्विभाषी शब्दकोष कब तक प्रकाशित हो जायेंगे ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मन्त्री (श्री हुमायून् कबिर) : (क) जी नहीं ।

(ख) और (ग). सवाल पैदा नहीं होता ।

[(a) No, Sir.

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

श्री सिद्धेश्वर प्रसाद : क्या माननीय मन्त्री यह बतलाने की कृपा करेंगे कि इस योजना पर कुल कितना रुपया खर्च होगा ?

श्री हुमायून् कबिर : मैंने अभी बतलाया है । उन्होंने अपने प्रश्न में पूछा था कि साहित्य

अक्रादेमो ने कोई योजना बनाई है या नहीं तो मैंने उसका उत्तर दे दिया कि साहित्य अक्रादेमो ने कोई योजना नहीं बनाई।

AVRO-748

+
*760. { Shri Surendra Pal Singh:
 { Shri Rameshwar Tantia:
 { Shri P. C. Borooah:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the recent flying mission of the India built Avro-748 plane to the South Asian Countries has been a great success from commercial point of view, in so far as that several countries there have shown interest in the purchase of this aircraft from us; and

(b) if so, what are those countries which have shown willingness to purchase the aircraft?

The Minister of Defence (Shri Krishna Menon): (a) and (b). The Avro-748 built at Kanpur has returned from a demonstration tour to Indonesia, Malaya, Burma and Cambodia. The primary purpose was to demonstrate and to give information and to interest prospective buyers. The aircraft has evoked considerable interest in all these countries. During this demonstration flight, the plane and the crew did 70 hours of flying. During the entire flight, the plane was mechanically perfect.

Shri Surendra Pal Singh: In view of the facts that we have been making efforts to establish foreign markets for this plane, may I know if this is being done because we are in a position to manufacture these planes in larger number than are required at home, or is it because we have found this plane utterly useless for our own requirements?

Shri Krishna Menon: In order to develop aircraft manufacture, to earn foreign exchange and, what is more, to make production economical, it is better to have a larger market. It is also very useful to have contacts with these countries.

Shri Surendra Pal Singh: What is the approximate demand for these planes in the South East Asian countries and are we in a position to meet this demand within the stipulated time-limits set down by these countries?

Shri Krishna Menon: Sir, I am not only asked about the demands of this country but of other countries also. It is not possible to answer that question.

Mr. Speaker: The hon. Member wants to know whether we have such a programme of production as to be able to export to other countries. That is his point.

Shri Krishna Menon: Production is conditioned according to the requirements and supply is conditioned according to production; it is all related to each other. We cannot set up capacity in the hope that somebody will come and buy; we cannot refuse to set up capacity hoping that nobody would come. It is a matter of adjustment for Government and those who are manufacturing it.

Shri P. C. Borooah: May I know whether the Malayan Premier has recently indicated his willingness to purchase Avro-748 and if so whether he has actually placed an order?

Shri Krishna Menon: No one has actually placed an order; they are all making enquiries and are coming to see, etc.

Shri Tyagi: By which time does the hon. Minister think that the manufacture of these planes on a mass scale will be established?

Shri Krishna Menon: At the present moment there are a certain number of planes on the racks and the capacity is being expanded. I believe in a month's time the organisational arrangements of it will be completed so that it would be on production basis.

Shri Tridib Kumar Chaudhuri: What proportion of the engine components

which power this plane are being manufactured or will be manufactured in this country in the near future?

Shri Krishna Menon: The engines of this particular plane are imported ones. But the Indian engines are being made at Bangalore. It is a separate factory and it is being made there and I imagine in about three or four years' time the process of complete production will be perfected.

Shri Bhagwat Jha Azad: Keeping in view the home demand could we know by what time it would be possible for us to produce sufficient number of planes for export to other countries?

Mr. Speaker: We are in the initial stages. How can it be foreseen?

Shri Hem Barua: Is it a fact that the Defence Ministry is having a customer for Avro-748 in the Transport and Communications Ministry and if so whether alterations of specifications as suggested by that Ministry had been effected?

Shri Krishna Menon: They could not give any specifications; the plane has got specifications, and if the specifications suit them they will take it. Since these are transport planes, it will suit them.

Shri Narendra Singh Mahida: What would be the price of Avro-748?

Shri Krishna Menon: I am afraid I have not got that information.

Shri D. C. Sharma: May I know if it was only a test flight to test its mechanical perfection or it was done in order to promote exports to these countries?

Shri Krishna Menon: Perhaps, Sir, I should have more fully answered Shri Tyagi's question. This is not a proto-type, it is a production model, that is, production plane coming out of the normal production process. It is a test flight in the sense that we have not flown it in these climates and in these long distances, and

continuously. In that sense, it is a test flight but it is not a test flight as is usually understood by that term.

Steel for Industry

***762. Shri Harish Chandra Mathur:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) what is the total availability of steel for distribution to industry during the year;

(b) what part goes to the large scale industry and what part to small scale industry;

(c) whether there has been a cut for small scale industries in respect of these for the current term;

(d) if so, the extent of the cut to each sector; and

(e) what is Government's assessment of misuse by each sector of the industry and steps taken by Government to check the misuse?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) Approximately 5 million tons during 1962-63.

(b) Separate statistics are not available.

(c) and (d). In certain categories of Steel control has been relaxed. For such categories there is no question of a cut. For categories which are more strictly controlled e.g. sheets, no allotment of G.P./G.C. sheets has been made generally, due to heavy outstanding on producers. In this there is no discrimination between small scale and large scale industry.

(e) Enforcement of the Steel Control Order is primarily the responsibility of State Governments. It is not, therefore, possible to assess the degree of misuse by different sectors. Action is, however, taken by the Central Government whenever any case of misuse is reported or detected, whether in the small scale or large scale sector.

Shri Harish Chandra Mathur: I understand that the hon. Minister, while addressing the small-scale industrial sector said that there was a great abuse of this scarce raw material supplied to them. May I know what is the basis for such a statement and whether he thinks that the abuse is much greater in the larger sector?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): No comparative statement can be made, but we have received some complaints that some of the so-called small-scale sector people have obtained this and that they have sold it in the open market. Therefore I warned them that this should not happen.

Mr. Speaker: Now the Question Hour is over.

(Re: S.N.Q. 9)

Mr. Speaker: Short Notice Question.

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

(a) whether it is a fact that 6000 work-charged employees....

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): Sir, there is another Short Notice Question before this in the name of Shri Shree Narayan Das.

Mr. Deputy-Speaker: He is not in his seat.

Shri Daji.

SHORT NOTICE QUESTION

Bhilai Steel Plant

S.N.Q. 10. { **Shri Daji:**
 Shri S. M. Banerjee:

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

(a) whether it is a fact that 6000 work-charged employees of Bhilai

Steel Plant have not been paid the new pay scales and increased Dearness Allowance and production Bonus; and

(b) if so, the reasons thereof?

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

(b) The work-charged staff, being temporary, are not entitled to the benefits of Hindustan Steel Limited Employees Revised (Scales) Rules and the Bonus Scheme.

Shri Daji: Is it a fact that the work charged employees were getting the dearness allowance which was being previously paid to other employees and, if so, why can't they get the increased dearness allowance which has been granted to the others?

Shri C. Subramaniam: Work-charged employees are being paid on a daily basis. Therefore, the question of other allowances does not arise.

Shri S. M. Banerjee: May I know whether it is a fact that when these work-charged establishment people complete a certain number of years of service they are put on the regular establishment and, if so, whether they will be paid this bonus etc. when they become regular?

Shri C. Subramaniam: Yes, Sir, as soon as a work-charged employee becomes qualified to do some technical job and he becomes sufficiently skilled, he is absorbed in the regular cadre and then he becomes entitled to all the benefits.

Shri K. N. Pande: Is it a fact that Labour Ministry is going to constitute a wage board for the steel industry where the matter of wages and dearness allowance will be considered?

Shri C. Subramaniam: It is already constituted, Wage Board.

Shri Daji: Is it a fact that some employees are being kept in the work-charged establishment for many years and, if so, what stands in the way of

their being absorbed and given other benefits?

Shri C. Subramaniam: The difficulty is that the work-charged employee should become technically qualified to undertake a regular job. If he does not become qualified, naturally he will have to wait for years. And some people may not become qualified at all at any time.

Shri Nambiar: May I know whether those who are already qualified are absorbed then and there or whether they are also kept in the waiting list for some other reason?

Shri C. Subramaniam: They are being absorbed as quickly as possible. As a matter of fact, about 1,532 work charged employees in the mines and the steel plants have been absorbed in regular establishments during the period January, 1961 to March, 1962.

WRITTEN ANSWERS TO QUESTIONS

Education in Rural Areas

***745. Shri Krishnapal Singh:** Will the Minister of Education be pleased to state:

(a) what percentage of the total expenditure on education from public funds is spent in rural areas; and

(b) how does this figure compare with the pre-independence period?

The Minister of Education (Dr. K. L. Shrimali): (a) About 39.3 in 1959-60.

(b) Comparable figures for the pre-independence period are not available.

State Share in Gujarat Oil Refinery

***761. Shri Yajnik:** Will the Minister of Mines and Fuel be pleased to state:

(a) the share that has been allotted to the Gujarat State in setting up the oil refinery in Gujarat;

(b) whether the Gujarat State has asked for a greater share in the Gujarat refinery than has been assigned to it by the Central Government; and

(c) how the share assigned to the Gujarat State in the Gujarat refinery compares with that assigned to Assam and Bihar States in the refineries to be established in these States?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) 15 per cent of the equity capital investment in the refinery project.

(b) Yes, Sir.

(c) This is at par with the shares assigned to the Assam and Bihar States.

Coal Quota to Bihar

***763. Shri Yogendra Jha:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that a substantial cut has been made in the allotment of coal quota to the Government of Bihar; and

(b) whether it is also a fact that this cut has created a crisis in the industries in that State?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) and (b). Previously the quotas for coal were far in excess of the rail transport capacity available. It was felt that it would be in the interest of the consumers to make a realistic allocation which can be expected to be actually moved, so that the consumers can properly plan the working of their units. The quotas of all the States, including Bihar, for 1962 were accordingly revised in order to match them closely with the rail transport capacity available. The revised quota of coal for State-controlled priorities in Bihar which became operative from July, 1962, has been fixed at 3,360 wagons per month which is more than the average despatches of 2,955 wagons per month during 1961. It is, therefore, expected that various categories

of consumers in Bihar should, on the whole, get at least the same order of supplies as during 1961.

Pay Roll Savings Scheme

*764. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri B. K. Das:

Will the Minister of Finance be pleased to state:

(a) whether the pay roll savings scheme has been introduced in all Government departments; and

(b) if so, when it was introduced?

The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha): (a) and (b). The procedural instructions for extending the pay roll savings scheme to Government offices were issued on 30th May, 1962. The scheme is optional and its introduction in the various Government offices would depend upon the extent to which there is a demand for this additional facility.

Shortage of Drilling Rigs and Equipment

*766. { Shri P. C. Borooah:
Shri D. C. Sharma:

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

(a) whether there is shortage of drilling rigs and equipment in the country;

(b) if so, to what extent;

(c) whether efforts for manufacture of rigs are being made at the workshop of the Indian Bureau of Mines at Nagpur; and

(d) if so, how far they have been successful?

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

(b) It is difficult to indicate the extent. Mineral exploration is a vast

field and results can be quicker if more equipment and trained personnel can be deployed.

(c) Yes, Sir.

(d) The Indian Bureau of Mines has successfully manufactured a 300-ft. capacity drilling rig suited to Indian conditions as an experimental measure. A 500-ft. capacity drilling rig has also been designed by the Bureau, who will shortly take up its manufacture on an experimental basis.

Free and Compulsory Primary Education in Punjab

2144. Shri D. C. Sharma: Will the Minister of Education be pleased to state:

(a) whether Government of Punjab have asked the Centre for assistance in the matter of expansion of free and compulsory primary education in Punjab during 1962-63; and

(b) if so, what help is given or is proposed to be given in this regard?

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

(b) Does not arise.

Homes for Scheduled Castes and Scheduled Tribes

2145. Shri Ulaka: Will the Minister of Home Affairs be pleased to state:

(a) whether the Centre has given any financial aid to Orissa for the construction of cheap homes for the Scheduled Castes and Scheduled Tribes people during 1959-60, 1960-61 and 1961-62;

(b) if so, number of houses constructed upto the 1st January, 1962;

(c) the amount given upto the 1st January, 1962; and

(d) the rent of such houses?

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

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

Houses for Harijans

2146. **Shri D. C. Sharma:** Will the Minister of **Home Affairs** be pleased to state:

(a) the total amount given to Harijans in Jammu and Kashmir during 1961-62 for the construction of houses; and

(b) whether this amount has already been paid?

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

(a) A sum of Rs. 0.51 lakhs was allotted during 1961-62 to Jammu and Kashmir for the construction of houses for Scheduled Castes.

(b) The State Government did not report any expenditure on the scheme during 1961-62 and no amount has therefore been paid to them so far.

Imperial Gazetteer

2147. **Shri Ram Harkh Yadav:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether Government have taken any steps to revise the much-needed Imperial Gazetteer of India 1909 Edition;

(b) if so, the progress made in this direction; and

(c) when it will be published and released for sale?

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

(b) Volume I is in the press. Volume II is under revision. The plans of Volumes III and IV are under consideration.

(c) Volume I is likely to be published by the end of 1962 or early in 1963. All the four volumes of the **Indian Gazetteer** may be published

by the end of the Third Five Year Plan.

Promotion of M.A.B.T. Teachers

2148. **Shri Surendramath Dwivedy:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that recommendations of the Pay Commission in regard to the scale of pay and promotions of M.A. (Hindi) B.T. teachers to the post-graduate grade from trained Graduate Teachers cadre in Delhi are not being followed;

(b) whether the Pay Commission justified a lower scale of pay for untrained teachers in Hindi;

(c) whether it is a fact that both the trained and untrained teachers in Delhi are being given the same scale of pay and are allowed promotion at par on 50:50 basis; and

(d) what steps are being taken to remove this anomaly and what are the present scales of pay that both trained and untrained teachers are allowed?

The Minister of Education (Dr. K. L. Shrimali): (a) No such recommendation has been made by the Commission.

(b) The Commission recommended a lower scale of pay for language teachers who are not trained graduates.

(c) Among the minimum qualifications prescribed for teachers to be recruited to teach languages, including Hindi, teaching experience for a specific number of years or an Oriental degree in the concerned subject or a teacher-training degree have been laid down as alternative qualifications. All such teachers are given the same scale of pay if they have been recruited for posts available against those scales. 50 per cent of the vacancies in the cadre of post-graduate language teachers are filled by promotion from the cadre of trained graduate teachers and langu-

age teachers in equal proportion. The remaining 50 per cent are filled by direct recruitment.

(d) There is no anomaly and the question of its removal does not arise.

Geological Survey in Andhra

2149. Shri Eswara Reddy: Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that the Government of India had agreed at the request of the Government of Andhra Pradesh to conduct Geological Survey in the State to locate water supply sources;

(b) if so, the districts surveyed so far; and

(c) when the survey was begun and when it is expected to be completed in the remaining districts?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) and (b). At the instance of the Geological Survey of India, the Government of Andhra Pradesh, in March 1962, forwarded 30 investigations for water supply schemes covering 14 districts to be carried out during the Fourth Plan period. These proposals are being examined in the Geological Survey of India.

(c) The investigations which are approved for inclusion in the programme for the Fourth Plan will be taken up in 1966 and completed by 1971.

Vijnan Mandirs in Punjab

2150. Shri D. C. Sharma: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) how many Vijnan Mandirs will be started in Punjab State during the Third Five Year Plan period; and

(b) the places where they will be established?

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

programme for the establishment of Vijnan Mandirs in Punjab State during the Third Five Year Plan has not yet been received from the State Government.

(b) Does not arise.

Sindri Fertilizer Factory

2151. Shri D. C. Sharma: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the progress made in the examination of the report of the Committee appointed by Government to suggest measures for ensuring normal and uninterrupted production in the Sindri Fertilizer Factory; and

(b) the steps taken or proposed to be taken implement the recommendations of the Committee?

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

(a) As stated in the reply to Unstarred Question No. 363 in the Sabha on 1st May, 1962, the Committee was appointed by the Board of Directors of the Fertilizer Corporation and the recommendations of the Committee have been examined by the Board.

(b) In accordance with the Board's decision, a cell consisting of competent technical Officers has been set up on a whole-time basis to implement the recommendations of the Committee which have been accepted by the Board in principle. Steps have already been initiated for the implementation of the more important recommendations and necessary funds have been sanctioned for the purpose.

Cement Factory in East Ramanathapuram, Madras

2152. Shri Arunachalam: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that an application for licence to set up a cement factory in East Ramanathapuram area of Madras State has been received by the Government of India;

(b) if so, what will be the production capacity of the proposed factory per day; and

(c) when the factory will go into production?

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

(a) Yes, sir.

(b) 500 tonnes a day.

(c) The application is under consideration.

Marine Insurance Law

2153. Shri D. C. Sharma: Will the Minister of Finance be pleased to state:

(a) the progress made so far in enacting a statute for Marine Insurance Law as recommended by the Law Commission; and

(b) when it is likely to be enacted?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The Motion that the Bill to codify the law relating to Marine Insurance be referred to a Joint Committee of both Houses consisting of 30 members, 10 members from Rajya Sabha and 20 members from the Lok Sabha, was adopted in the Rajya Sabha on 17-8-1962. On a Motion moved by the questioner, Shri Diwan Chand Sharma, on 31st August, 1962, the Lok Sabha has also agreed to join in the Joint Committee.

Indian Army Officer missing in Congo

2154. Shri D. C. Sharma: Will the Minister of Defence be pleased to refer to the reply given to Unstarred Question No. 380 on the 1st May, 1962 and state:

(a) whether the whereabouts of the missing Indian Army Officer working with U.N. Forces in Congo have since been located; and

(b) if not, the further steps proposed to be taken in the matter?

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

(b) The United Nations Command in Katanga lodged a strong protest on the 29th November, 1961 with the Katanga authorities who promised to trace the Officer. The great concern of the Government of India over the fate of Major Ajit Singh was expressed by our Representative in the United Nations Advisory Committee on the Congo on the 9th January, 1962. Our Permanent Representative to the United Nations personally addressed the Acting Secretary-General of the United Nations on the 6th March, 1962, protesting against the incident and expressing our grave concern. The United Nations were asked to leave no stone unturned to trace the Officer.

All efforts made by the United Nations authorities to locate Major Ajit Singh have so far been unsuccessful.

Landless Tribals in Orissa

2156. Shri Ulaka: Will he Minister of Home Affairs be pleased to state:

(a) the number of landless tribals in Orissa;

(b) whether any scheme has been chalked out by Government to provide lands to these people; and

(c) if so, the details thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) The information is not available with the Central Government. An enquiry is being made from the Orissa Government and if they can furnish the information, it will be placed before the House.

(b) and (c). Information is being called for from the Orissa Government.

Small Irrigation Schemes for Tribals in Orissa

2157. Shri Ulaka: Will the Minister of Home Affairs be pleased to state:

(a) the amount of money allocated for Small Irrigation Schemes for tri-

bal people in Orissa during the Third Five Year Plan period;

(b) the number of years during which the amount will be spent; and

(c) the amount proposed to be spent in the first year of the Third Five Year Plan and the amount actually spent out of it?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Under the schemes for the Welfare of Backward Classes in the III Five Year Plan, the Government of Orissa have not made any provision for "Small Irrigation Schemes" for tribal people.

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

C.I. Sheets to Orissa

2158. Shri Ulaka: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the quantity of C.I. Sheets supplied to Orissa during 1961-62;

(b) what was the demand of Orissa for C.I. Sheets during 1961-62;

(c) whether Central Government have received any representation from Orissa Government for an increase of the quota; and

(d) if so, what is the quantity to be supplied during 1962-63?

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

(a) 3.394 M/tons of Galvanised Corrugated sheets, against all quotas including despatches to Controlled Stockists.

(b) 17,172 M/tons.

(c) No specific request for an increase of the quota was received, since all States are generally aware of the difficult supply position of these sheets. However, a request for an *ad hoc* allotment of G. C. sheets for rehabilitation of fire victims was received in April, 1962 and it was met to the extent possible.

(d) 1,366 tonnes of G.C. sheets were supplied during April-June, 1962. A monthly quota of 7 wagon loads has been fixed for supply to the State from July, 1962 onwards.

Iron and Steel for Orissa

2159. Shri Ulaka: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the quantity of iron and steel demanded by the Orissa Government for irrigation schemes from 1957 to 1960, year-wise; and

(b) the quantity supplied by Central Government, year-wise, during the aforesaid period?

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

(a) and (b). Demands are received and allotments made on financial year basis. Bulk quotas are placed at the disposal of the State Governments for their development schemes including minor irrigation works. For major irrigation projects bulk allotment is made to the Central Water and Power Commission, who distribute the same to the projects. The details of the demand and allotment of steel to the Central Water and Power Commission are given below:

(In Metric tons)

	Demand	Allotment
1957-58	15,706	2,415
1958-59	21,110	15,934.50
1959-60	23,985.75	21,861.75
1960-61	22,670	23,729(*)

(*) includes special allotment of 1,144 tonnes against unmet demand of previous period.

Details of the demands and the allocations made for minor irrigation schemes are not available. Statistics of actual supply of steel to irrigation projects of any particular State are also not available.

Prices of Coal

2160. Shri P. R. Chakravarti: Will the Minister of Mines and Fuel be pleased to state:

(a) whether Government have examined the representation of the Indian Mining Federation to the effect that the recent decision of Government, instead of increasing the price of grade II coking coal, has substantially reduced it thereby affecting the economy of products;

(b) if so, what are their reactions;

(c) whether Government appreciate the contention of the Federation that in a further revision in the prices of coal, grade II coals should be encouraged to the same extent by providing incentives to production; and

(d) if so, when do the Government propose to review its decision?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) and (b). Prior to the price notification of June 13, 1962, coals which were at one time categorised as Grade II coking coals were classified in Grades HH, J, K and L. Their prices were:

	Steam coal
	Rs. nP.
HH	20.56
J	20.06
K	19.81
L	19.31

respectively. In the notification of June 13, all these grades were combined into one grade HH and the price too was brought to the level of that of Grade HH, viz. Rs. 20.56 per ton. Thus, there was not only no reduction in the prices of Grade II coking coals, but, on the other hand, the prices of Grades J, K and L were increased. The only difference was that whereas the former prices were fixed ones, the latest price of Rs. 20.56 is a ceiling price. Under a system of ceiling prices, no colliery is expected

to sell below ceiling unless its economics justify it.

(c) and (d). There is no proposal now to effect any further revision in prices of Gr. II coal. Government is, however, considering measures to encourage production of various grades of coal.

Transportation of Coal by Road

2161. Shri P. R. Chakravarti: Will the Minister of Mines and Fuel be pleased to state:

(a) the steps that have been taken to utilise road transport for movement of coal; and

(b) whether any action has been taken with regard to the recommendations of the Committee on Transport set up by the Ministry of Steel, Mines and Fuel in 1961 to the effect that rail movement to short distance should be completely prohibited except for steel plants and the railways?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) The following steps have been taken:

- (i) Issue of road permits for movement of coal of grade II and below and soft coke have been liberalised. Even in case of higher grades of coal, road permits are issued very freely upto the quota fixed by the sponsoring authorities.
- (ii) Government are considering the question of developing the feeder and approach roads in the coalfields of West Bengal and Bihar as also the improvement of some of the highways in those two States.
- (iii) The question of moving coal by road from the collieries in Ramgarh area by trucks to Mokamah Ghat and thence by barges on the Ganga river to Allahabad is under consideration.

(b) Consumers within a short distance of coalfields have been advised to draw their coal by road and some of them have already started doing so.

अधिनियमों का हिन्दी में अनुवाद

२१६२. { श्री प्रकाशवीर शास्त्री :
श्री यशपाल सिंह :
श्री राम रतन गुप्त :

म्या विधि मन्त्रों यह बताने की कृपा करेंगे कि अधिनियमों का हिन्दी में अनुवाद करने वाले आयोग के कार्य में अब तक कितनी प्रगति हुई है ?

विधि मंत्री (श्री अ० कु० सेन) : आयोग के कार्यकारी दल (वर्किंग ग्रुप) ने (१) इंडियन पीनल कोड (२) कोड आफ क्रिमिनल प्रोसीजर और (३) इंडियन एवीडेन्स ऐक्ट के हिन्दी मसौदे तैयार किये हैं। सिविल प्रोसीजर कोड का हिन्दी मसौदा आजकल तैयार किया जा रहा है। इन मसौदों में से इंडियन पीनल कोड के हिन्दी मसौदे की धारा १७१ (१) तक पूरे आयोग ने अपनी पहली बैठक में विचार कर लिया है।

चेतन विज्ञान का अनुसन्धान

२१६३. स्वामी रामेश्वरानन्द : क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जड़ विज्ञान के समान चेतन विज्ञान के अनुसन्धान की भी कोई योजना है; और

(ख) यदि नहीं, तो इसके क्या कारण हैं ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री (श्री हुमायूँ ख़विर) : (क) और (ख) अगर चेतन विज्ञान से माननीय सदस्य का मतलब बायोलॉजी या दूसरे जीव विज्ञानों से है तो उत्तर "हां" में है।

Disturbed Allowance in Nagaland

2164. Shri Rishang Keishang: Will the Minister of Home Affairs be pleased to state:

(a) whether Government are aware of the fact that an allowance called "Disturbed Allowance" is being paid to Government employees in Nagaland;

(b) if so, the reasons why the said allowance has not been paid to Government employees working in the disturbed areas of Manipur;

(c) whether Government propose to pay the said allowance to the employees of the Manipur Government serving in the disturbed areas; and

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

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

(b) to (d). The matter is being examined.

Employment of Engineering Personnel

2165. Shri Mohammad Elias: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the representative body of the Indian Engineers is demanding the employment of engineers in the administration of technical projects; and

(b) if so, what were the reasons advanced for the same?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The 41st Convention of the Institution of Engineers (India) suggested among other things that the direction and management of engineering projects and enterprises should be entrusted to engineers. The reason given was that a new approach to the problem of scientific and technical Administration was required in view of the increasing importance of

engineering and technology in our economy.

Corruption

2166. Dr. L. M. Singhvi: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Prevention of Corruption Act applies equally to Ministers;

(b) if so, how many prosecutions have been launched against Ministers in the States so far since the inception of the Act;

(c) whether the Central Anti-corruption or Special Establishment machinery undertook any investigation against any Minister so far; and

(d) if so, with what result?

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

(b) Prosecutions were launched under the Penal Code in 1949-50 against six Ministers of Part B and Part C States. As far as known to the Central Government no Minister has been prosecuted under the Prevention of Corruption Act.

(c) Yes.

(d) As stated in answer to (b) prosecutions were started against six Ministers. One of them was convicted and one was discharged. The cases against the other four were withdrawn with the permission of the courts, after consulting the Attorney General, and on legal advice that prosecution was not justified. One other case under the Penal Code, which was also against a Minister in a Part B State, was investigated in 1949, but no further action was found called for.

Employment for Students

2167. Shri Ram Sewak: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state, when there is an acute unemployment problem in the country, what is the

principle behind the scheme of employment of University students during vacations?

The Deputy Minister in the Ministry of Scientific Research and Cultural Affairs (Dr. M. M. Das): So far as this Ministry is concerned, a few students of the University of Calcutta were employed by the National Atlas Organisation on the preliminary work in connection with the preparation of the English edition of the National Atlas, to enable the regular staff of the organisation to devote more time for other important work.

Development of Rocket Science

2168. Shri Yashpal Singh: Will the Minister of **Defence** be pleased to state:

(a) whether Government are taking any steps to develop Rocket Science in India; and

(b) if so, the details thereof?

The Minister of Defence (Shri Krishna Menon): (a) The Defence Organisation have taken certain preliminary steps in this behalf.

(b) It is not in public interest to disclose any details.

"Pakistani Smugglers"

2169. Shri Raghunath Singh: Will the Minister of **Finance** be pleased to state whether there was exchange of fire for about 30 minutes between Indian border police and Pakistani smugglers near Rajakey, a border village 42 miles away from Amritsar, on the 5th August, 1962?

The Minister of Finance (Shri Morarji Desai): There was no such incident on the 5th of August, 1962 but on the night of 2nd August, 1962, there was an exchange of fire for about 10 minutes between three Pakistani smugglers and an ambush party of the Punjab Armed Police Picket, Rajakey along the border resulting in death of one of the smugglers.

राजस्थान में पिछड़ी जातियों के लिये बस्तियां

२१७०. श्री बैरवा : क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) सरकार ने पिछड़ी जाति के लिये आवास योजना के लिये रुपया १९६०-६१ में दिया था उसमें से राजस्थान में पिछड़ी जातियों के लिये कहां कहां कालोनी बनाई गई है ; और

(ख) उन पर कितना-कितना रुपया खर्च किया गया ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) : (क) और (ख). राज्य सरकार से सूचना मांगी गई है । सूचना प्राप्त होने पर एक विवरण सदन के सभा पटल पर रख दिया जाएगा ।

Central Civil Conduct Rules

2171. **Shri S. M. Banerjee:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government have modified the Central Civil Conduct Rules, 1955 as suggested by the Second Pay Commission; and

(b) if not, the reasons therefor?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The recommendations of the Second Pay Commission have been carefully considered by Government and it was decided that the existing Conduct Rules need not be modified.

Recruitment Methods

2172. **Shri Sham Lal Saraf:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that cases have occurred where after the Union Public Service Commission had completed all formalities of examinations and interviews Government departments had cancelled recruitment;

(b) If so, the steps taken by Government to improve matters in future;

(c) whether it is a fact that in a number of cases Government departments had sent delayed offers to candidates recommended by the U.P.S.C. for employment;

(d) if so, the number of such candidates during the period 1960-61; and

(e) whether U.P.S.C. have formulated the recruitment rules referred to in the report for the year ending 31st March, 1961?

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

(b) The Government are always anxious to reduce such cases to the minimum and it is proposed to issue suitable instructions for the guidance of all concerned.

(c) Yes.

(d) 93.

(e) Out of 143 draft recruitment rules pending disposal with the Union Public Service Commission on 1st April, 1961, advice of the Commission has been given in 124 cases to the Ministries concerned.

Tribals of Singbhum

2173. **Shri H. C. Soy:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that in Singbhum and other tribal populated districts in Bihar, there are a number of incomplete constructions of hill-pathways and that there are still large parts of inaccessible tribal areas in these districts urgently requiring such connections; and

(b) if so, whether Government propose to grant additional funds for the purpose?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The information is not

available with the Government of India. However, in the III Five Year Plan of Orissa for the welfare of Scheduled Tribes and Development of Scheduled Areas, a provision of Rs. 5.00 lakhs has been made for construction of hill-pathways, culverts and village roads. Further, schemes for communications are also included in the Tribal Development Block programmes and the provision made therefor will be utilised for communication works in Tribal Development Blocks which will be opened in areas with concentration of tribal population.

Messrs Bharat Collieries Ltd.

2174. Shri P. Kunhan: Will the Minister of Mines and Fuel be pleased to state:

(a) whether Government have investigated into the causes of the closure of Ekra Khas colliery of M/s. Bharat Collieries Ltd.;

(b) if so, what are the main findings; and

(c) whether any steps are likely to be taken by Government for reopening of these mines?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) and (b). There was an old fire on the northern barrier of the colliery. The Coal Board had undertaken various protective measures, but in spite of its efforts, the fire could not be checked, and it gradually spread. Recently it took a serious turn, and constituted a threat to adjoining collieries. It was, therefore, decided to inundate the colliery in order to extinguish the fire and inundation commenced on the 9th July, 1962. The colliery has thus closed down.

(c) After the fire is completely extinguished, steps will be taken to reopen the mine.

फौजी बुलडोजर का अलकनन्दा में गिरना

२१७५. श्री भक्त दर्शन : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अभी कुछ दिन पहले उत्तर प्रदेश के चमोली जिले में एक फौजी बुलडोजर पीपलकोटी से कुछ आगे सड़क से गिर कर अलकनन्दा नदी में डूब गया था ;

(ख) यदि हां, तो क्या उस दुर्घटना के कारण, परिस्थितियों और, जन और धन की हानि पर प्रकाश डालने वाला एक विवरण सभा-पटल पर रखा जायेगा ; और

(ग) हताहत व्यक्तियों अथवा उनके परिवारों को कैसी वित्तीय सहायता प्रदान की गई है ?

प्रति-रक्षा मंत्री (श्री कृष्ण मेनन): (क) जी नहीं। तदपि एक बुलडोजर जो सीमा सड़क संगठन का था, एक ऐसी घटना का शिकार हो गया था।

(ख) मामला जांच अधीन है। जान अथवा माल का कोई ह्रास नहीं हुआ है।

(ग) प्रश्न नहीं उठता।

Officers of Himachal Pradesh

2176. { Shri Mohammad Elias:
Shri S. M. Banerjee:
Shrimati Vimla Devi:
Shri M. K. Kumaran:

Will the Minister of Home Affairs be pleased to state:

(a) the total number of Class I and Classes II Officers in Himachal Pradesh; and

(b) the number of Class I and Class II officers on deputation from Uttar Pradesh?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) 621.

(b) 5.

सैनिक, नाविक और वैमानिक बोर्ड

२१७७. श्री भक्त वर्शन : क्या प्रतिरक्षा मंत्री यह बतलाने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश में जो जिला सैनिक, नाविक व वैमानिक बोर्ड हैं, उनके कर्मचारियों को पिछले छः महीनों से वेतन नहीं दिया गया है ;

(ख) यदि हां, तो इसका क्या कारण है ;

(ग) इस स्थिति में सुधार करने के लिये क्या कार्यवाही की जा रही है ; और

(घ) उन जिला बोर्डों के कर्मचारियों को कब तक पिछले वेतन की अदायगी कर दी जायेगी ?

प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री रघुरामैया) : (क) जो हां; यह सच है कि इन कर्मचारियों को फरवरी में जुलाई १९६२ तक, ६ मास के वेतन नहीं मिले हैं ।

(ख) प्रत्येक राज्य के जिला सैनिक, नाविक तथा वायु सैनिक बोर्ड, सम्बन्धित राज्य सरकार और केन्द्रीय सरकार से प्राप्त होने वाले अनुदानों से चलाए जाते हैं, जो सम्बन्धित राज्य बोर्ड द्वारा प्राप्त और वितरित किये जाते हैं । वर्तमान व्यवस्था के अनुसार उत्तर प्रदेश सरकार का हिस्सा हर वित्तीय वर्ष में उत्तर प्रदेश के बोर्ड को उसी वित्तीय वर्ष में, दो किस्तों में दे दिया जाता है, जबकि केन्द्रीय सरकार के हिस्से का ७५ प्रतिशत उत्तर प्रदेश बोर्ड को तदर्थ आधार पर उसी वित्तीय वर्ष में दे दिया जाता है, और शेष जिला सैनिक, नाविक तथा वायुसैनिक बोर्ड के पिछले वर्ष के जांचे हुए लेखे की प्राप्ति पर अगले वित्तीय वर्ष के अक्तूबर मास में दिया जाता है । उत्तर प्रदेश बोर्ड से यह पता चला है कि उत्तर प्रदेश के जिला सैनिक, नाविक तथा वायुसैनिक बोर्डों के कर्मचारियों को फरवरी, १९६२ के वेतन १९६१-६२ वित्तीय वर्ष के केन्द्रीय सरकार के शेष भाग के न मिलने पर रोक लिये गये थे, 1730 (Ai) LS-3.

और केन्द्रीय सरकार के १९६२-६३ वित्तीय वर्ष के भाग के विलम्ब से मिलने के कारण, जबकि संसद में अनुदानों की मांगों को वोट किया गया था, तथा इसी कारणवश उत्तर प्रदेश सरकार का भाग विमुक्त होने में विलम्ब के कारण, उन कर्मचारियों के मार्च में जुलाई १९६२ तक के वेतन भी रोक लिये गये थे ।

(ग) उत्तर प्रदेश समेत सभी राज्य सरकारों से प्रार्थना की गई है, कि वह जिला सैनिक, नाविक तथा वायु सैनिक बोर्डों को स्थायी सरकारी संस्थाएं बना दें, और उन बोर्डों को चलाने के लिये आने वाला सारा खर्च, केन्द्रीय सरकार के भाग की प्रतीक्षा किये बिना प्रारम्भिक तौर पर अपने राजस्व से चलाएँ । वित्तीय वर्ष के बोर्डों द्वारा उन पर हर वर्ष, वास्तविक हुए खर्च के जांचे हुए लेखे की प्राप्ति पर, केन्द्रीय सरकार का भाग बाद में विमुक्त कर दिया जायेगा । आशा है, यदि इस नई प्रक्रिया को राज्य सरकारों ने स्वीकार कर लिया, तो बोर्डों के कर्मचारी बिना किसी झंझट के नियमित रूप से वेतन प्राप्त कर सकेंगे ।

(घ) उत्तर प्रदेश राज्य के सैनिक, नाविक तथा वायु सैनिक बोर्ड से प्राप्त हुए प्रतिवेदन के अनुसार, सम्बन्धित कर्मचारियों को, अब तक, उनके मार्च, अप्रैल तथा मई १९६२ महीनों के वेतन दे दिये गये हैं, और जून तथा जुलाई १९६२ महीनों के वेतन, अगस्त, १९६२ के अन्त तक उन्हें मिल जाने चाहियें । जहां तक उनके फरवरी, १९६२ के वेतन का सम्बन्ध है, उन्हें वह भी शीघ्र दे दिये जाने की आशा है ।

पंजाब में स्वर्ण निक्षेप

२१७८. श्री भक्त वर्शन : क्या खान और ईश्वर मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नारनीख

(पंजाब) में सोना मिलने की संभावना होने की ग्राम धारणा फैली हुई है; और

(ख) यदि हां, तो क्या इस बारे में कोई जांच-पड़ताल की जा रही है अथवा करने का विचार किया जा रहा है ?

ज्ञान और ईंधन मंत्रालय में उपमंत्री (श्री हजरतबीस) : (क) सरकार के पास ऐसी कोई सूचना नहीं है ।

(ख) प्रश्न ही नहीं उठता ।

Foreign Assistance for Coal Production

2179. Shri Rameshwar Tantia: Will the Minister of **Mines and Fuel** be pleased to state:

(a) whether it is a fact that foreign assistance to the extent of Rs. 17 crores has been obtained by Government for the expansion of coal production; and

(b) if so, how this amount is being utilized and how far the assistance has been helpful to overcome the coal shortage?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) The World Bank has offered a loan of 35 million dollars (about Rs. 17 crores) to the Government of India to meet the foreign exchange requirements of the private sector collieries during the III Plan. Of this amount 30 million dollars can be drawn upto 31st July, 1963 and the remaining 5 million dollars upto the 30th September, 1965.

(b) This amount is being utilised for the import of coal mining machinery, equipment, spares, etc. required for the setting up of new coal mines and expansion and maintenance of the existing collieries. So far, 4288 import licence applications valued at about Rs. 12.7 crores have been received. Out of these, licences have been issued for 1773 applications valued at about Rs. 2.9 crores. The remaining applications are under scrutiny. Actual drawings from the loan

account will, however, start only after the machinery and equipment have been imported.

Bokaro Steel Project

**2180. { Shri P. R. Chakraverti:
Shrimati Jamunadevi:**

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

(a) the extent of the area to be covered by the Bokaro Project in the Districts of Dhanbad and Hazaribagh; and

(b) the number of persons who will have to vacate their lands and houses and the measures to be taken to rehabilitate them?

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

(a) About 62,000 acres, according to present estimates.

(b) Information regarding the number of people who will be displaced is not available. The Bihar Government, who will acquire the land for Bokaro Steel Project, will formulate a scheme for rehabilitation of displaced persons.

Confirmation of A.F.H.Q. Employees

2181. Shri S. M. Banerjee: Will the Minister of **Defence** be pleased to refer to the reply given to Unstarred Question No. 316 on 23rd November, 1961 and state:

(a) whether the question of conversion of 80 per cent temporary posts into permanent in Armed Forces Headquarters in supervisory, clerical and stenographers grades has since been finalised;

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

(c) when orders to this effect are likely to be issued?

The Minister of State in the Ministry of Defence (Shri Raghunathiah): (a) Yes, Sir.

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

Iron Ore in Orissa

2182. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri B. K. Das:

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

(a) whether it is a fact that new deposits of iron ore have been found in the Gandhamardan Hills in Orissa State;

(b) if so, whether the area has been extensively surveyed; and

(c) what is the result of the survey?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) The Geological Survey of India recorded iron ore deposits, during 1954-55, at three places, namely, south-west of Suakati, North North East of Upar Jagar and Ichanda, in the Gandhamardhan hills, Keonjhar district, Orissa.

(b) No, only a preliminary assessment has been made.

(c) The result of the work done by the Geological Survey of India is as follows:

South West of Suakati: Iron ore occurs in an area 1600 metres long and 600 metres wide.

North North East of Upar Jagar: The deposit is exposed over a length of 1600 metres. The estimate of reserves is of the order of 12 million tons (12.1 million tonnes).

Ichanda: The deposit occurs as a thick flow over an area of four furlongs.

As the deposits occur at a distance of about 130 kilometres from the railhead and as there are large deposits nearer to the railhead, no priority for further work was given to the above deposits.

Concentrated Milk Powder

2183. **Shri R. Barua:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) how far the research work to maintain the food values of the concentrated milk powder has been done;

(b) whether this study also involves the study of maintaining certain proteins;

(c) whether Government propose to get any foreign assistance in the setting up of a plant of this nature; and

(d) if so, the details thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) The Central Food Technological Research Institute, Mysore has worked out a process for the production of Infant Milk Food based on buffalo milk.

(b) Yes.

(a) and (d). Kaira Co-operative Milk Producers Union is already producing infant food under the trade name Amul Baby Food by using the above process. Some other firms are also producing infant food with foreign collaboration.

National Advisory Council for Handicapped

2184. **Shrimati Savitri Nigam:** Will the Minister of Education be pleased to state the number of recommendations of the National Advisory Council for the Handicapped which met last year, that have been implemented so far?

The Minister of Education (Dr. K. L. Shrimali): 12 out of 16 recommendations concerning the Central Government have been implemented. Action on the remaining four recommendations is in progress. 13 recommendations concerning the State Governments have been forwarded to them for necessary action.

Training Centres for Deaf-Mutes

2185. **Shrimati Savitri Nigam:** Will the Minister of Education be pleased to state the number of technical centres

and training schools to be opened for the training of the Deaf-mutes, during the Third Plan period?

The Minister of Education (Dr. K. L. Shrimali): A scheme for the establishment of a Training Centre for the Adult Deaf was included in the Third Plan. The Government of India in the Ministry of Education have sanctioned the setting up of this Centre at Hyderabad during the current financial year.

Deaf and Dumb in Union Territories

2186. **Shrimati Savitri Nigam:** Will the Minister of Education be pleased to state whether Government intend to conduct a survey to find out the actual number of deaf and dumb in all the Union Territories to make proper arrangement for their education, training and employment?

The Minister of Education (Dr. K. L. Shrimali): The information is being collected and will be laid on the Table of the Sabha as soon as possible.

Institution for Deaf and Dumb

2187. **Shrimati Savitri Nigam:** Will the Minister of Education be pleased to state the number of institutions for the deaf and dumb, where the arrangement for higher education and training has been made in the country?

The Minister of Education (Dr. K. L. Shrimali): With assistance from the Government of India, the All India Federation of the Deaf has established a school of photography for the deaf in Delhi and the Government of India are establishing a Training Centre for the Adult Deaf at Hyderabad during the current financial year. There are no other institutions for the higher education and training of the deaf.

उड़ीसा में कोयला खानें

२१८८. श्री किशन पटनायक : क्या खान और ईंधन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत सरकार के दिनांक ५ मई, १९६२ के गजट नोटिफिकेशन सं० १३३४ के अनुसार उड़ीसा में कोयला खानों के लिये जितनी जमीन एक्वायर की गई है, उसका मुआवजा दिया गया है ; और

(ख) यदि हां, तो मुआवजों की राशि कितनी है ?

खान और ईंधन मंत्री (श्री के० रे० बालवीर) : (क) नहीं । सम्बन्धित दावेदारों ने अभी तक अपना कोई दावा नहीं किया है ।

(ख) प्रश्न ही नहीं उठता ।

Manufacture of Cars

2189. **Shri P. C. Borooah:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether Government have of late received complaints regarding the defective manufacture of cars by M/s. Hindustan Motors Limited;

(b) if so, what are the main manufacturing defects complained of; and

(c) what action Government have taken in the matter?

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

(a) to (c). Government have received some complaints regarding defects in the cars manufactured by M/s. Hindustan Motors Limited. Some of these complaints relate to parts manufactured by the firm itself while others are in regard to the products of ancillary industries. The attention of manufacturers has been drawn to these complaints. They are making continuous efforts to eliminate the defects. They have already established adequate inspection and testing facilities to enforce standards. They are also proposing to instal new machinery to replace old machinery.

Panel for Section Officers

2190. { Dr. Melkote:
Shri Shivaji Rao S.
Deshmukh:
Shri M. M. Haq:
Shrimati Sarojlaxi Mahishi:
and Shri Chuni Lal:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1071 on the 28th May, 1962 regarding panel for Section Officers and state:

(a) whether Government have accepted the advice of the U.P.S.C. in this matter;

(b) if not, the reasons therefor; and

(c) if panel is formed, how Government propose to safeguard the interests of thousands of Assistants who will be adversely affected as a result thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The whole matter is still under consideration.

साहित्य अकादमी पुरस्कार

२१६२. श्री सिद्धेश्वर प्रसाद : क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि साहित्य अकादमी द्वारा श्रेष्ठ रचनाओं पर पुरस्कार देने के जो नियम थे उनमें हाल में कुछ परिवर्तन किये गये हैं ; और

(ख) यदि हां, तो वे क्या हैं ?

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

(ख) (i) अकादमी पुरस्कार पिछले तीन वर्षों में प्रकाशित व्यक्तिगत रचना की साहित्यिक योग्यता के

आधार पर दिया जाता रहेगा । लेकिन लेखक की कुल रचनाओं और साहित्यिक स्तर का भी यथेष्ट ध्यान रखा जायेगा ।

(ii) लेखक की मृत्यु के बाद का प्रकाशन पुरस्कार के योग्य तभी माना जाएगा यदि उसका प्रकाशन लेखक की मृत्यु के तीन साल के अन्दर हो चुका हो ।

(iii) कोई भी लेखक जो एक बार पुरस्कार पा चुका हो, दुबारा पुरस्कार का अधिकारी नहीं होगा ।

Military Training School in Punjab

2193. Shri D. C. Sharma: Will the Minister of Defence be pleased to state:

(a) whether there is a proposal to establish a military training school in Punjab during the Third Five Year Plan period; and

(b) if so, the details thereof?

The Minister of Defence (Shri Krishna Menon): (a) and (b). Punjab Government have at present under consideration a proposal to seek authority for a third sainik school. Details are being worked out.

Low Voltage Air Brake Contactors etc.

2194. Shri Himatsingka: Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether Hindustan Machine Tools do not purchase items like low voltage air brake contactors, 3-phase relays and diazed type cartridge fuses from indigenous sources on the ground that the prices of the local products are costlier; and

(b) whether Government have any proposal under consideration to see that the Hindustan Machine Tools procure supplies from indigenous sources and thereby save foreign exchange?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): (a) and (b). The policy of the Government has always been to ensure that indigenous sources are utilised to the maximum extent subject to technical suitability. As far as possible the Hindustan Machine Tools Limited makes its purchases from indigenous sources, provided the items are of the requisite quality and suit its technical requirements.

विद्यालयों के लिये विदेशी मुद्रा

२१६५. श्री प्रकाशवीर शास्त्री : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार उन छात्रों अथवा व्यक्तियों को भी विदेश जाने के लिये विदेशी मुद्रा नहीं दे रही है जो अपने सारे व्यय का भार दूसरे देशों में वहन करने के लिये प्रस्तुत हैं ; और

(ख) यदि हां, तो क्यों ?

वित्त मंत्री (श्री मोरारजी देसाई) :

(क) और (ख). सम्भवतः माननीय सदस्य उन व्यक्तियों को विदेशी मुद्रा नहीं, बल्कि विदेश यात्रा की अनुमति दिये जाने के सम्बन्ध में जानकारी प्राप्त करना चाहते हैं जो विदेश में अपने खर्च का प्रबन्ध खुद ही करने को तयार हैं। ऐसे मामलों में विदेशी मुद्रा दिये जाने का प्रश्न साधारणतः पैदा ही नहीं होता। जहां सरकार या भारतीय रिजर्व बैंक को प्रबन्ध की सहाई के सम्बन्ध में सन्तोष हो जाता है, वहां यात्रा की अनुमति दे दी जाती है। ऐसे कुछ मामलों में अनुमति नहीं दी गई जिनमें सन्देह था और जिनके बारे में यह खयाल हुआ कि वे मुभावबे की व्यवस्था के रूप में हैं।

नई दिल्ली में प्राइमरी और मिडिल स्कूल

२१६६. श्री प्रकाशवीर शास्त्री : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) नई दिल्ली नगर पालिका क्षेत्र में सरकारी अथवा निजी प्रबन्धकों की देख-रेख में कितने प्राइमरी और मिडिल स्कूल चल रहे हैं ;

(ख) क्या इन स्कूलों को दिल्ली प्रशासन अथवा स्थानीय निकायों द्वारा अनुदान दिया जाता है ;

(ग) क्या यह सच है कि इन स्कूलों को बहुत समय से यह सहायता प्राप्त नहीं हो सकी है ;

(घ) क्या यह भी सच है कि इन स्कूलों के अध्यापकों के तथा और अन्य कर्मचारियों के कई भास के वेतन नहीं मिले हैं ;

(ङ) यदि हां, तो इस प्रकार की कठिनाई भविष्य में इन स्कूलों के सामने न आये इस सम्बन्ध में सरकार ने क्या कोई योजना बनाई है ; और

(च) यदि हां, तो उसका विवरण क्या है ?

शिक्षामंत्री (डा० का० ला० श्रीमाली) :

(क)	प्राइमरी		मिडिल	
	स्कूल	स्कूल	स्कूल	स्कूल
(i) सरकारी	—	२		
(ii) निजी, सहायता प्राप्त	७	४		

(ख) नई-दिल्ली नगरपालिका क्षेत्र में स्थित निजी प्राइमरी स्कूलों, और मिडिल स्कूलों के प्राइमरी विभागों को सहायता-अनुदान नई दिल्ली नगरपालिका द्वारा और मिडिल स्कूलों के मिडिल विभागों को दिल्ली प्रशासन द्वारा दिया जाता है।

(ग) दिल्ली प्रशासन ने नई दिल्ली नगरपालिका से मिडिल स्कूलों के मिडिल

विभागों को इस वर्ष से सहायता अनुदान देने की प्रार्थना की थी। लेकिन नगरपालिका ने इस अतिरिक्त दायित्व को स्वीकार करने में अपनी असमर्थता प्रकट की। इससे मिडिल स्कूलों के मिडिल विभागों को दूसरी, तिमाही की सहायता अनुदान मिलने में कुछ देर हुई। दिल्ली प्रशासन ने अब फैसला किया है कि इस सम्बन्ध में स्थिति यथा-पूर्व रखी जाये और मिडिल स्कूलों को उनका रुका हुआ अनुदान दे दिया गया है।

(घ) इस मामले की जांच कराई जा रही है।

(ङ) और (च). उपरोक्त विवरण से स्पष्ट है कि ये प्रश्न उठते ही नहीं। पहले से ही त्रैमासिक सहायता-अनुदान तीन माह पूर्व पेशगी दे दिया जाता है।

Children's Education Allowance

2197. { Shri P. Kunhan:
Shri Daji:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Government have recently sanctioned children's education allowance to the Central Government employees whose children are enrolled at places other than their headquarters;

(b) if so, whether the employees whose children study at their headquarters are also eligible to draw such allowance; and

(c) if not, the reasons therefor?

The Minister of Finance (Shri Morarji Desai): (a) Yes. Children's Education Allowance has been sanctioned to low-paid Government employees who have to educate their children at a place other than the headquarters.

(b) No.

(c) Government have sanctioned the scheme of Children's Education Allowance in pursuance of a recommendation of the Second Pay Commission who did not recommend any financial assistance in the case of employees whose children study at their headquarters.

Advisory Mission of UNESCO

2198. { Shri P. C. Borooah:
Shrimati Gayatri Devi:
Shri Narendra Singh
Mahida:

Will the Minister of Education be pleased to state:

(a) whether an Advisory Mission of the UNESCO visited India towards the end of August 1962 to discuss schemes to develop science education in this country;

(b) if so, what subjects were discussed with the Mission; and

(c) with what results?

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

(b) The development of science education at the secondary level and the establishment of centres of advanced studies and research in selected universities, with technical assistance to be made available under the United Nations Expanded Programme of Technical Assistance (UNEPTA).

(c) The Mission has not yet completed its work.

Foreign Business of Indian Insurance

2199. Shri P. C. Borooah: Will the Minister of Finance be pleased to state:

(a) the extent of foreign business of Indian Insurers in vogue at the end of 1960, 1961 and at present; and

(b) what measures are being taken to expand this business?

The Minister of Finance (Shri Morarji Desai): (a)—

Year	Life Insurance business in force of the Life Insurance Corporation in foreign countries	Gross direct premium written outside India by Indian General Insurance Companies
1960	Rs. 109 crores	Rs. 8.65 crores
1961	Rs. 114 crores	} Figures not available at present.
At present	Figures not available at present.	

(b) Life Insurance Business

The organisation of the Life Insurance Corporation in foreign countries is being strengthened by recruiting more agents and appointing more Development Officers. An attempt is also being made to work in the interior areas where there was no organisation so far.

General Insurance Business

Indian General Insurance Companies have been showing losses in foreign business. In 1960, overall loss was about Rs. 74 lakhs. The experience, therefore, does not warrant any expansion at this stage.

विदेश जाने के लिये विदेशी मुद्रा का दिया जाना

२२००. श्री युवराज दत्त सिंह : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत सरकार द्वारा विदेश यात्रा करने वालों पर प्रतिबन्ध लगाने के पश्चात् कितने भारतवासियों को विदेशों में जाने के लिये विदेशी मुद्रा दी गई ; और

(ख) इन विदेश जाने वाले भारतीयों के लिये कितनी विदेशी मुद्रा मंजूर की गई ?

वित्त मंत्री (श्री मोरारजी देसाई): (क) और (ख). सूचना इकट्ठी की जा रही है और उसे सभा की मेज पर रख दिया जायगा ।

नये विश्वविद्यालय

२२०१. श्री युवराज दत्त सिंह : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विश्वविद्यालय अनुदान आयोग ने अपनी अन्तरिम रिपोर्ट में अनेक नये विश्वविद्यालय खोलने की सिफारिश की है ;

(ख) ग्वालियर में विश्वविद्यालय खोले जाने के सम्बन्ध में इस रिपोर्ट में क्या मत प्रकट किया गया है ; और

(ग) यदि यह आयोग ग्वालियर में विश्वविद्यालय खोलने के पक्ष में नहीं है, तो उसके क्या कारण बताये गये हैं ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) नये विश्वविद्यालय खोलने के विषय पर विश्वविद्यालय अनुदान आयोग ने जो समिति नियुक्त की थी, उसने अपनी अन्तरिम रिपोर्ट में निम्नांकित संघीय या एकात्मक ढंग के छः विश्वविद्यालय खोलने की सिफारिश की है :—

१. आन्ध्र देश हैदराबाद
२. मध्य प्रदेश इंदौर
३. मद्रास मद्रास या मदुरै
४. महाराष्ट्र पूना
५. मैसूर बंगलौर
६. राजस्थान जोधपुर अथवा जयपुर

(ख) और (ग). ग्वालियर में विश्वविद्यालय खोले जाने के सम्बन्ध में समिति ने अपना कोई मत प्रकट नहीं किया था । समिति की रिपोर्ट पेश होने के बाद, मध्य प्रदेश सरकार ने ग्वालियर में विश्वविद्यालय खोलने का मुझाव दिया था । विश्वविद्यालय अनुदान आयोग ने अपनी १ अगस्त, १९६२ की बैठक में, ग्वालियर में विश्वविद्यालय खोलने के लिये सिद्धान्त रूप में अपनी रजामन्दी

दे दी है। परन्तु आयोग ने इस बात पर जोर दिया है कि पहले यह निश्चय हो जाना चाहिए कि इस प्रयोजन के लिए पर्याप्त धन-राशि उपलब्ध हो सकेगी।

Intelligence Wing in Ministry of Mines and Fuel

2202. **Shri P. C. Borooah**: Will the Minister of Mines and Fuel be pleased to state:

(a) whether the Ministry of Mines and Fuel proposes to set up an intelligence wing; and

(b) if so, what are the envisaged constitution and functions of the wing?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) and (b). An information and intelligence room is being set up in the Ministry of Mines and Fuel for assemblage of information on coal. Statistics regarding the production, despatches etc., of coal will be displayed in this room in the form of graphs and charts. Useful literature on coal will also be kept for reference.

Natural Gas in Gujarat

2203. **Shri Indulal Yajnik**: Will the Minister of Mines and Fuel be pleased to state:

(a) whether Government have decided to charge Rs. 8.50 per thousand cubic metres of gas to be distributed in Assam through the Assam Electricity Board;

(b) whether the rate to be charged by the Government for thousand cubic metres of gas is about Rs. 85 for industrial concerns in Gujarat;

(c) whether Government will give gas to the Gujarat Electricity Board at the same rate at which it is being given to the Assam Electricity Board for distribution in Gujarat; and

(d) if not, the reasons therefor?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) No, Sir. Oil India Limited has agreed to sell

the gas at Rs. 8.83 per thousand cubic metres to the Assam Electricity Board.

(b) No natural gas is being supplied to Industrial concerns in Gujarat at present.

(c) The price of gas to be supplied by the Oil and Natural Gas Commission to the Gujarat Electricity Board has not yet been fixed.

(d) Does not arise.

Crimes in Union Territories

2204. { **Shri Himmatsinhji**
Shrimati Gayatri Devi:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that crimes in the Union Territories specially Manipur, Tripura and Andamans have shown an upward trend during the last three years;

(b) if so, what are the reasons therefor; and

(c) what steps have been taken to prevent these?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) The figures of total cognisable crime reported in the Union Territories in 1959, 1960 and 1961, do not show much variation.

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

Post-matric Scholarships Scheme for S.C. and S.T.

2205. { **Shri Siddiah**
Shri P. N. Kayal
Shri Sonavane:

Will the Minister of Education be pleased to state:

(a) whether a sample survey was undertaken during the year 1959-60 to ascertain the extent to which the students belonging to Scheduled Castes/Tribes and other Backward Classes have benefited from the Post-matric Scholarship Scheme; and

(b) if so, the details of the survey?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). During 1960-61, it was proposed to carry out the survey in question. For this purpose a Questionnaire, a copy of which is placed on the Table of the House, was sent to the State Governments for completion by the Heads of the institutions, where scholarship holders were studying in 1959-60, and return to this Ministry with the State Government comments. In spite of a number of reminders, replies from a majority of the State Governments have not yet been received. [See Appendix II, annexure No. 84].

Hostel for S.C. and S.T. Students in Allahabad

2206. { Shri Siddiah:
Shri P. N. Kayal:
Shri Sonavane:

Will the Minister of Home Affairs be pleased to state:

(a) whether the hostel building at Allahabad for the Scheduled Castes and Scheduled Tribes Students has been completed;

(b) the estimated cost of the building; and

(c) the number of students that can be accommodated there?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) The hostel building attached to the pre-examination training centre has not yet been completed.

(b) Rs. 3,03,170.

(c) 81.

Housing Schemes for Scheduled Castes in Mysore

2207. { Shri Siddiah:
Shri P. N. Kayal:
Shri Sonavane:

Will the Minister of Home Affairs be pleased to state.

(a) whether the housing scheme under the State sector for the Scheduled

ed Castes was discontinued in the State of Mysore in the years 1960-61 and 1961-62;

(b) if so, the reasons for such discontinuance;

(c) whether the Scheme has been continued in the year 1962-63; and

(d) if so, what is the amount allotted for the purpose?

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

(b) Does not arise.

(c) Yes, Sir.

(d) Rs. 4.50 lakhs.

Harijan Girls' Hostels

2208. { Shri Siddiah:
Shri P. N. Kayal:
Shri Sonavane:

Will the Minister of Home Affairs be pleased to state:

(a) what is the amount allotted to each of the States and Union Territories for the establishment of the Harijan girls' hostels in the year 1962-63; and

(b) the number of girls that will get the benefit of the hostels?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). A combined provision of Rs. 67.55 lakhs has been made for hostels for Scheduled Caste students—both for boys' and girls' hostels—for 1962-63 under the State sector of the Plan. This amount has been allocated to the various States and Union Territories as given in the statement placed on the Table of the House. The number of Scheduled Caste girls who will benefit from the above provision will depend on the actual extent to which the facilities offered are utilised by Scheduled Caste girls in each State and Union Territory. In view of the

high priority given to this scheme, an additional provision of Rs. 20 lakhs has also been made under the Central sector of the Third Plan in order to meet additional demands for hostel accommodation for Scheduled Caste girls. This provision will be utilised for increasing the capacity of a few selected general hostels to accommodate Scheduled Caste girls; and allocation to the various States and Union Territories will be made on the basis of actual requirements.

STATEMENT

Statement showing the amount allotted for 1962-63 for providing hostel facilities to Scheduled Castes under State Sector

(Rs. in lakhs)

State/Union Territory.	Amount allotted
1. Andhra Pradesh	8.19
2. Bihar	2.80
3. Gujarat	3.38
4. Jammu and Kashmir	0.45
5. Kerala	2.10
6. Madras	9.00
7. Maharashtra	7.30
8. Mysore	14.11
9. Orissa	6.00
10. Rajasthan	2.80
11. Uttar Pradesh	8.60
12. West Bengal	1.20
13. Himachal Pradesh	0.50
14. Tripura	0.12
15. Pondicherry	1.00
TOTAL:	67.55

Under invoicing of Jute Goods

2289. { Shri S. M. Banerjee:
Shri Indrajit Gupta:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the customs detained jute goods which were being imported by M/s. McLeod and Company, Calcutta on a charge of under-invoicing;

(b) whether these goods were released before inquiry could conclude on 8th August, 1962 or on subsequent days; and

(c) if so, the reasons for this?

The Minister of Finance (Shri Morarji Desai): (a) to (c). There has been no such detention of jute goods on import. However, in case of some shipping bills that were presented before the Calcutta Customs House by M/s. McLeod & Co. Ltd., and the Megna Mills Co. Ltd., who are connected with the former, for the export of some consignments of sacking of the declared value of Rs. 19 lakhs approximately, the Calcutta Custom House considered that *prima facie* the declared value was low. They have accordingly initiated adjudication proceedings in respect of these consignments. Pending completion of the adjudication proceedings, the goods were allowed to be shipped on the execution of bonds with a bank guarantee. This was necessary as the country might have lost a considerable amount of foreign exchange, if the contract had not been fulfilled. This also would have had wide repercussions in international dealings.

भारी इंजीनियरिंग परियोजना, हटिया

प्र० सू० प्र० ६. श्री श्रीनारायण दास : क्या इस्पात और भारी उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारी इंजीनियरिंग परियोजना, हटिया के निर्माण का काम हड़ताल के कारण रुका पड़ा है ;

(ख) यदि हाँ, तो ऐसा किन परिस्थितियों में हुआ है; और

(ग) स्थिति का सामना करने के लिये क्या कदम उठाये गये हैं ?

इस्पात और भारी उद्योग मंत्री (श्री बि० सुब्रह्मण्यम्) : (क) से (ग). १६ अगस्त, १९६२ को हटिया स्थल पर ठेकेदारों के कुछ कर्मचारियों ने काम बन्द कर दिया। हड़ताल का कारण बिहार न्यूनतम मजदूरी

अधिनियम की विश्राम वाले दिन की मजदूरी की अदायगी की शर्त का अभिकथित अपरिपालन था। हड़ताल शुरू होने से पहले ही हेवी इंजीनियरिंग कारपोरेशन की सलाह पर ठेकेदारों ने न्यूनतम मजदूरी अधिनियम की शर्तों को क्रियान्वित करना स्वीकार कर लिया था। फिर भी हड़ताल की गई। बिहार के मुख्य मंत्री के हस्तक्षेप के कारण २० अगस्त, १९६२ को हड़ताल समाप्त कर दी गई। भारी मशीनें बनाने और ढलाई-गढ़ाई के कारखानों के निर्माण-कार्य पर इसका आंशिक प्रभाव पड़ा परन्तु बस्ती और अन्य विभागीय कार्यों पर इसका कोई प्रभाव नहीं पड़ा।

12.09 hrs.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

REPORTED KILLING OF TWO INDIANS BY PAKISTANI ARMED RAIDERS NEAR PAISBARI BORDER POST IN WEST BENGAL

Shri Daji (Indore): Sir, under Rule 197, I call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:

Reported killing of two Indians by the Pakistani armed raiders near the Piasbari border post in West Bengal on the 28th August, 1962.

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): Sir, on the 30th August, 1962, the Government of India received information from the District Magistrate, Malda, that about 22 Pakistani nationals armed with deadly weapons had intruded into Indian territory on the 28th August, at about 5-30 hours, and had removed 19 head of cattle from village Majhaghar, PC. English Bazar, Distt. Malda. The report said that the intruders assaulted one Deben Ghose and his

brother, Biswanath Ghose of Peasbari, who were grazing their cattle near the Indo-Pakistan border. This assault resulted in the death of Biswanatha Ghose and serious injuries to Deben Ghose. The District Magistrate, Malda, reported that he had lodged a strong protest with the Deputy Commissioner, Rajshahi (East Pakistan).

The next day, i.e. on the 31st August, the Chief Secretary of the Government of West Bengal, telegraphed to the Government of India the text of a protest that had been filed with the Government of East Pakistan over this serious incident. The protest called for immediate inquiry, deterrent punishment to the offenders, restoration of cattle to the Indian owners and adequate compensation to the family of the deceased.

Newspaper reports have stated that two persons have died as a result of the assault. According to information received from the Government of West Bengal, there was one fatal casualty only and not two.

No reply has been received from the East Pakistan Government to the protest Notes filed. Our Deputy High Commissioner in Dacca has been informed of the incident. He has been advised to lodge a protest at the diplomatic level.

Shri Daji: May we know how deep into our territory the raiders had come and whether the raiders were mere casual personnel or they belonged to the Pakistan Armed forces?

Shrimati Lakshmi Menon: The statement says, Pakistani nationals armed with deadly weapons. I did not say, Pakistan Armed forces. They are just Pakistan nationals.

Mr. Speaker: How deep they had come into our territory?

Shrimati Lakshmi Menon: Peasbari is 8 miles from Malda. I do not know how deep.

Shri H. P. Chatterjee (Nabadwip): May I ask one question?

Mr. Speaker: I do not make that departure. We have no provision for any supplementary in so far as Calling Attention Notices are concerned. But, I allow one question to the sponsors. There is no other sponsor standing up. Next question Shri Bagri.

Some Hon. Members: Not in the House.

Shri H. P. Chatterjee: I may be permitted to ask one question

REPORTED STATEMENTS MADE AT
DJAKARTA BY SHRI G. D. SONDHI
AND THE REACTIONS OF THE
INDONESIAN GOVERNMENT

Shri Indrajit Gupta: (Calcutta South-West): Sir, under Rule 197, I call the attention of the Minister of Education to the following matter of urgent public importance and I request that he may make a statement thereon:

Reported statements made at Djakarta by Shri G. D. Sondhi, Vice-President of the Asian Games Federation and the reactions expressed thereto by the Indonesian Government.

The Minister of Education (Dr. K. L. Shrimali): Sir, I beg to make the following statement in regard to the Call Attention Notice tabled by Sarvashri Indrajit Gupta, S. M. Banerjee, Prabhat Kar and Daji on the alleged anti-Indonesian statements made by Shri G. D. Sondhi at Djakarta on 28th August, 1962.

The Government of India do not have the official text of the statements made by Shri G. D. Sondhi. However, the Government of India wish to make it clear that Shri G. D. Sondhi is not in Djakarta as India's official representative. Shri G. D. Sondhi in his personal capacity happens to be a member of the International Olympic Council, Senior Vice-President of the Asian Games Federation and one of the three representatives of the Indian Olympic

Association on the Asian Games Federation. All the expenses of Shri G. D. Sondhi's visit to Djakarta are being borne by the Organising Committee of the Fourth Asian Games and not by the Government of India nor even by the Indian Olympic Association. The views expressed by Shri G. D. Sondhi are his personal views.

It has all along been the declared policy of the Government of India not to interfere in the affairs of the National Sports Federations. Such Governmental interference would amount to violation of the Olympic Charter.

The Government and the people of India have all along had the friendliest of relations with Indonesia and it shall always be the endeavour of the Government of India to strengthen these relations.

Shri Indrajit Gupta: While the position stated by the hon. Minister is technically correct, may I know, in view of the very bitter feelings which unfortunately seems to have been aroused extending to the extent of demonstrations outside our embassy at Jakarta, whether the Government will make it clear that they are disowning not only their connection with the status of Mr. G. D. Sondhi but also the contents of the statement in advocating the cause of Taiwan?

Dr. K. L. Shrimali: How can we disown Mr. Sondhi? Mr. G. D. Sondhi is an Indian national.

Shri Daji (Indore): We may not disown him, but have we made it clear to the Indonesian Government that the Government of India does not underwrite the views expressed by Shri Sondhi?

Dr. K. L. Shrimali: I had made it very clear in my statement that the Government of India have no responsibility for the views expressed by Mr. Sondhi. Mr. G. D. Sondhi is there in his individual capacity in

[Dr. K. L. Shrimali]

the Asian Games and in the Olympics. As I said, we do not interfere in this work of the Federation.

Shri Daji: My question has not been answered, Sir. My question was whether we have made it clear to the Indonesian Government that we dissociate with the views of Shri Sondhi.

Dr. K. L. Shrimali: This question has been answered. Our Ambassador in Indonesia has made it very clear, and the Government of India have also made it clear, and my statement also makes it very clear.

Shri S. M. Banerjee (Kanpur): May I take it from the statement of the hon. Minister that if any Indian goes abroad in connection with sports or any other thing, he has the right to say whatever he likes and he will not be pulled up for what he says?

Mr. Speaker: That is hypothetical.

Dr. K. L. Shrimali: The hon. Member certainly should know that this country enjoys freedom, and hon. Members on the opposite side should certainly know that we cannot just do anything about the statements which they make. Similarly, Shri G. D. Sondhi has made a statement. He has made it in his personal capacity.

Shri S. M. Banerjee: Sir, I raise a point of order. To my question, the hon. Minister says that hon. Members also make some statements. He has not cared to answer my question. *(Interruption).*

Mr. Speaker: It was made clear in his statement. Shri Hem Barua.

Shri Hem Barua (Gauhati): In view of the fact that this incident has picked up a lot of misunderstanding, may I know whether the Government have the official version of Shri Sondhi's statement with them?

Dr. K. L. Shrimali: I have said in my statement that we have not received any official statement.

श्री प्रकाशवीर शास्त्री (बिजनौर) : इस दुर्भाग्यपूर्ण विवाद से जो एक अनचाही स्थिति उत्पन्न हो गई है, उस सम्बन्ध में इंडोनेशिया के विदेश मंत्री का वक्तव्य क्या है और क्या श्री सोंधी ने अपना वक्तव्य वापिस ले लिया है ?

डा० का० ला० श्रीमाली : इसके बारे में मुझे कोई इत्तिला नहीं है । लेकिन जहाँ तक मुझे मालूम है श्री सोंधी ने अपना वक्तव्य वापिस नहीं लिया है ।

श्री बड़े (खरगोन) : क्या गवर्नमेंट की तरफ से श्री सोंधी को कुछ लिखा गया है कि इस प्रकार का स्टेटमेंट उसने क्यों दिया और क्या उससे उस स्टेटमेंट को मांगा गया है जो उसने दिया है ?

Dr. K. L. Shrimali: How can the Government do anything like that? The gentleman goes there as a representative of the Olympics, and makes a statement in his individual capacity. How can the Government curb the freedom of an individual?

Mr. Speaker: We shall proceed to the next item.

Shri P. C. Borooah (Sibsagar)
rose—

Mr. Speaker: I looked at that side, but he did not stand.

Shri P. C. Borooah: I was waiting for the other question to end.

Mr. Speaker: Sorry.

STATEMENT RE: CHINESE MILITARY POSTS IN LADAKH

Mr. Speaker: About the subject regarding the establishment of 3Q new posts in Ladakh, I made enquiries, and I learnt that the Prime Minister was

going to make a statement. I will allow Shri Hem Barua question.

Shri Hem Barua (Gauhati): When is the Prime Minister making the statement?

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): Unfortunately, the Prime Minister is not here now. I would make a statement.

Mr. Speaker: Does she want to make the statement now?

Shrimati Lakshmi Menon: I want to make the statement.

Shri Hari Vishnu Kamath (Hoshangabad): Is it in answer to a Short Notice Question or a Calling Attention Notice?

Mr. Speaker: A Calling Attention Notice was received. But before that could be ascertained, the hon. Prime Minister has sent me an intimation that he was going to make a statement voluntarily. I have allowed that. But because I had also received a Calling Attention Notice I will allow Shri Hem Barua to put a question.

Shrimati Lakshmi Menon: White Paper No. VI published by Government gave some details of Chinese military posts established upto 26th July against which we had lodged protests.

Since the publication of White Paper No. VI, we protested on 22nd and 24th August against the establishment of some more posts. The total number of these posts established by the Chinese since May 1962 comes to 30.

On 28th August, we protested against the establishment of four more posts. Our information is that one of these Chinese posts has since been withdrawn. But there is some evidence of the establishment of two more such posts in the neighbourhood.

I have had occasion to mention earlier in the House that a large number of these posts, particularly those established in recent months, are extensions of old posts a few miles further and generally within the defensive perimeter of the earlier posts. This is the case particularly in the region of Daulat Beg Oldhi and the Chip Chap river valley where the Chinese posts are separated only by short distance from each other.

In the Galwan river valley there are a number of Chinese posts that are close together and are interconnected. These, as I have said before, hamper our line of supply to our post by the land route. Another attempt to interfere with our supply line was made by the Chinese by the establishment of a Chinese post on the 23rd August in the Pangong lake area. We have protested against this and taken necessary measures to prevent interference with our line of supply in the Pangong lake area.

In regard to the incident on August 14th, the factual position is that there was an exchange of fire between our post in the Pangong lake region and the Chinese detachment. No casualty was suffered by our post. We protested to the Chinese against this incident on the 15th August.

Shri Hem Barua: The Chinese have by now established 30 new posts and the White Paper No. VI only mentions details of 20 posts. That means that they have built at least 10 more posts. On the other hand, because of the posts that we have established, the Prime Minister was pleased to say that we have recovered about 2,000 square miles from the Chinese. The Chinese advance is most patent by the establishment of these new posts. May I know whether the establishment of these new posts demonstrates any further advance into our territory by the Chinese?

The Minister of Defence (Shri Krishna Menon): The number of these posts is not synonymous with the

[Shri Krishna Menon]

territorial advance. It is a matter of tactical disposition, whether our Commanders think that it is better to split up one post into two or the Chinese Commanders do the same. The answer to the question is, the establishment of these posts by itself does not mean advance into our territory.

Shri Hem Barua: My question has not been replied to. Our argument is that because we have been able to establish a few more posts, we have reoccupied certain territory.

Mr. Speaker: Why should he place so much emphasis on that part?

Shri Hem Barua: My point is, the establishment of new posts to the extent of 30 means that the Chinese have advanced into our territory. It may be a tactical move.

Mr. Speaker: What I understood was, the Defence Minister has said that there has not been any further advance by the Chinese in that area. It is for the Commanders to see whether it is expedient to split up one post further into two or three posts.

Shri Hem Barua: That is not clear.

Mr. Speaker: Then I might not have understood him all right. Let me ask.

Shri Krishna Menon: What I said was, the increase in the number of posts by the Chinese, as mentioned by our Prime Minister, taking into account the difference in the dates of the two announcements, does not by itself mean any further advance into our territory. The increase in the number of posts is the distribution of personnel into one, two, three or four posts, according as the Command desires. We may not consider it necessary or possible, whatever may be the reason, to increase the number of posts, when one post would do the job. That is a tactical decision.

Mr. Speaker: The increase in the number of posts might not by itself

mean further advance by the Chinese. But the question that the hon. Member insists on is whether in fact there has been further advance, according to the information available with the Government.

Shrimati Lakshmi Menon: It is already stated in the statement. I have said there:

"I have had occasion to mention earlier in the House that a large number of these posts, particularly those established in recent months, are extensions of old posts a few miles further and generally within the defensive perimeter of the earlier posts."

This has already been stated (*Interruptions*).

An Hon. Member: Have they made any advance?

Mr. Speaker: Order, order. We are trying to understand each other. Hon. Members should not be impatient.

Shri Bade (Khargone): How many miles further have they advanced?

Mr. Speaker: Should all of them stand up simultaneously? Let them put their questions one by one.

Shri Bade: It is a serious question.

Mr. Speaker: Order, order. I should not be forced to have a departure here, though the subject is very important. Hon. Members can seek a further discussion by another method. But I am trying to make it clear so that the anxiety of the hon. Members might be removed. They should allow me to have that cleared rather than force me to allow a further discussion by allowing other hon. Members to put questions. I am not allowing any question to be put by other hon. Members whose names do not appear on the Calling Attention Notice.

Shri Hari Vishnu Kamath: I am not putting another question. May I request you to clarify another aspect

of the matter closely connected with this one? In disallowing a similar question by me, Sir, you were pleased to state that the Prime Minister would make a statement regarding the correspondence between the Government of India and the Government of China recently. Is that statement coming before the end of this Session to bring the battle of notes up to date?

Mr. Speaker: I cannot say that. If he tells me what that promise I made is, certainly I will get it checked up.

Now, coming to the other matter, again and again the same question is being put, whether the Government can give any further information on this fact as to whether the Chinese have made any further advance into our territory and, if so, by how many miles.

Shri Krishna Menon: I said, Sir, that increase in the number of these posts does not mean any advance (*Interruptions*).

Shri Surendranath Dwivedy (Kendrapara): That means there has been advance; it is clear.

Shri Hem Barua: May I ask, Sir. . .

Mr. Speaker: Order, order. Would the hon. Members kindly resume their seats? The difficulty with the hon. Members is that they are feeling perturbed. They have these apprehensions that probably there have been some further advances in our territories by the Chinese. The question, though it was confined to the posts, is whether there has been any further advance. The hon. Defence Minister has said two or three times—probably I have not been able to make myself clear and, therefore, that ambiguity still exists—that the setting up or the increase in the number of these posts by themselves does not give any indication whether there has been any further advance or not. This is admitted, and everybody is satisfied so far as the increase
1730(Ai)LS-4.

in the number is concerned. Independently of that, the question is,—whether there has been an increase or not—whether the Chinese have advanced further into our territory. This is what the hon. Members want to know. If the Government has got that information that might be given.

Shri Krishna Menon: If you will permit me to say so, Sir, it is not possible to hold territories without posts. If they will advance they will put up posts. That is why I said that these posts do not represent advances. There are no posts put up by the Chinese which represent advances into our territory.

Shri Hari Vishnu Kamath: Why is the Minister shilly-shallying and beating about the bush? Why can't he say 'yes' or 'no'?

Shri Tyagi (Dehra Dun): Let us say: "No advance".

Shri Hem Barua: Sir, I rise to a point of order. I have been listening to the two statements by the two different Ministers. Shrimati Lakshmi Menon has admitted that there has been an extension of posts a few miles further. The Defence Minister has also said that there has been a splitting up of posts. Supposing I split your chair, Sir. . . .

Shri Hari Vishnu Kamath: God forbid.

Mr. Speaker: Order, order. There ought not to be any surprise if the chair is split on account of what has been happening!

Shri Hem Barua: Suppose, Sir, your chair is split into two parts and one part remains here; the other part either goes to the front or goes back.

Mr. Speaker: They can remain parallel also and I might fall down! (*Interruptions*) The two portions may be behind each other.

Shri Krishna Menon: You cannot hold a territory without army or

[Shri Krishna Menon]

posts. The question is directly in relation to the 30 posts, about the discrepancy between the statement made by the Minister of Defence and the statement made by the External Affairs Minister. That, I understand is the purpose of this question. Therefore, naturally, when she speaks about the increase of posts, a doubt arises whether they advanced. I said there was no advance.

Mr. Speaker: Now papers to be laid on the Table.

Shri Hari Vishnu Kamath: I would like to ask whether this answer just now given was due to the intervention of the Minister without Portfolio.

Shri Krishna Menon: I would like to ask the hon. Member to withdraw the word "shilly shallying".

Mr. Speaker: What is the word objected to?

An Hon. Member: "shilly shallying".

Mr. Speaker: There is one appeal which I have to make to hon. Members. These are very delicate matters and we have to help the Government. Government has to govern and Parliament has to legislate. Sometimes it becomes difficult for the hon. Members on the Treasury Benches to give such information as might be demanded by the hon. Members. They might appreciate that there may be some difficulties on certain occasions and in such matters such pressure at that moment might, perhaps, put the Government in an embarrassing position, or affect the interests of the country. All of us, whether on this side or that side, are interested in safeguarding the interests of the country. So, that should also be borne in mind and sometimes if there is some hesitation, that should not always be taken to mean that there was an attempt at shilly shallying or deliberately withholding information. Some allowances have to be

made. Of course, I am not referring to any particular occasion, either this occasion or any other particular occasion. I am simply bringing it to the notice of hon. Members so that they might take this also into consideration when they press questions.

Shri Hari Vishnu Kamath: Sir, I want a clarification on the ruling which you have just now given.

Mr. Speaker: There is no ruling.

Shri Hari Vishnu Kamath: I am referring to your observation. The Minister has, throughout his answers, never used the word "public interest".

Mr. Speaker: I would request the hon. Member to resume his seat.

Shri Hari Vishnu Kamath: So, there is no question of national interest or public interest at all.

Shri Hem Barua: Sir, May I seek your protection?

Mr. Speaker: I rather seek his protection. I have closed that chapter. So, I would request him also to just resume his seat.

12.27 hrs

PAPERS LAID ON THE TABLE

MANIPUR CHILDREN RULES, 1962

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, I beg to lay on the Table a copy of Notification No. 3/7/62-Act/L published in Manipur Gazette dated the 22nd June, 1962 containing the Manipur Children Rules, 1962, under subsection (3) of section 59 of the Children Act, 1960. (Placed in Library See No. LT-387/62].

GENEVA CONVENTIONS (ASSIGNMENT OF LEGAL PRACTITIONERS) RULES, 1962

The Minister of State in the Ministry of Defence (Shri Raghuramiah): Sir, I beg to lay on the Table a copy of the Geneva Conventions

(Assignment of Legal Practitioners) rules, 1962 published in Notification 1962, under section 19 of the Geneva No. SRO 222 dated the 25th August Conventions Act, 1960. [Placed in Library, See No. LT-388|62]

MINERAL CONCESSION (FOURTH
AMENDMENT) RULES, 1962

The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajar-navis): Sir, I beg to lay on the Table a copy of the Mineral Concession (Fourth Amendment) Rules, 1962 published in Notification No. GSR 1076 dated the 11th August, 1962, under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957. [Placed in Library, See No. LT-389|62].

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary of Rajya Sabha:—

(i) "In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 30th August, 1962, agreed without any amendment to the Atomic Energy Bill, 1962, which was passed by the Lok Sabha at its sitting held on the 20th August, 1962."

(ii) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 4) Bill, 1962, which was passed by the Lok Sabha at its sitting held on the 21st August, 1962, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

(iii) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Railways) No. 4 Bill, 1962, which was passed by the Lok Sabha at its sitting held on the 21st August, 1962, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

12.29 hrs.

ELECTRICITY (SUPPLY) AMEND-
MENT BILL*

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): Sir, on behalf of Hafiz Mohammad Ibrahim, I beg to move for leave to introduce a Bill further to amend the Electricity (Supply) Act, 1948.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Electricity (Supply) Act, 1948.

The motion was adopted.

Dr. Ram Subhag Singh: I introduce the Bill.

WAREHOUSING CORPORATIONS
BILL*

The Minister of Food and Agriculture (Shri S. K. Patil): Sir, I beg to move for leave to introduce a Bill to provide for the incorporation and regulation of Corporations for the purpose of warehousing of agricultural produce and certain other commodities and for matters connected therewith.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the incorporation and regulation of Cor-

*Published in the gazette of India, Part II, Section 2, Dated 3-9-62.

[Mr. Speaker]

porations for the purpose of warehousing of agricultural produce and certain other Commodities and for matters connected therewith."

The motion was adopted.

†Shri S. K. Patil: I introduce the Bill.

12-30 hrs.

RESERVE BANK OF INDIA (AMENDMENT) BILL—Contd

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri B. R. Bhagat on the 31st August, 1962, namely:—

"That the Bill further to amend the Reserve Bank of India Act, 1934 and to make certain consequential amendments in the State Bank of India Act, 1955, be taken into consideration."

Time allowed was two hours; 1 hour and 25 minutes have already been taken and there are 35 minutes left. Shri Abdul Wahid may kindly continue his speech.

Shri T. Abdul Wahid (Vellore): Sir, as I had said the other day, this is a very welcome measure. It enables the banks to give long-term credit to exporters. On this occasion when this Bill is intended to give more financial facilities to exporters I would make a few more suggestions.

I suggest that the quantum and conditions of financial accommodation to the export industries should be made very liberal. I also suggest that the margin on hypothecation of goods should be instructed to charge the more than 20 per cent. The banks should be instructed to charge the minimum rate of interest from export industries and export business houses so that the cost of export goods may

be kept as low as possible. I want that industries which purely cater for exports should be given as much of long-term finances as possible so that they can modernise and mechanise their industries in order to reduce the cost of production.

These measures will help most of the big export industries and export business houses. I suggest that some measures should be taken to help the small exporters also who are groaning under heavy interest charges which they have to pay to people from whom they borrow money or to whom they consign or sell their goods. I suggest that banks may be instructed to advance loans to small-scale exporters so that they can at least prosper.

These are my few suggestions.

The Deputy Minister in the Ministry of Finance (Shri B. R. Bhagat): Mr. Speaker, Sir, I am very grateful to hon. Members who participated in this debate and have given full support to this measure. Some of the hon. Members raised some points and I would like to reply to them.

Shri Kar said that the Governor and the Deputy Governor of the Reserve Bank should be wholetime officers as provided in the present Act governing the Reserve Bank of India. He objects to the amendment that we are seeking, namely, that they can undertake some functions which are in the public interest and which may not be connected with the Reserve Bank at the request of Central and State Governments. He said that during the decade the functions of the Governor and the Deputy Governor have increased and have become diversified. They have not remained standstill. I agree with him entirely, but the point is that the present provision is absolutely rigid. There may be some functions like an important enquiry or an important work which the Central or the State Government may request them to undertake but because legally it is not a part of their

†Introduced with the recommendation

of the President.

functions they cannot undertake it, although it may be very important and they may be the best persons to do it. In such an eventuality the present provision comes in the way. That is why it was thought wise that the provision should be made flexible. It is merely an enabling provision. It does not mean that the Governor and the Deputy Governor would be doing odd jobs every time. That is not the intention.

Shri Tyagi (Dehra Dun): Flexibility is all right but it should not be elastic.

Shri B. R. Bhagat: No, the intention is not to be elastic. But, as I said, there may be certain important enquiries or commissions connected with economic and other matters which it may be thought wise and in the public interest to entrust to them. In that case the Central or State Government may request them and in such an eventuality they might undertake it. Such an eventuality cannot be an everyday matter. It can be a very exceptional matter which may be very important. That is the idea. It is at best an enabling measure, and is intended to provide for such exceptional or extraordinary situations.

Then, my hon. friend said something about the sterling bills. It is obvious that if they are encashed before maturity, we lose, and in that, we lose a part of the foreign exchange. It is in the interests of the whole country including Government that all foreign exchange should be conserved. But the position is that the present Act or the amending Bill does not provide either that the sterling or foreign bills should be discounted or that they should be held to maturity. This is a matter which has to be left to the discretion of the individual banks, and it cannot be dealt with by law. In practice, the more important banks hold the bills to maturity, and the question of discounting them or of any consequent loss in foreign exchange does not, therefore, arise. That is the factual position. But the question

whether any directions should be given to the banks suggesting that the bills as a general rule should be held to maturity instead of being discounted at a loss, any assistance which a bank may require being obtained, if necessary, in the form of loans from the Reserve Bank, will be examined after this Bill is passed. We are at it, and we are considering what can be done in such a situation.

Then, he raised another point about the cashier contractor system in the Reserve Bank. This system in the Reserve Bank does not work in the same way in which it does in a commercial bank. At certain offices of the Reserve Bank of India, paid treasurers who are officers of the bank have already been appointed. They are officers of the bank, and they have been appointed on contracts as cashier contractors. At other offices, treasurers who are not themselves the employees of the Reserve Bank of India but who have furnished security in the form of cash or Government securities are responsible for the working of these cash departments. Again, even where a cashier who is not himself the bank's employee has been appointed and made responsible for the cash department's working, there are other officers or workmen working under him, and they are employees of the bank and they are posted to his department on a full-time basis.

The only difference, as far as the non-official cashier as distinguished from the paid officer-treasurers of the Reserve Bank of India are concerned, is that the nature of the security obtained from the non-official cashier is greater, and such cashiers are responsible under the contracts for making good immediately to the bank any shortage which may be discovered, and in view of this responsibility, they have got a right to be consulted about the persons who are posted in their department, even though they are the employees of the bank, because they have to be necessarily accepted by the cashiers because they take the responsibility for the cash. Then, the

[Shri B. R. Bhagat]

cashiers of the Reserve Bank who are not themselves employees of the bank are not new people or strangers; they have dealt with the bank for a number of years, and the conditions of their service and remuneration are regulated by contracts.

As the system has been working very well and as the interests of the workmen employed are not also affected to any extent, it is not advisable to terminate this system immediately. As and when the non-official treasurers retire, whole-time paid employees are, however, being posted as treasurers at the various offices. So, that system will gradually terminate.

Shri Prabhat Kar (Hooghly): As the hon. Minister has said, it is a fact that in all the branches of the Reserve Bank of India this system is not in existence, but in some branches, it is there. Am I to take it that from the next day after the contractor retires, the branch will be run in the same way as the other branches by the direct officers of the bank?

Shri B. R. Bhagat: When they retire, the new arrangement will come into effect.

Shri Prabhat Kar: That is to say, the same arrangement as in the other branches, where the officers of the bank run the cash department, will come into effect in those branches also?

Shri B. R. Bhagat: It is on a contract basis. As the contract expires, the new arrangement will come into effect.

Shri Prabhat Kar: Does the hon. Minister mean to say that the contract will not be renewed?

Shri B. R. Bhagat: That is our policy. Our policy is that as and when the contracts expire, the department itself should manage it.

Shri Morarka raised one or two points. He asked why the reserves should be raised to 15 per cent or

more although in the past these reserves which were 2 and 5 per cent were not raised at all. That is not true. In March 1960, special deposits were required from banks. Originally these were 25 per cent of the additional deposits and at a later stage, as from May 1960, 50 per cent of such additions to deposits were required. They were discontinued only in January 1961 after the circumstances in which they were originally asked for had changed. Therefore, even in the past special deposits were asked from banks in a special inflationary situation. The Reserve Bank had that power and it has utilised it to siphon off any inflationary pressure in the economy.

He asked about medium credits, whether they will be intended for capital goods or raw materials or consumer goods have also been included therein. It is the intention of Government to restrict it only to exports of engineering and capital goods. Hon. Members would be aware that we appointed a committee to go into this. It recently studied this problem and recommended that these special facilities should not be granted for the export of consumer goods or other exports which can be paid for within a period of a few months. We have accepted this very good recommendation and we have restricted this facility to capital goods or engineering goods export.

Then **Shri Morarka** doubted the validity of having a uniform rate of 3 per cent reserve of total liabilities instead of 2 per cent time liabilities and 5 per cent demand liabilities. He asked why it was being done. Alternatively he suggested raising the reserve in regard to time liabilities to 5 per cent if it was desired to have uniformity. If it was thought that the liquidity ratio would go down, he suggested raising the time liability deposit to 3 or whatever it is, but he said that the total of the liabilities should not be 3 per cent. This is a very technical and ticklish point. In

arriving at the figure of 3 per cent, all sorts of consultations and considerations have prevailed.

As it is, the one important phenomenon which has occurred in the banking world is that time deposits are on the increase. He wanted the figure, in what proportion they have increased. Actually, the ratio of time to demand liabilities, ten years ago was 1:3. It has now become 3:2. In ten years, the proportion has increased enormously. Obviously, in a situation like this, if we maintain the figure of 2 per cent and 5 per cent, the liquidity of the banks is very much affected. Another alternative was to raise it to 3 or 4 or to have some sort of agreement. It is an over-all agreement that has now been arrived at, because if you see the figure of 2 per cent and 5 per cent, if the present liquidity ratio is worked out, it is something more than 3 per cent. In arriving at the figure of 3 per cent, the liquidity is somewhat less than what it is under 2 and 5 per cent. So what we have done is this. There is an overall increase of liquidity ratio from 20 to 25. Then 3 has been added, making it 28. The various banks have been consulted, and it is part of an over-all scheme. Therefore, I would request the hon. Member to appreciate this point and accept it as part of an over-all scheme. The idea is to keep the liquidity of the banks in tact, and make it more refined in view of the new changes in the structure of banking.

My hon. friend Shri Saraf has tabled an amendment which will be taken up in the second reading stage, in which he wants the word "may" to be substituted by the word "shall" in respect of the payment of interest on any reserves in excess of the statutory reserves, but he fails to appreciate that there are three points involved in this; firstly, that no interest will be paid on 3 per cent, that is agreed; secondly, interest shall be paid on any normal increase if the increased requirements are satisfied; and thirdly, interest may be paid as a

matter of grace in the increased balance even though the increased requirements are not fully satisfied. Legal provisions have got to be flexible, they cannot be rigid. That is why the word "may" has been put in and not "shall".

Then, as regards the period for paying the penalty, he said it should be 21 and not 14 days. There also, I think he is not correct. He says transfers may take place, and it may take time to reach the head office, but he fails to realise that most, if not all the banks, have dealings and have accounts with the regional office of the Reserve Bank. It is not as if a Bank in Delhi will have day to day transactions only with Reserve Bank, Bombay. They will rather deal with the regional office of the Reserve Bank. Similarly with any bank in Kanpur or Calcutta. So, they can pay the penalty at the regional office of the Reserve Bank, and no long-distance transfers are needed. The period of 14 days is quite sufficient and warrants no increase.

Mr. Speaker: The question is:

"That the Bill further to amend the Reserve Bank of India Act, 1934 and to make certain consequential amendments in the State Bank of India Act, 1955, be taken into consideration."

The motion was adopted.

Mr. Speaker: I had some notice of amendments, but that hon. Member is absent. Therefore, all clauses can be put together.

The question is:

"That clauses 1 to 7, the Enacting Formula and the Title stand part of the Bill".

The motion was adopted.

Clauses 1 to 7, the Enacting Formula and the 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.

12.49 hrs.

BANKING COMPANIES (AMENDMENT) BILL

The Deputy Minister in the Ministry of Finance (Shri B. R. Bhagat):
I beg to move:

"That the Bill further to amend the Banking Companies Act, 1949, be taken into consideration."

The house will remember that this Act was amended in March, 1961 in order to confer on the Central Government certain additional powers in relation to the reconstruction or amalgamation of banking companies. In the interval which has passed since then, we have used these powers judiciously, and I may perhaps add, on the whole with restraint. We have reconstructed the affairs of a number of sub-standard banks, amalgamating them with other and sounder and better-managed institutions. We have also brought into force, with effect from the beginning of the current calendar year, a scheme for the insurance of deposits in commercial banks up to a limit of Rs. 1500 in the case of each depositor. This scheme has been very well received.

Partly because of the action which has been taken by the Government, but mainly because the commercial banking system in our country has, on the whole, been sound, the decline in the deposits and working funds of the commercial banks which followed the failure of the Palai Central Bank in August, 1960 has proved to be temporary and short-lived. Commercial bank deposits have been increasing steadily since the end of 1960. Judged by certain other standards, such as the liquidity of the banks, the level of their advances and the provision towards reserves, the banking system today is as healthy and satisfactory as it has been at any other time.

We have considered it desirable, nevertheless, to review the position once again, with particular reference to the provisions of the law regarding the minimum paid-up capital, the statutory reserves, and the cash and other liquid balances, which banks are required to maintain. The relevant sections of the Banking Companies Act relating to these matters were drafted in 1948, when the impact of development planning on our banking system could not have been foreseen or appreciated. The level of bank deposits has increased by more than Rs. 1200 crores since then; and, as there is every reason to believe that this increase will be sustained and appreciable in future years, it seems to be necessary that the standards which were laid down about fourteen years ago, and which may not be wholly appropriate for the current phase of development and growth, should be suitably revised.

The first proposal which has been made in this connection and which clause 2 of the Bill seeks to implement is that both the exchange and the Indian banks should be required to transfer a portion of their profits towards statutory reserves, whether or not the reserves are at a level at which they are already equal to the paid-up capital. The exemption which is now available, according to the provisions of Section 17 of the Banking Companies Act, in the case of banks which have built up their reserves to the level of their paid-up capital, was granted at a time when the ratio of paid-up capital to the deposits was, generally speaking, much higher than it is today. This ratio has however, fallen very considerably since then; and, any standard or criterion which seeks to relate the reserves to the level of the paid-up capital will no longer be adequate and will also be unsatisfactory in a period of rapid growth in deposits and working funds. It is proposed, therefore, that appropriations towards reserves should be made indefinitely in the future, and until such time as an ex-

emption, if any, is granted by the Central Government.

The next proposal which has been made and which is also dealt with in clause 2 of this Bill is that the minimum paid-up capital of any banking company which may commence business hereafter should be five lakhs of rupees. The minimum which is now prescribed by law is, as hon. Members may recall, Rs. 50,000; and, we are proposing a ten-fold increase. Prices have increased considerably during the last ten or fifteen years. establishment costs and working expenses have mounted up and it will be difficult for a company, which does not have adequate funds of the order now in view, to become or continue as a viable unit, or to offer to the depositors the degree of protection which is necessary. The new standard which we are prescribing will, I believe, make it possible for small or medium-sized banks to be organised, if necessary, for helping particular sectors of industry or trade, but it will prevent mushroom or unstandard institutions from being brought into existence.

The other main proposals which we have formulated and which clauses 4 and 6 of the Bill seek to implement, are, to some extent, inter-connected. Clause 4 provides that in the case of any non-scheduled bank, the cash reserves should be equal at least to three per cent of the total liabilities. This is a change which has been rendered necessary on account of the proposal to abolish, in relation to scheduled banks, the distinction between demand and time liabilities, and to prescribe instead a uniform requirement of three per cent in relation to all the liabilities.

Clause 5 goes on to prescribe that in addition to these somewhat increased and slightly more rigorous requirements as to the level of the cash balances an amount equal to at least 25 per cent of the liabilities should be maintained in the form of cash, gold or unencumbered approved securities, that is, in liquid forms so that they

may be available readily to the banks.

The position which will emerge in the light of the provisions of this Bill and of the other connected Bill relating to the Reserve Bank of India is that as against an overall minimum provisions today of 20 per cent for the maintenance of assets in liquid forms, the minimum requirements in future will be 28 per cent in the case of non scheduled banks and 28 per cent subject to an increase upto forty per cent, in the case of the scheduled banks.

The House will notice that the arrangements which we envisage provide for a considerable degree of flexibility; and that in deciding on the actual operative level of the cash or liquid balances which commercial banks may be required to maintain in future, it will be possible to take into account a number of relevant considerations, such as the level of the banks' advances, the other competing demands on their funds, the profits earned by the banks and the needs of the economy as a whole.

We have throughout kept in view the general public interest, which we have naturally interpreted as meaning not only the interests of the depositors of the individual banks but also the interests of the Indian people generally. Commercial banks today have vast resources at their disposal. They occupy a strategic position in our economy. The impact of policies with which they are directly or indirectly concerned, or to which they are parties is very considerable and important, and a more effective and purposeful direction of such policies or control over the resources of the banking system as a whole is therefore unavoidable. The present Bill provides for a degree of control which is wholesome and necessary, and which has been very widely accepted as being both fair and reasonable. The House, I believe, will not therefore have any difficulty in accepting these proposals. Sir, I move that the Bill be taken into consideration.

Mr. Speaker: Motion moved:

"That the Bill further to amend the Banking Companies Act, 1949, be taken into consideration."

Shri Prabhat Kar (Hooghly): Sir, I welcome the object of this Bill. The hon. Minister has said that in view of the increase in deposits and the prospect of further increase, it has become necessary to strengthen the capital structure of the banking institutions by setting apart some portion of profits for the reserve. According to section 17 of the Banking Companies Act, 20 per cent out of the profit is to be set apart until the reserve is equal to the capital. In February 1962, the paid up capital of all banks stood at Rs. 239.69 crores and the reserves stood at Rs. 42.73 crores. In 1951 the capital was Rs. 232.10 crores and Rs. 31.20 crores, reserves. I think every one of us would agree with the hon. Minister who said that the banking industry has stabilised its position and unless certain faulty steps are taken by an individual bank, there is no chance of any disaster coming to the banking industry in India. He has also referred to two Bills, the Banking Companies (Amendment) Bill which came in earlier and the amalgamation of the small banks and also the deposit insurance scheme. These steps will further strengthen the structure of the banks and there cannot be any opposition to the question of further strengthening the capital structure of the banks. The Governor of the Reserve Bank, on the 27th of December 1961, wrote a letter to the Scheduled banks making this suggestion. The suggestion or the remark of the Governor was:

"In the last ten years while the deposits of banks have risen substantially there has not been any material increase in their capital and reserves—with the exception of the compulsory appropriations to the reserve funds required under existing legislation in the

case of banks, the reserve funds of which are less than their paid-up capital—with the result that the ratio of paid-up capital and reserves to deposits of scheduled banks has steadily declined from 9 per cent. in 1950 to 5 per cent. in 1960."

His suggestion was that until the reserves and capital are equivalent to six per cent of the deposits,—even in spite of the fact that the reserve is today equal to the capital—the banks should set apart and continue to set apart 20 per cent of the profits.

13 hrs.

I may here draw the attention of the hon. Minister to the fact that in the banking industry, the totality of capital and reserves plays a very insignificant part. Take, for instance, the United Kingdom or the USA where the bank deposits are to the tune of about 14 to 18 times more than the money in circulation. There, even in the big banks, such as Lloyds or the First National Bank of New York, the capital and reserves of the particular institution extends to the tune of about five to six per cent of the total deposits. Now, when the banking industry is making such an important contribution and when their stability is now being assured, when the Reserve Bank is playing an important part in stabilising the whole banking system, why is it required that they should set apart from the profit more than six per cent? I can understand that the Governor of the Reserve Bank has suggested that until this six per cent is achieved, they should continue to transfer 20 per cent of the profits every year. Today, the Bill has been brought not on the same lines, but to see that it will continue till eternity. The reserves and the capital may be anything from ten to 20 per cent of the deposit. Today, the deposits will increase no doubt, but I do not know why the transfer of 20 per cent out of the profits should continue to be there for eternity.

I may just point out two things here: This thing came at a time when the bonus dispute of the banking industry was being adjudicated upon. For the first time, the letter of the Governor to the scheduled banks was placed before the tribunal by the bankers. I had a very strong reaction to that. But, as I have said, there cannot be any objection to strengthen the capital structure of the banks, because the depositors' money must be safeguarded. But when the letter was placed before the tribunal by the bankers, naturally I had also a very strong reaction. But today, I agree that you can make provision so that it comes to six per cent and stops there. But then there are banks where the reserve is more than the capital. In that case, if you find that it is more than six per cent or near six per cent, you stop any further transfer out of the profits. Look at the position. Today, the shareholders of banks are getting dividends. I am talking of the big banks where the dividends are being paid to the tune of 18 per cent to the shareholders. It may be that today the Government is not thinking in terms of nationalisation. At the time of nationalisation, when it comes, apart from the 18 per cent dividend, which they will continue to get according to the statutory provisions, the reserve and the capital will, according to the present Companies Act, belong to the shareholder and on that you have to pay compensation.

Again, in the banking industry, it is a well-known fact that apart from the open reserves, there are secret reserves provided for, and the rules made under the Banking Companies Act give permission to the banking company not to put into the balance-sheet the amount of the secret reserve. According to those rules, and according to the rules of the Reserve Bank, the banking companies have been allowed to show income, less the provisions made for bad and doubtful debts plus other necessary and usual provisions. Nobody knows

what the necessary and usual provisions are. It is of course necessary to make provisions for the bad and doubtful debts. But a further concession is given to the effect that you can show the income, less those provisions and also the provisions which are necessary and usual. Apart from this, the banking companies have been asked to make provision for open reserves. The secret reserve in any banking institution is not a new thing here. It is a thing familiar to any banking structure.

But I may invite the attention of the hon. Minister to the fact that Rs. 50 lakhs a year have been put in as secret reserve for the issue of bonus shares. What a huge amount must be left in the secret reserves so that in one particular year Rs. 50 lakhs can be taken out for the issue of bonus shares? Apart from that, we are asking the banks to build a reserve, knowing fully well that in the banking industry, the capital always plays a very insignificant part so far as the working aspect is concerned. It is not a peculiar thing here in India. It is so everywhere. Further, it is not impossible, in a growing industrial development where the banking habit develops, when the country develops more and more, with the success of the third Five Year Plan and the fourth Five Year Plan, when we shall be almost on a par with the banking system of other developed countries in the world, where the banking deposits will be ten to 15 times of the money in circulation. In that case, to think that capital and reserves must bear some proportion is a thing which I cannot understand. Even in big banks like Lloyds, which is one of the biggest banks in the United Kingdom, or even in the First National Bank of New York, there also, it is just five per cent or six per cent, and therefore, I do not know why it has become necessary at this moment here to achieve such a proportion, when the hon. Minister himself in his statement, while introducing the Bill, has admitted that

[Shri Prabhat Kar]

today the banking system has been stabilised and that there is little chance of this particular industry facing any difficulties.

This is a matter which requires clarification. As I said, on the question of the principle of strengthening the capital structure, although I had a very strong reaction when that letter was brought out before the tribunal at the time hearing the bonus issue with a view to deprive the employees of the bonus, I have no objection. But the Governor of the Reserve Bank has suggested that it should be discontinued after the proportion was raised to six per cent. Here, in the Bill, there is no such provision although there is a provision that at any stage the Government may do it. I do not know what that stage will be and on what considerations it will be done.

Another thing has to be mentioned. The minimum capital has been raised from Rs. 50,000. They say it has now increased to Rs. 5 lakhs. There are small banks, and we want that the small banks should continue, because they cater to the needs of the small businessmen and the middle-class people. Naturally, in the interests of the country's economy and of the banking system, the small banks should continue. Today if they are asked to raise their capital, I am quite sure it is impossible for them to raise it, because if they try to float shares today, none will purchase those shares. So, it means that those small banks will have to go out. The Minister said that the cost of living has gone up. It is true, but I do not know how it can be linked up with the raising of capital. These institutions have been continuing for a long time serving a limited sphere of small depositors and small clientele. Why is it necessary that their capital should be immediately raised?

I know under section 11, Government has got the power to extend the period and I am also aware that almost

every year, applications are made and the Reserve Bank extends time. But these banking units are kept in perpetual anxiety that the next day perhaps they will have to close down their shops. So, I think that Rs. 50,000 may continue, because in their limited sphere, they are serving a very limited section of banking public, but that is a very material help they are rendering. So, I do not agree that this amount should be raised.

Today the ratio is 20 per cent. It has been raised to 28 per cent in the case of non-scheduled banks and 40 per cent in the case of scheduled banks. I want to have certain clarifications. Generally we call it prudent banking if the proportion is 60 per cent advance, 30 per cent investment and 10 per cent liquidity. Today you have said that 28 per cent should be the liquidity—3 per cent is the deposit with the Reserve Bank and 25 per cent liquidity, which means it would come to 28 per cent liquidity. You are also taking the power to increase it to 40 per cent in the case of scheduled banks. 60 per cent will be divided between investment and advance. The main function of banking is to augment trade and commerce. That function will suffer. Today, out of Rs. 1800 crores, Rs. 1100 crores are being utilised as advance to trade and commerce. If the liquidity is increased to 28 per cent, the advance which is being given to trade and commerce will have to be decreased. When there is more and more clamour that the banks should help the industry and give long-term loans to develop exports, it is essential that more advance should be granted. I do not say it should be granted against stock exchange to speculators against shares, but advance should be given for improvement in the country's trade and commerce and that will suffer if we increase it to 28 per cent.

I do not know whether the bankers have agreed to this suggestion, because

so far as they are concerned, last time when you asked for a special deposit with the Reserve Bank over the usual percentage of deposit, at that time there was a clamour by the banking industry that you are taking money which otherwise would have been utilised to give help to the trade and commerce and that you are not paying interest also. Then you agreed to pay the interest. So, here those things will come again. Today the banking industry is in such a stable position. Is it found that the banks will not be in a position to meet the cash requirements at any time, if the situation demands it? When you yourself say that the banking industry is stabilised and there is little chance of its amount being drawn all on a sudden, you should have allowed the 10 per cent liquidity to continue. But you are increasing it to 28 per cent. I do not understand why it should be like this.

The hon. Minister referred to the amendment in the Banking Companies Act in regard to the merger of these small banks. Section 45 was amended like this:

"Provided that the scheme shall contain a provision that—

- (i) the banking company shall pay or grant not later than the expiry of the period of three years from the date on which the scheme is sanctioned by the Central Government, to the said employees the same remuneration and the same terms and conditions of service as are applicable to employees of corresponding rank or status of a comparable banking company to be determined for this purpose by the Reserve Bank."

When the banking dispute was before the Tribunal, a moratorium was declared on many banks, as they were taken out of the provisions of the award. But by this time, the

Desai award has come. Those employees who have been merged in the bigger banks are continuing to get the same emoluments as they were getting at the time when the amalgamation took place two years ago. At that time they were getting less emoluments. Today the situation is, in one particular institution, there are two sections of employees doing the same job, one getting higher emoluments and another getting lesser emoluments. At that time because the bigger banks did not agree to take the load of the employees, this scheme was brought in and we agreed to that.

But today, after the award, those sections which were getting higher emoluments will get further higher emoluments because of the award; those who were getting less—if they were allowed to continue in their own class, they would have got more—will continue to get the same emoluments which they were getting two years ago. The gap existing today will be further increased and the position will be, a clerk of the same institution will be getting less than the subordinate staff of the same institution. An employee working as ledger clerk will be getting less than the subordinate staff who will be attending on him. At that time, it was necessary to safeguard the industry and we agreed to that scheme to see that the small banks do not get into liquidation. But that has changed today. So, this section requires amendment so that at least those employees who would have otherwise got the benefit of the award, to whatever extent it may be, in their class, should be allowed to have that benefit.

Subject to these remarks, I have said generally I agree with this proposition, but I would request the hon. Minister to clarify the points which I have mentioned.

Shri U. M. Trivedi (Mandsaur): Mr. Speaker, Sir, having noticed the calamities that were caused to several depositors when the banks

[Shri U. M. Trivedi]

failed in the south, naturally one would like to welcome the provisions of this Bill. As far as the amendments go, they certainly, on the face of it, appear to be in the interest of the depositors. But in making these amendments, the Government seems to be going very far. I am referring to clause 5 of the Bill, which seeks to amend section 22 of the principal Act, in sub-section (3), in clause (c). The original clause as it stood required this much:

"22. (3) Before granting any licence under this section, the Reserve Bank may require to be satisfied by an inspection of the books of the company or otherwise that all or any of the following conditions are fulfilled, namely:—

* * *

- (c) in the case of a company incorporated outside India that the Government or law of the country in which it is incorporated does not discriminate in any way against banking companies registered in India, and that the company complies with all the provisions of this Act, applicable to banking companies incorporated outside India."

This provision was on a very sure footing inasmuch as we could have available before us material from which we could judge whether the law in the country in which a particular banking company has been incorporated does not contain a provision of the nature which discriminates in any way against banking companies. It was a positive factor which at any time we could look into by looking into the statute of the particular country in which the banking company has been incorporated. At the same time, we could also find out whether the company was prepared to comply with all the provisions of the Act applicable to banking companies incorporated

outside India. These two factors we could always verify. These were very positive proofs and pieces of evidence which would be visible to the eye and assimilable by study. Unfortunately, we are now amending that sub-clause in these terms:

"...after the words "a company incorporated outside India that", the words, "the carrying on of banking business by such company in India will be in the public interest and that" shall be inserted".

Now, this is a very wide provision. We had ample discussion about this provision, which is of a more or less subjective nature and which can be determined only on the whims and pleasures of the officer or the officers concerned who formulate the report. Just as "public purposes" has been defined as a very wide term and has been interpreted by the various High Courts stretching its meaning to unimaginable lengths, the term "public interest" will also create unnecessary harassment to a banking company, although it might be incorporated outside India, to have an office in India.

The net result of such a provision is, although we might gloat over it for some time saying that we have got such a provision whereby we are putting a stop to the companies from foreign countries operating in our country, difficulty will be felt by our own countrymen who are living abroad. Very recently, Sir, when I had occasion to visit Burma and discuss these matters with certain high Burmese officials, I found that the bar that was placed against the movement of money from Burma to India was, as the officers themselves told me, entirely a copy of the rules and regulations made by India. In other words, this very provision will be incorporated immediately by the countries living by our side, where our nationals are living and are carrying

on business or have got their banking concerns there. This provision will give to any dishonest man a great handle to stop a banking company from carrying on its business. It may or may not happen in our country; that is a different matter. We have enough number of such corrupt people who will take it into their heads of sitting tight over a particular decision and refuse to give a decision. They might even decide in an arbitrary manner and say that they are satisfied that the running of a particular company is not in the public interest. Perhaps, for political reasons they may say so. But this may have repercussions outside and repercussions in the neighbouring countries. They will simply copy the laws that are made in India, and they have an excuse for doing so. Therefore instead of doing any good, it will do some harm to those countrymen of ours who have their business offices outside India. I would, therefore, suggest that this subjective approach for the determination which is laid down in the amendment as suggested in clause 5 of the Bill seeking to amend section 22(3)(c) of the principal Act may kindly be dropped. It will not prove to be of any particular use to us. The provision as it stands today is quite competent for purposes of safeguarding the interests which we want.

There is another amendment suggested to section 35B of the principal Act. In clause 7 it is said:

"In section 35B of the principal Act, in sub-section (2) for the figures and word "268, 269, 310, 311 and 388" the figures, words and brackets "268 and 269, the proviso sub-section (3) of section 309, sections 310 and 311, the proviso to section 387, and section 388", shall be substituted."

Sir, original Act puts a bar on the remuneration of the Chief Executive. This is not a very wholesome change that we are effecting.

This is what has been stated in the "Notes on clauses".

"Clause 7 seeks to amend Section 35B of the Banking Companies Act, so as to make it clear that notwithstanding the provisions of the proviso to sub-section (3) of Section 309 and the proviso to Section 387 of the Companies Act, 1956, as recently amended, the approval of the Central Government shall not be necessary for determining the remuneration of the chief executive officers or other directors of banking companies."

If this healthy provision is taken away, the remuneration of a general manager of a bank may even amount to the same figure as that of the General Manager of the State Bank of India. Small banking companies will certainly be managed by people who are in some way or the other connected with each other by blood relationship or other considerations. As I said, the General Manager of such a bank may even draw a salary equal in amount to that of the General Manager of the State Bank of India. What will prevent him from drawing this very fat salary at the cost of small depositors? It will deprive us of the real income of the company for the purpose of paying his tax. I would, therefore, suggest that no case seems to be made out for bringing forward this provision. Regarding the very purpose of this amendment, it is mentioned in the Statement of Object and Reasons:

"...and is intended to strengthen the financial position of the commercial banks generally and to increase the protection which is available to depositors."

I will submit with very great respect that this cannot be in the interests of the protection which can be granted to the depositors. This is quite the reverse of what is intended by the Statement of Objects and Reasons.

[Shri U. M. Trivedi]

Therefore, the provision that existed before should be maintained as it is. In other respects, I support the Bill.

Shri Morarka (Jhunjhunu): I welcome this Bill for the various salutary provisions that it contains. Some of the provisions are in the interests of the depositors, some in the interests of the shareholders and some, in the ultimate analysis, in the interests of the Government.

So far as the Statement of Objects and Reasons is concerned, in my humble opinion, it is somewhat incomplete. If it had been a complete statement, the doubts which Shri Prabhat Kar raised would, perhaps, have been answered by the statement itself.

It is quite true that the liquidity ratio or the percentage of assets is now being raised from 20 to 28 per cent, a rise of 8 per cent. A rise of 8 per cent on Rs. 2,000 crores, which are the time and demand deposits today, works out to Rs. 160 crores. These Rs. 160 crores with which the banks now can do anything they like i.e., lend to any borrowers, the banks would now be obliged to invest in Government securities. Sometime ago, in the month of July, there was a press statement that the main reason for bringing forward this Bill was to increase the liquidity ratio.

13-33 hrs.

[MR. DEPUTY SPEAKER in the Chair]

Then it was stated:

"The main reason behind the step was to support the Government's borrowing programme".

As we know, Government have targeted to borrow Rs. 800 crores during the entire Third Plan, as against a figure of Rs. 700 crores during the Second Plan. In the place of Rs. 700 crores for the Second Plan, the actual amount borrowed by the Government came to Rs. 780 crores. So, as against Rs. 780 crores, Govern-

ment now want Rs. 800 crores for the Third Plan. This appears quite feasible and reasonable, particularly in the developing economy.

But this figure of Rs. 780 crores was somewhat misleading because it included purchase of securities by the Reserve Bank and State Bank of India out of PL 480 funds. If we deduct these two amounts, the net borrowing from the public and commercial banks is less than Rs. 300 crores. As against that figure of less than Rs. 300 crores, the Third Plan budget is Rs. 800 crores, almost thrice what we have borrowed during the Second Plan.

No doubt the recent tendency is that deposits of the banks are increasing according to the expectations. But the banks are expanding their credit to the public to such an extent that instead of investing anything more in Government securities there is actually a disinvestment. They are selling Government securities and investing that money elsewhere in order to meet the demand for credit which has been expanded. That is the latest tendency and the actual amount of disinvestment is Rs. 132 crores out of which if we deduct PL 480 funds, the net disinvestment from commercial banks themselves is about Rs. 25 crores to 30 crores.

This tendency is not very encouraging for the Government's borrowing programme. On the one hand, the deposits are increasing and, on the other hand, the investment of commercial banks in Government securities is going down. From that point of view, it became necessary to take some steps without giving a jolt, without creating panic in the banking structure to bring out a measure which would compel the banks to invest more in the Government securities. That provision is sought to be made in

this Bill by laying down that the liquidity ratio would be increased from 20 per cent to 28 per cent. And a net increase straightaway of 8 per cent on Rs. 2,000 crores would come to Rs. 160 crores. Besides this, there is another margin of 12 per cent which can give you a further Rs. 240 crores. So, according to me, this Bill has a definite purpose, a very practical purpose, and that is the reason why the liquidity ratio is being raised.

Of course, it would also provide security to the depositors, but I agree with Shri Prabhat Kar that no case has been made out why this increased security was found necessary for the depositors. Merely saying in the Statement of Objects and Reasons that the conditions have changed and deposits have increased does not mean that that by itself introduces an element of risk or uncertainty in the banking structure. Therefore, I do not know why the hon. Deputy Minister did not take the House into confidence and say that this step is being taken in order to support the borrowing programme of the Government which is a good and healthy object. There is no reason why it should not be done.

There is one Point which we have to remember in this context. When you take these Rs. 160 crores from the banking companies or you compel them to invest that in Government securities, to that extent, as Shri Prabhat Kar has stated, funds for industries and trade would be contracted. There is no gainsaying that. If you weigh the two things, the borrowing programme of the Government and the needs of the industry and trade for credit which may or may not be genuine, I think the balance of consideration would be in favour of the Government.

I have got some figures which show that between November/December 1959 and December 1961 though the 1730(Ai)LS—5.

deposits increased only by about Rs. 100 crores, the bank credit expanded by about Rs. 300 crores. It is for this reason, that is, to meet the demand of this expanded credit, that the banks were obliged to disinvest from Government securities. This position is not always healthy. Sometimes, the banks have a tendency and a temptation to indulge in wreckless expansion because the yield on advances and loans is always higher than what they get from Government securities. Therefore to check this temptation if the Government has increased this liquidity ratio it is a welcome feature.

Another thing that I want to point out to Shri Prabhat Kar is that though today the liquidity percentage prescribed by law is only 20, in fact, the percentage maintained by the banks is about 30. So, straightaway there is not going to be any contraction of credit for trade and industry. It is more a preventive step than actually taking away the credit just now. Even according to the Bill the figure of liquidity would come to 28 per cent whereas the liquidity ratio maintained throughout is 30 or a little more than that. So, the actual credit would not be contracted just now, but it would certainly prevent the expansion of the credit potential which existed till now.

I welcome particularly the provision, namely, that 20 per cent of the profits of a banking company should be transferred each year to the reserves. This provision is not only in the interest of the depositors but it is also in the interest of the shareholders. The shareholders of banking companies stand, rightly, on a different footing from the shareholders of other companies. Banking institutions survive and thrive only on public confidence and public confidence is generated only by the soundness of the policy and the solvency of the bank. The transfer of a definite portion of the annual profits to the reserves would certainly strengthen the finan-

[Shri Morarka]

cial position of the bank and to that extent the solvency of the institution would be ensured. So, it is a very healthy feature and I could not understand why this obligation of building the reserves should stop the moment the reserves are equal to the paid-up capital. If I may so, this was an old and an antique theory when the total liabilities were not likely to be more than a certain proportion of the paid-up capital. Today, as the tendency is that the deposits of these banks are increasing much more than the expectation, there is full justification for requiring the banks to transfer 20 per cent of their profits to the reserves. This 20 per cent which they would transfer would be available for the purpose of expansion of credit. If they fritter it away by way of dividend to the shareholders, the reserves available to the bank would to that extent be depleted. I therefore feel that is a very healthy provision and it has not come a day too soon.

While I support this Bill fully, still I cannot help making one remark and that is about the reserve of 12 per cent which they have kept. It is true that when there are inflationary conditions you have to exercise greater vigilance on the mechanism of credit, but as our Third Five Year Plan does not envisage deficit financing to any large extent and as the progress both of industry and trade is increasing fairly fast, the dangers of inflation are comparatively less. Whatever you see is only because of the increasing demand. I, therefore, appeal to the hon. Deputy Minister that even though you have taken power to increase this requirement of deposits with the Reserve Bank upto 15 per cent and you are fixing it at present at 3 per cent., I hope that there will be no occasion to exercise this power because if you exercise this power you withdraw upto Rs. 240 crores more from the reserves available to commercial banks for the purpose of trade and industry. That really would be creating a practical difficulty in one sector of our economy. The responsibility of the

Government is to see that the Plan is implemented and that whatever role you have assigned to the different sectors is fully carried out. If you squeeze the funds available to one sector and only fulfil the targets of another sector, you would ultimately be only creating some sort of an imbalance. I, therefore, hope that the hon. Minister will take this into consideration and would issue some departmental instructions or some sort of a guiding note to the Reserve Bank to see that they should be very slow in exercising this right which we are giving to them.

With these words I once again say that I fully support the provisions of this Bill.

Shri Gauri Shanker Kakkar (Fatehpur): Mr. Deputy-Speaker, Sir, I stand to support this amending Bill. I find that it is not only beneficial to shareholders and depositors but it is also going to give to a very great extent a good safeguard and a huge amount to the Government as well. The expansion of agricultural credit, of course, is undertaken by co-operative central banks and apex banks. This provision which has been introduced for the first time in the case of the commercial banks for keeping 20 per cent of the profits in the reserves, I think, is a good measure. But still these commercial banks are lagging behind in comparison to the central co-operative banks which are dealing in rural credit. There, there is a mandatory provision for one-third of the profits going over every year to the Reserve Fund. Here, only 20 per cent has been earmarked. But, still, it is a good safeguard for the depositors and the shareholders. It will, of course, create a very good sum in the Reserve Fund and ultimately for the Government to meet the Plan expenditure.

I have some apprehension with regard to clause 5 which says:—

"In section 22 of the principal Act, in sub-section (3), in clause

(c), after the words 'a company incorporated outside India that', the words 'the carrying on of banking business by such company in India will be in the public interest and that' shall be inserted."

The addition of these words in section 22, I fear, may lead to a huge amount of foreign capital turning shy because we are adding the words 'public interest'. I fail to understand how of all business this banking business will not be in the public interest ordinarily, because its dealings are usually with the public. Then, what will be the qualifications and limitations? I think, it would be quite redundant and, as I have just now submitted, it may go to the extent of just turning foreign capital shy. They may have some sort of a hesitation in investing into this.

Then, I find that measures have been taken in this amending Bill to strengthen the working capital, the paid-up capital and the liquid cover. There has been some criticism by Shri U. M. Trivedi in regard to the raising of the minimum paid-up capital and reserves from Rs. 50,000 to Rs. 5 lakhs in the case of a new concern which might come up. But I welcome this measure. As a matter of fact, we are now passing through such an age where we should give full confidence to the public in order to make them bank-minded, and that is possible only when we have taken measures to safeguard their interests at every step. So, it is a very good measure to strengthen the working capital and the paid-up capital. Further, it is also a healthy sign to build up the reserves; and the proportion between the paid-up capital and the reserves has also been done away with. I think that that is also in the public interest.

In this connection, I would suggest that there should be a universal policy. As I have submitted already, a huge amount of rural credit to the agriculturists is being met by the co-operative sector, the central banks, the apex

banks etc., and there is also share participation by the States. There should be universal rules applicable to all institutions in this behalf. At present, there is keen competition between the working of the Central co-operative bank and that of a commercial bank at the district level. Therefore, on certain items, these district co-operative banks or central banks etc. which are entrusted with the primary duty of supplying full credit to agriculturists are being handicapped, with regard to the commercial aspect. This is only on account of this reason namely that they are primarily concerned with agricultural credit, and they are not being given all those privileges to compete openly with the commercial banks, and, therefore, they are very much handicapped in attracting deposits of private persons. I would suggest that new methods should be devised whereby both these banking systems may be governed by a universal or uniform policy, so that the central banks also may be allowed to grow along with the commercial banks growing side by side.

A good measure has been devised in this amending Bill to earmark and to have a sort of allocation of a huge amount towards the reserve fund, which can ultimately be utilised for the benefit of the country or for the purposes of the Plan.

Therefore, I support the provisions of this amending Bill. I am confident that even if some more revolutionary steps are taken, as I have suggested, to make uniform rules for the working of the commercial banks and the district central co-operative banks it would be in the best interests of rural credit and of the agriculturists as a whole.

With these words, I support this Bill.

Shri Sudhansu Das (Diamond Harbour): I rise to support the Banking Companies (Amendment) Bill, 1962 moved by the hon. Deputy Finance Minister, who deserves congratulations for having brought forward this Bill

[Shri Sudhansu Das]

in time, when it is urgently required for the steady growth and the speedy development of banking institutions in India.

Banks, especially commercial banks, have to play an important role in the development of commerce and industry. They are financial institutions. Their growth and development depend upon the confidence of the public, and upon the continuous support and patronage of the depositors who provide generally the working capital of the bank apart from the shareholders who are also responsible for providing share capital and better management of the bank.

If we trace the banking history in India, and if we take the trouble to find out the reasons for the failures of the banks during the last decade, I submit that we shall find that most of the banks had closed their doors due to inadequacy of share capital, reserve fund and liquid assets. And what was the result? The result was that the unfortunate and helpless depositors, who supported and patronised those banks with their money—practically their live-savings—found one fine morning to their utter disappointment that there was no chance of getting back their money. This state of affairs which was most unfortunate prevailed till the Banking Companies Act of 1949 was passed.

There are provisions in the Banking Companies Act to strengthen the financial position of the commercial banks and to safeguard the interests of the depositors, but the present Bill seeks to provide more effective measures for those purposes.

I welcome the changes sought to be made in section 11 of the Banking Companies Act that a sum of Rs. 5 lakhs shall be required by the banks incorporated in India as minimum paid-up capital before they could carry on banking business. I say that this is the most effective step to check the

mushroom growth of banking institutions in India.

I also welcome the modifications sought to be made in section 17 of the Banking Companies Act, in respect of the creation of statutory reserve fund by transfer of 20 per cent of the annual profit per year. But I cannot exactly follow the reasons for granting exemption from this provision to banking companies, on the recommendations of the Reserve Bank of India, if their reserves are equal to the paid-up capital. The reserve funds are created to strengthen the financial position of the bank, and there will be no harm to the banking business if the reserve exceeds the paid-up capital; on the contrary, it will help in strengthening its financial stability. So, I would request the hon. Minister to look into this matter.

In section 18, a uniform rate of 3 per cent has been prescribed for the cash reserves to be maintained by the banks in respect of their respective time liabilities and demand liabilities, according to this Bill; no distinction has been made between the time liabilities and the demand liabilities in this respect. But I think that in the case of the demand liabilities, five per cent should be prescribed for the cash reserves.

Then, the provision providing for refusing or cancelling licence to foreign banks if their activities are against the public interest is an important change in section 22 of the Act. I would only say that it is well-thought and well-conceived.

In view of the great increase in the deposits and the working funds of the commercial banks, it is desirable that the liquid assets of the bank should be increased. As such, the provisions made in section 24 according to this Bill are essential and are in the interests of banking business. Though in the first instance, it will cause some hardships to some banks, yet, the proposed measures are welcome espe-

cially in the interests of the depositors.

The Reserve Bank of India is called the bankers' bank, and since its inception it has been functioning well, to the utmost satisfaction of all concerned. From my experience and knowledge, having been connected with banking institutions for a considerable period of time, I can say that the directions issued by the Reserve Bank from time to time to commercial banks are well-thought out and are very helpful to banking business. As such, it has been rightly incorporated in the Bill that the public sector banks should be bound by such directions as may be issued by the Reserve Bank of India under section 35A of the Banking Companies Act.

With these words, I support the Banking Companies (Amendment) Bill.

14 hrs.

श्री वे० शि० पाटिल (यवतमाल) :
उपाध्यक्ष महोदय, बैंकिंग कम्पेनीज ऐक्ट को संशोधित करने के लिये जो विधेयक आया है, मैं उस का स्वागत करता हूँ। विधेयक के जो उद्देश्य स्टेटमेंट आफ आन्जेक्ट्स ऐंड रीजन्स में दिये हैं वे इस प्रकार हैं :

"to strengthen the financial position of the commercial banks generally".

यह पहला उद्देश्य है। दूसरा जो उद्देश्य है वह यह है :

"to increase the protection which is available to the depositors".

इस में यही दो उद्देश्य दिये हुए हैं। अगर देखा जाय तो कामर्शल बैंक की आर्थिक परिस्थिति को सम्पन्न करने के लिये और जो डिपॉजिटर्स हैं उन के संरक्षणको बढ़ाने के लिये प्रिंसिपल ऐक्ट में यह संशोधन लाया गया है। इस के लिये मिनिमम पेड अप कैपिटल

ऐंड रिजर्व को बढ़ाया गया है और रिजर्व फंड के बारे में जो लिमिटिंग कंडिशन थी वह निकाली गई है। कंश रिजर्व २ परसेन्ट से बढ़ा कर ३ परसेन्ट किया गया है। मेनटेनेन्स आफ दि परसेन्टेज आफ लाइविलिटी में २० की जगह २५ परसेन्ट कर दिया गया है। २० परसेन्ट की जगह २५ परसेन्ट करने से फाइनेन्शियल पोजीशन कुछ सुधरेगी। लेकिन उस में थोड़ा सा संशय मेरे मन में होता है कि सरकार उस को जितना स्ट्रेंग्थेन करना चाहती है उतना नहीं हो नहीं सकेगा।

हमारे यहां कामर्शल बैंक्स की जरूरत बहुत काफी है, लेकिन जो कामर्शल बैंक्स हैं उन के प्रति भी सरकार का कुछ कर्तव्य होता है। अगर पार्ट ३ देखा जाय तो उस में वार्डिंग अप आफ बैंकिंग कम्पेनीज के बारे में कुछ सेक्शन दिये हैं। उन के मुताबिक सेंट्रल गवर्नमेंट पर इस के सम्बन्ध में जिम्मेदारी आती है। जो बैंकिंग कम्पेनीज हैं उन के बारे में तो मेरे मन में काफी संशय है। जो लक्ष्मी बैंक लिमिटेड, अकोला था, जब उस का कारोबार बन्द हो गया तो उस के बाद जो डिपॉजिटर्स और सिक्योरिटी और अनसिक्योरिटी क्रेडिटर्स थे उन का बहुत नुकसान हो रहा है। किसानों में भी इस बात की बड़ी चिन्ता है कि आखिर कामर्शल बैंक को वह अपना कोआपरेशन कितना दें। सेंट्रल गवर्नमेंट का कर्तव्य है कि वह सेक्शन ३६ के मुताबिक इस की एन्वयरी करने के लिये एक आफिसर की नियुक्ति करे। वह नियुक्ति अभी-अभी की गई। प्रिफरेंशियल पेमेंट्स के जो क्लेमेन्ट्स हैं और जो सिक्योरिटी और अनसिक्योरिटी क्रेडिटर्स हैं उन के बारे में मीटिंग बुलाने और डिपॉजिटर्स और क्रेडिटर्स के अकाउंट्स को पूरा करने का काम भी नहीं हुआ है।

बैंक में जो डिपॉजिटर्स थे वे खास तौर पर किसानों के थे। एक एक किसान ने २५,००० रु० से लेकर १,५०,००० रु० तक

[श्री द० शि० पाटिल]

के डिपॉजिट्स रखे हैं। उन की रकम को वापस करवाने के लिये कोई कार्रवाई नहीं की गई है। इस विधेयक पर विचार होने के समय में माननीय मंत्री जी का ध्यान इस गम्भीर प्रश्न की ओर आकर्षित करता हूँ और प्रिफरेंशल पेमेन्ट डिपॉजिट्स को देने के लिये विनती करता हूँ।

कृषि तो एक महत्वपूर्ण धन्धा है, वह प्राइमरी इंडस्ट्री मानी जाती है। किसानों के लिये कामर्शियल बैंक में डिपॉजिट रखना उन के हित की बात होती है। इसी लिये मैं इस विधेयक का स्वागत करता हूँ और जो लक्ष्मी बैंक, अकोला के डिपॉजिटर्स हैं उन को जल्दी ही वापस करने की विनती गवर्नमेंट से करता हूँ।

Shri B. R. Bhagat: The few hon. Members who have spoken on this Bill have given full support to this measure. I am grateful to them. The only discordant voice was that of Shri U. M. Trivedi. Although he supported one or two provisions, he strongly objected to the amendments being suggested to this Bill. I am sorry to say that on both these points he has completely misunderstood things and read into them just the opposite of what is intended.

As regards the exemption from the Company law proposed so far as banking is concerned in respect of the remuneration of the chief executive officers, he has failed to notice that even in the present Act itself, there are other sections dealing with the remuneration of the directors, chief executive officers etc. These two provisions have been added because the company law was amended after the Banking Act and only sometime back. In order to fall in line with that, this is being done. He further fails to take notice of the position that this salutary provision of making exemptions from the Companies Act is because of the fact that in the case of non-bank-

ing companies, the remuneration is regulated according to the sections of the Companies Act, but in the case of banking companies, it is regulated by the Reserve Bank of India. The Reserve Bank as a specialised institution has the experience and expertise to determine the remunerations and conditions of service of the officers of banks. That is the reason why exemption is being sought from the Companies Act. He completely fails to take note of that.

Then he spoke about foreign banks and said the term 'public interest' was too wide. But here also he does not appreciate the point that there may be some banks which may be indulging in non-banking activities. They may be banks functioning in conformity with all the technical and legal requirements of the situation, and even though in the larger interests of the country, and in the larger public interest, we may think that their activities may be prejudicial to the interests of the country, we are not able to prevent them from indulging in such activities. In order to provide for such a contingency, we have made this provision. I am sorry my hon. friend is not here. But I would urge upon him that this is a very very salutary provision and it should be there and this should be the provision to which he should be least opposed.

Then I come to my hon. friend. Shri Prabhat Kar, to whose knowledge of banking I paid a compliment the other day. I still feel that on questions connected with banking, his contributions are very informed and helpful. But in this particular matter, I do not know why he has not been able to appreciate the real value of the amendments suggested. Probably the greater love he has for the bankmen, apart from the banking industry as such, may have detracted from the objectivity which he usually displays because his entire approach—he dealt with all the points—was restricted because of his special

consideration for the benefits which will accrue to the bank staff as against the banking industry as such. I am all with him in giving more wages to, or safeguarding the rights of, the bank employees, but on a Bill like this it is not that attitude, but a wider attitude towards the banking industry as such, that should prevail.

Shri Prabhat Kar: I have generally lent my support to the Bill, and I said I agree with the strengthening of the capital structure of the banking industry. I have agreed with it.

Shri B. R. Bhagat: I am only saying that if he extends that point of view, he will find that the objections which he has raised are not valid.

I agree with him that the Statement of Objects and Reasons may not explain everything, because in the very nature of things it has to be concise, but the real point is that this Bill seeks to consolidate the structure of the banking system, whether it deals with minimum reserve or paid-up capital or anything else, so as to meet the situation of the present times.

He referred to some directive of the Reserve Bank that the paid-up capital and reserves should be 6 per cent of the deposits. That is true, and it is a fact that the present ratio is near about 5 per cent., but the idea was that as the deposits were rising, an effort should be made informally, as the Reserve Bank has no power in that regard, to raise their paid-up capitals, and all the banks are doing it. We have been receiving applications from various banks to raise more capital, either fresh capital or out of the premium account, and we are giving sanctions to them, and it is a happy sign that the capital structure of the banks is widening. That has been the salutary effect of that directive, and the Reserve Bank is at it. But he raised the question: will this mean that you are raising it to 6 per cent till eternity? It is not till eternity. As he himself referred to it, we have taken powers for the Reserve Bank to give

exemption in suitable cases. Where we feel that the bank's paid-up capital and reserves have reached a proportion which is quite adequate, we may give exemption. If the banking system as a whole—I am not speaking of only the good banks which may have very adequate capital structures—has an adequate capital structure, at that moment it may be considered, and we may give exemptions on a liberal scale, but the point today is that the capital base of the banks has got to be augmented, and we have taken powers for that.

Then he asked why we are transferring 20 per cent of the profits to reserves, when we think that the banking system is sound. He does not object to it on pure merits, but he is thinking of nationalisation of banks which he takes for granted. We on this side do not take things for granted, we judge things on merits and our minds are open, but he takes things for granted. In the event of nationalisation of banks after a few years, he is afraid the share of the shareholders with regard to compensation will become larger. I think that is not a very reasonable view to take. His point is that the employees should get more bonus, but for that from time to time there are the bank awards, like the Desai Award, which increase the emoluments of the employees. Their emoluments are going up, and I am happy they are going up. Some of the banks complain that the burden on them is a little more, but so far as we are concerned, we are happy, but that should not make him retard the consolidation of the capital structure of the banking system. That is my grouse against the hon. Member.

Dr. M. S. Aney (Nagpur): May I ask the hon. Minister to explain one provision? Section 11(2) of the Act requires that the aggregate value of the paid-up capital and reserves shall not be less than fifteen lakhs of rupees, and that it can be either in cash or in the form of securities. That is the general rule laid down. But then, the

[Dr. M. S. Aney]

new sub-section (2A) that you are introducing, says:

"Notwithstanding anything contained in sub-section (2), the Central Government may, on the recommendation of the Reserve Bank, and having regard to the adequacy of the amounts already deposited and kept deposited by a banking company under sub-section (2), in relation to its deposit liabilities in India, declare by order in writing that the provisions of sub-clause (ii) of clause (b) shall not apply to such banking company for such period as may be specified in the order."

I would like the hon. Minister to throw some light on this particular provision giving discretion to the Central Government to exempt on the recommendation of the Reserve Bank in certain cases.

Shri B. R. Bhagat: That obviously concerns foreign banks, and we have taken powers to exempt in cases where we think necessary, but we will come to it at the second reading stage. At present I am dealing with the general points raised.

Then, a point was made by him that raising the liquidity ratio to 40 per cent will mean that advances will be restricted to 60 per cent., and that might starve trade and industry. That was the fear. This is the first time I find the hon. Member being solicitous about trade and industry. I am glad the hon. Member at my back answered that point.

Shri Prabhat Kar: I said the bankers might raise this point.

Shri B. R. Bhagat: The bankers have agreed to it. They have not raised this point.

Shri Prabhat Kar: I am not holding their brief, you will understand.

Shri B. R. Bhagat: I am glad. The main point is that there is absolutely

no cause for any disquiet or concern that the resources for trade and industry will become less as a result of this provision, because, as the hon. Member pointed out, what is the position today about liquidity? The position is that although 20 per cent is provided for, the over-all liquidity ratio is something like 32 or 33 per cent. It is true the State Bank maintains a very high liquidity ratio, 50 to 52 per cent, but in the case of the other banks also, it is near about 28 per cent, and the over-all ratio is more than 30 per cent. To say that as a result of this provision the figures that the hon. Member has collected have been taken out of the credits or advances is not true. As I explained earlier, it is a part of an over-all scheme, taking into consideration the economy, the needs of the banking system, the expansion in the banking system that is likely to occur etc. Taking all these into consideration, we have fixed an over-all ratio of liquidity, and this has been done in consultation with the banks. They are in general agreement with it, they have welcomed it. It is not that they have any grouse.

The hon. Member fails to appreciate the point that today the total deposits are Rs. 2,000 crores, but as a result of the implementation of the Plan over the Third Plan period we envisage a rise of 33 per cent in the deposits. So, there will be Rs. 700 to Rs. 800 crores of fresh deposits. Further advances and credits can be taken care of by these fresh deposits. It may be incidental that as a result of this the borrowing programme of the Government may be helped, but it is not as if we want to raise the liquidity ratio so that the banks may be compelled to invest more and more in Government securities, so as to help our borrowing plan so far as the Third Plan period is concerned. That can be taken care of by the additional deposits to Rs. 700 to Rs. 800 crores over the five year period that will be accruing to the banking

system. The idea is that the borrowing programme and the needs of the particular industry will be met out of the growing increase in the deposits and the reserves of the banks. And, with a view to that, we are trying to have such a capital structure and such liquidity ratio so as to fit in with that. The hon. Member should not fail to notice or ignore this point.

It is true that the banking structure is sound; it is true that the banking system, as a whole, is doing very well. As a result of the various measures, we have protected them and insulated them against any crisis.

I would remind the hon. Members that just before the Palai Bank crash, nobody in the country or in the House here realised the dark clouds coming on the horizon. Suddenly, with the crash of the Palai Bank, serious concern was expressed in the House and the country and the entire banking system received a shock. We have provided for all circumstances and all eventualities. But, the banking system being a credit mechanism that functions on the public confidence, even if a minor part of it is shaken, and the Palai Bank was only a small bank in one remote corner of the country, it shakes the entire system. We should not forget it.

To say that the banking system is all right and there is no necessity for insulating it against such risks by providing higher ratio or better capital structure and all that is not correct. We do not want to take any risk because if there is danger to any small unit, a small sector of the industry, the entire banking system is in danger. We have seen it very recently and we should not forget it.

The point, therefore, is that whatever provisions we have made is with a view to strengthen the banking system so that in the Third Plan and in future also they are able to play their part which they are expected to play; that is, to have more deposits, to strengthen their reserves.

The basic point of any banking system is that if the bank deposits go up, as we think they will go up and they are going up, every year, out of the increased resources the increased needs of trade and industry and the workers and the employees and everybody will be looked after. That is the main reason underlying the new innovations. There is no other subjective motive involved in this. Therefore, to say that industrial credit will be crippled is not true.

Then, the hon. Member, Shri Prabhakar Kar asked, 'Why are you increasing the capital to Rs. 5 lakhs?' If it is kept at the amount of Rs. 50,000, the small banks which are there may not suffer because they may not be able to raise the capital to that figure. The point is this. This is for future; and it would not apply to the existing banks who are operating in the country. This is not to be applied retrospectively. It will be for the new banks. Although we do want small banks, they must start with a higher capital structure. The hon. Member said that the cost of living should not be a relevant consideration. But he should realise that the cost of living is important because it pushes up the establishment expenses. It is only if the working funds are reasonably high that the income from such funds will be sufficient to enable the banks to meet their expenses. So, it is important that a bank should be a viable unit even if it is a small one. Fifty thousand rupees might have been reasonable in 1949 or even earlier, but not now. Therefore, I think it is necessary that the capital structure should be Rs. 5 lakhs.

With these words, I commend my motion.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Banking Companies Act, 1949, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: Now, we shall take up clause by clause consideration of the Bill.

I find there are no amendments to the clauses. I will now put all the clauses together. The question is:

"That clauses 2 to 8 stand part of the Bill."

The motion was adopted.

Clauses 2 to 8 were added to the Bill.

Mr. Deputy-Speaker: The question is:

"That clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri B. R. Bhagat: Sir, I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill be passed."

Shri Prabhat Kar: Sir, I am extremely sorry that the points that I raised have not been taken in the light that I expected them to be taken up by the hon. Deputy Minister. It is true that I have pointed out certain things, taking into consideration the effect it will have on the wages of the employees. At the same time, I must remind him that I lent my support to the Bill on the broader consideration of the development of the industry.

So far as the employees are concerned, I said all the time that they were interested in the development of the industry and that is why they have supported all the measures that Government have taken, to extend the power of the Reserve Bank to effectively control some of the affairs of the banking institutions. The failure of the Palai Central Bank or the Lakshmi Bank or any other bank

for that matter is due to the fact that all the time the banking magnates in the country were violating the provisions which the Parliament had passed and also the rights and powers conferred on the Reserve Bank of India. We want the industry to develop and to play its part effectively in the development of the country's economy. That is why I lent my support to it.

But I brought certain things to the notice of the Minister because I am apprehensive that after this Bill is passed, the banking magnates will come before the Finance Ministry and it may be that the power of the Reserve Bank may be relaxed or some of the provisions may be relaxed. That was why I wanted that when you take these things into consideration, you should also take into consideration the clamour that would be made by the banking public.

I am not pleading for the magnates. But I do not also agree that by this back-door method, as Shri Morarka suggested, the Government is forcing the banking industry to invest in government securities.

The Deputy Minister said that I was taking it for granted that the banks will be nationalised. I am not taking it for granted in the course of the next 2 or 3 years. But, as a result of this country's socialist ideology of developing the economy of the country, it will have to nationalise the industry. And, at that time, it may be difficult. They may have to pay higher compensation because the reserves also will have to be compensated. That is why I brought these things to his notice.

As I said before, I agree with the general proposition that has been put forward in the Bill; and I lend my support to it.

Shri Sham Lal Saraf rose—

Mr. Deputy-Speaker: Does the hon. Member want to speak now, at the third reading stage?

Shri B. R. Bhagat: Sir, I made a promise to an hon. Member and I would seek your indulgence to reply to the point raised by him. He asked about a particular section, why it was there, and asked me to explain it.

The point is this. We have taken powers in the Bill so that 20 per cent of the profits will be transferred to the special reserve. That is the general power we have taken through this Bill. Therefore, by this section (2A) we are taking powers to give exemptions in case of foreign banks when we think it is necessary. We are taking similar powers for giving exemptions in the case of Indian Banks under clause 3, section 17 (1A). When we think that the banks have adequate reserve and it is not necessary that this continual transfer should take place, we can give the exemption at that stage. That is the general policy. 11 (2A) deals with foreign banks and 17(1A), with the Indian banks.

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

15:30 hrs.

SUGARCANE CONTROL (ADDITIONAL POWERS) BILL

The Minister of Food and Agriculture (Shri S. K. Patil): Sir, I beg to move:

"That the Bill to empower the Central Government to amend the Sugarcane (Control) Order, 1955 with retrospective effect in respect of certain matters, be taken into consideration."

First, I would like to give a brief history of clause 3A of the Sugarcane Control Order which it would be necessary to amend retrospectively and for which powers are now being

sought under this Bill. Clause 3 of the Sugarcane Control Order provides for the payment to the grower of a minimum price of his sugarcane. One of the factors required for determining his price is the price of sugar. Clause 3A of the Order was inserted in September, 1958 making it compulsory for the sugar manufacturers to pay an additional price to the sugarcane grower over and above the minimum price. Between 1953-54 and 1957-58, when sugar prices were running very high, at first voluntary schemes for these additional payments were in force in the northern and southern regions. In the southern region it used to be called the SISMA formula. These were worked out in the south between growers and manufacturers and in the north by Government in consultation with the growers and the industry. In Maharashtra, that formula not only worked then but it is working even now beautifully. There has been peace in the industry and there was a sort of an understanding between the industry and grower in the beginning of the year or periodically. In 1957-58, as a result of that arrangement, more than a crore of rupees was given as additional bonus or deferred payment, whatever you may call it, to the growers. There were complaints and disputes, and to resolve these, the Gopalakrishnan Committee was appointed in 1955—Gopalakrishnan being an officer of the Agriculture Ministry which submitted its report in 1956. That committee made certain recommendations in regard to adjustments of costs and also suggested a formula for compulsory application when there was an undue rise in the price of sugar. This report was accepted by Government and its formula was incorporated in the statute; but unfortunately in regard to one matter, namely, the determination of the share of the cultivator, the formula did not specify precisely how that share was to be determined, that is, whether with reference to any cost schedule which was operated, or whether with reference to the actual costs of each factory on the basis of recovery and duration of the season. This is an impor-

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tant point to bear in mind because in the absence of this precise definition; the position of costs itself became a point in issue. In the meantime, sugarcane prices had been controlled from July 1958 and in September of the same year only three days before the insertion of Clause 3A. The entire cost structure of the industry was referred to the Tariff Commission. The imposition of control and the reference of the determination of the cost of the industry to the Tariff Commission, introduced a new factor affecting the implementation of this formula. As the House is aware, in 1959 a scheme of incentives was devised to encourage growers to produce more cane and to induce manufacturers to produce more sugar. Under this scheme the grower began to get Rs. 1.62 per maund and some incentive was given to the manufacturers, namely, a little rebate in the excise on the average of two preceding years. That was another factor that came into the story of sugar affecting the implementation of the formula and the formula was amended in March 1960 for this purpose. To resolve all the points of dispute, the whole question of this formula was referred once again to the Tariff Commission in October 1960. When the formula was evolved there was a kind of difference of opinion on both sides. The growers claimed that it was prejudicial to them and that they should get something more and the manufacturers saying that too much was given and it should not be given. So, Government could not come to any arbitrary decision, and so they rightly took the decision to refer it to the Tariff Commission. They were asked to consider the formula in all its aspects and either suggest modifications in the formula or a new formula altogether, particularly the question of the formula being applicable to conditions when the sugar prices were controlled, and the question of rehabilitation allowance which the industry claimed and the position regarding incentives which were given from 1960-61. At the time these incentives were introduced, the position was slightly differ-

ent because after the Gopalakrishnan Committee report, we took some decision. So, two factors came into effect. The price of sugar was controlled on the recommendation of the Tariff Commission. The second thing is that we had the incentive formula. These two things were new to the situation and that was why it was submitted to the scrutiny of the Tariff Commission. The Tariff Commission then made its report in June 1961, about a year ago and the report with the conclusions which the Government have reached on the recommendations of the Commission has been placed on the Table of the House.

From this history it will be seen that apart from the original lacuna in the schedule to which I have referred at different times, different factors in regard to sugar economy have held up the implementation of the formula. It is a pity that this is so and nobody is more sorry than I am that due to these various factors sugarcane growers have been deprived of their due all these years. The delay was largely inevitable. But now the position of finality has been reached and we have to implement the formula with whatever changes may have been felt necessary during the years 1958-59, 1959-60, 1960-61, and 1961-62. Today it is open to Government to amend clause 3A of the Sugarcane control order and the formula, but this will have effect only in 1961-62. But the question of implementing it in the earlier years would still remain and for this we need the powers that have been provided in the Bill.

Here I would like to explain that it would have been necessary to come to the House for these powers even if we were to implement the existing formula. To the extent it becomes necessary in the light of various considerations pointed out by the Tariff Commission, the power to amend retrospectively is, therefore, necessary in any case. Under the Essential Commodities Act and in the control order, we never had any power to give re-

retrospective effect or jurisdiction to whatever we do. That was not taken at that time: if that was done at that time, it would have been easy and we could have taken a decision to give retrospective effect and all these questions could have been settled. The power not having been acquired then, it has now become necessary, because we have got to stretch the formula back to four years, from 1st November, 1958, and hence has arisen the necessity of arming the Government with retrospective powers which we are seeking under this amendment.

As regards the Government's decision on the Tariff Commission's recommendations, they have been broadly indicated in the resolution which was placed before the House a long time back. The House will notice that we have not accepted the formula of the Tariff Commission largely because we felt that the growers' share in the formula was not equitable and it changed the entire character of the existing formula. There are two things: the Tariff Commission has recommended that certain things should be done in the event of these new factors that have crept in and therefore they have got to be done or they have not got to be done. Secondly, in the light of that, they have suggested a formula also. On the balance, we found that while certain things will have to be done, the formula suggested by the Tariff Commission was not according to our liking, because we felt that the growers will be prejudicially affected by that formula, and therefore we felt that we need not accept that formula *in toto* with the other recommendations.

Shri Yallamanda Reddy: You have accepted everything except that.

Shri S. K. Patil: Therefore, we felt that the more appropriate course would be to take the existing formula as the base and make such changes as may be felt necessary in order to bring it in line with subsequent developments. I may assure the House that I do not have a closed mind in regard

to changes that might be made and that I wish to ensure as far as possible that both the industry and the growers get a fair deal in the linking of the price of sugarcane to the price of sugar. While the Government resolution contains broad indications of their intentions, it is not the final word; the final word would be the formula that would be ultimately incorporated in the order. This would be settled after taking into account the considerations brought out in the Tariff Commission's report and the views of the different interests that might be available to Government.

Thus, the issue before the House is a simple one, namely, to arm the Government with powers to implement the provisions of clause 3A with such amendments as may be found necessary.

I said that long before the compulsion was introduced, in September, 1958, it was to be started from 1st November, when the season begins, and so we are now asking for retrospective powers so that it might be made. This thing was managed very well indeed by private negotiations between the manufacturers on the one hand and the growers on the other. The House will be interested to know what exactly was the benefit that was accruing during these years, before the years for which I am now asking for retrospective powers. So far as Maharashtra and Gujarat are concerned, they were never a part of this. They had their own formula then, now, and they will have it in future also, because that is their relationship by which they are governed; the State Government come in there. They merely bring the parties together; there is no compulsion; there is no law either. They managed it by sitting together, perhaps before every season, and decided what should be the price and the price was so arranged that it was much higher than other prices. We give Rs. 1.62 nP, which is our minimum price, per maund. In Maharashtra, the prices vary from Rs. 2 sometimes to Rs. 2-4-0. Therefore, what we intend to do is to give it

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by deferred payment or by share of profits. The Maharashtra Government has been doing it right from the beginning. Therefore the question does not arise as to whether they should have any bonus after that. This is being done there and I hope it will continue to be done so that the Government does not become responsible either to compel them or otherwise do anything in that regard.

Dr. M. S. Aney (Nagpur): The agreement is between the Gujarat cultivators and the Maharashtra cultivators?

Shri S. K. Patil: In Gujarat there are very few factories. Maharashtra is the main thing here, and the Governments were one till recently. I am talking of the past when it was a large, bilingual State of Bombay. The agreement is between the mill-owners on the one hand and the growers on the other. So, by persuasion, the growers have said that they will produce more; that the sugar content also will be more; it is our business as well as your business; therefore, let us consider the thing and evolve the prices which are beneficial to us and which will also help the industry. That is one of the reasons why in Maharashtra the condition of the sugar industry is the soundest, the best and which can compare with the best in the world.

Dr. M. S. Aney: The consumer's agreement was not had in the settlement of price.

Shri S. K. Patil: That is true. Between them they managed their affairs so well that the consumers had to pay a higher price. That is true. For 1957-58, the additional amount that was given was Rs. 1.37 crores. We have deducted it and we must see what must have been there in the absence of such things and then find out the difference as to what they have.

As far as Andhra Pradesh is concerned, I do not give the whole figure,

year by year, for it will take a long time. But in the year 1957-58, before the compulsion came in, the figure rose to Rs. 20.99 lakhs. There are fewer mills, and the sucrose content and also the production per acre are not as high as in Maharashtra. In Madras, it was Rs. 8.10 lakhs because the mills were less in number. In Mysore, it was Rs. 16.89 lakhs. In Uttar Pradesh, Madhya Pradesh, Punjab, West Bengal, Bihar and Orissa, they did not pay anything all these years. Of course, Uttar Pradesh paid a very large and substantial amount—Rs. 51.05 lakhs. The House will realise what would be the situation if they were continued because most of our mills are in Uttar Pradesh, and therefore Uttar Pradesh will have a major share. The others gave it for only one year under the voluntary basis. After that, they ceased to give. In Madhya Pradesh, it was Rs. 1 lakh; They paid once. Punjab paid only once—Rs. 373,000. Bihar paid once—Rs. 14,000—not even a lakh. I do not know how. Some millowners must perhaps have started it and by that time they were stopped by other people and possibly it did not materialise. West Bengal also paid once—Rs. 53,000. Orissa paid once—Rs. 15,000. In Kerala, they paid all the years just like Madras, Andhra Pradesh, etc. In Kerala there is only one factory. The last payment was Rs. 2,49,000 in 1957. For the periods after that year, I have not got the figures. They have gone on paying to the tune of lakhs and lakhs of rupees—those four Southern States and also Maharashtra, because, there, it is governed by private negotiations between the manufacturers and the growers, and they have never asked for the help of the law in order to do it.

The position has come to this. For the last four years, after it was made compulsory, of course, when one goes to a court of law, one can recover the amount. When it was voluntary, nothing could be had. Because of the

voluntary character, nobody could execute it and therefore that is a loss. Now, when we have got the power to make it obligatory, it is only from the year 1958, because clause 3A which is sought to be amended now was enacted only in September, 1958. Therefore, we cannot give any retrospective effect beyond that, and so we have stated that from the 1st November, the new season, this retrospective effect would be given.

The question is, whatever it is, whether you accept one formula or any other formula—you may wholly agree with the Tariff Commission, or partly agree or not agree at all—and what is before the House just now is, not exactly the formula, but the Government are considering, in the light of the circumstances, what that formula should be, and whether it can stand scrutiny before the court of law. This has now become not a question of one's sweet will one side or the other, or on all sides, but a point which will have to stand the scrutiny of a court of law. Therefore, whatever we do, whatever decision we take, must be so complete that the interests of the growers should not be destroyed as a result of it. So, the formula has got to be enacted and made. Whenever the formula is made, it always comes before both the Houses; according to the Essential Commodities Act, any rules, any formula, any change that we make from time to time is to be kept on the Table of the House and it becomes the property of this hon. House.

What is sought to be done now is very simple and of a very limited character. Whatever may be the formula that the Government will ultimately evolve, that formula has got to be given retrospective effect from the season of 1958-59. Such a power of retrospection is not with the Government today. Therefore, my humble submission is that the Government has to be armed with that power, so that if necessary, we may

give retrospective effect to it. Even assuming that this power is not to be used, nothing is lost. Government could have taken this power in the original Act itself. If we bring another piece of legislation, we shall be wiser to take these powers to give retrospective effect right from the beginning, so that we may not have to come before the House with measures to give retrospective effect.

The formula is most complicated and even if I try to explain it, it requires precision in mathematics and working out figures which are of a highly complicated nature. The experts will do that. Government have got to declare year after year, from time to time, the relationship of the price of sugarcane to the relationship of the final price of sugar. It appears very simple, but it is not so simple as it appears. Suppose we call this factor X. This factor X has got to be determined and announced from time to time by the Government. Having announced that, other factors come in as to what is actually the price at which sugar has to be sold, the taxes, the question of rehabilitation, profit and loss, export drive, incidental charges—whether the rates have increased during the time or not in certain respects; for instance, a gunny bag which was selling at Rs 2 might become Rs. 2½ and so on. So many figures have to be divided, multiplied and so on, and ultimately the figure comes.

Then, it has to be worked in accordance with the various mills. There are mills in this country which are so mechanically equipped that they give the best results and you have got the best contents of sugar; the losses are practically negligible. Then, there are quite a number of other mills where all these things are not there. The result is, the formula changes so drastically so far as those mills are concerned. But whether there is a good mill or bad mill, so far as voluntary distribution of these deferred payments is concerned, the mills in U.P. have uniformly not paid.

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anything. There is no difference between a good mill and a bad mill. So also, the mills in Bihar also have not paid anything at all. There is one exception in the case of U.P. In 1953-54, I think they paid well; it was possibly Rs. 53 lakhs or Rs. 55 lakhs.

Whatever formula we ultimately decide upon, we shall have to give retrospective effect to it right from 1958. Therefore, the simple object of the Bill is to arm the Government with power to give retrospective effect to it. We are seeking this power through clause 3A. With these words, I move that the Bill be taken into consideration.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to empower the Central Government to amend the 'Sugarcane (Control) Order, 1955 with retrospective effect in respect of certain matters, be taken into consideration."

There are some amendments.

Shri S. M. Banerjee (Kanpur): I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th October, 1962."

Shri Tridib Kumar Chaudhuri (Berhampur): I beg to move:

"That the Bill be referred to a Select Committee consisting of 15 members, namely Shri Bhagwat Jha Azad, Shri S. M. Banerjee, Shri P. R. Chakraverti, Shri M. L. Dwivedi, Shrimati Subhadra Joshi, Shri Gauri Shanker Kakkar, Shri R. K. Khadilkar, Shri Bhajahari Mahato, Shri Bishwanath Roy, Shri Sham Lal Saraf, Dr. Ranen Sen, Pandit K. C. Sharma, Shri Jai Bahadur Singh, Shri Sinhasan Singh, and the Mover with instructions to report by the last day of the first week of the next session." (2).

Mr. Deputy-Speaker: The amendments of Shri Lahri Singh, Shri Jai Bahadur Singh and Shri Mandal and amendment No. 6 of Shri Tridib Kumar Chaudhuri are all the same as Shri Banerjee's amendment. They are all barred. Amendments Nos. 1 and 2 and the main motion are before the House.

Shri Yallamanda Reddy (Markapur): Sir, I have carefully heard the speech of the Minister explaining the provisions of the Bill. He has sought to take powers for the Government to give retrospective effect to the formula. No doubt we generally give powers to the Government to give retrospective effect in certain cases, but before the House gives such powers, we have to satisfy ourselves that such powers are to be used in the interests of the general public. The House must be convinced that this power which is sought to be taken under the Bill will be used in the interests of the sugarcane-growers in general.

As the Statement of Objects and Reasons says, Government propose to amend the sugarcane order in view of the recommendations made by the Tariff Commission. But we find that the whole burden of the report is to build arguments against the interests of the sugarcane-growers. The Government have said that they have accepted some recommendations made by the Tariff Commission. The Statement of Objects and Reasons says:

"...Amendments which are necessitated as a result of the acceptance by the Government of the suggestions of the Commission for inclusion of allowances for rehabilitation and export losses, for adjustment of costs and for sharing of incentive given for increasing the production of sugar."

Excepting the last one, the other recommendations may go against the

interests of the cane-growers. In view of the recommendations accepted by the Government, when Government propose to bring some amendments in the sugarcane order, one can presume that the order may go against the interests of the sugarcane-growers and the Government are now seeking to have power to give retrospective effect to it. Necessarily one should think that the Government may use this power against the interests of the growers.

If we see the recommendations of the Tariff Commission, they have tried at length to show that the price of sugar is so high because of the high price of the sugarcane. This was the burden of the report. So, Government may have a formula which will reduce the cost of the sugarcane in the final analysis. Previously, there was a formula which the Minister explained—deferred payment formula or sharing of profit formula. There were extraordinary profits made by the sugar industrialists. Recently there was a report of the Reserve Bank of India where it has been stated that these factories are getting enormous profits. The bulletin of the Reserve Bank of India, 1961 shows that 73 public limited companies accounting for 79 per cent of all public limited companies in the sugar industry earned a profit of Rs. 51.2 crores during the years 1955 to 1959. Some of them have been earning a profit of 20 per cent. annually. But this factor has not been taken into consideration by the Tariff Commission; they have never mentioned a word against the extraordinary profits made by these industrialists.

They have only tried to convince the public and the Government that the high price of sugar is due to the high price of sugarcane. For your information, Sir, I will read out one or two lines from the report:

"At the same time, the consumption of sugar in the country has remained low because of

the high price of sugar which is due partly to the high cost of cane, and partly to high taxation."

They have mentioned two factors: high taxation and high cost of sugarcane. But they have not mentioned anything about the exorbitant profits earned by the manufacturers.

13 hrs.

They have also tried to convince the Government by saying:

"In addition to the minimum price a deferred payment to cane-growers in accordance with average selling price of sugar during the year. The deferred payment in the price of manufactured product raises serious difficulties. In a free market when prices take their own course according to the general trends of the economy, growers of raw materials can hardly claim share in the price of the final product without sharing the risks of business."

The Commission could take into account the risks of the manufacturers, but they could not appreciate the risks of the peasantry. There are many difficulties which they have to face. Sometimes the sugarcane growers find themselves in a loss. Sometimes they find that they are not able to get a successful crop. Is there any guarantee given either by the Government or by the industry in this behalf? Therefore, no one can take any responsibility of giving any guarantee. The Tariff Commission has tried its best to show that the high price of sugar is due to high cost of sugarcane. Therefore, in the proposals that the Government are formulating on the basis of their recommendations, there is every danger of the interests of the growers being hit. They may even go to such an extent as to reduce the cost of the sugarcane.

[Shri Yallamanda Reddy]

The Tariff Commission has recommended that the price of sugarcane must be fixed on the basis of the return that is derived. In Maharashtra they get a better return, but in other States they may not get a better return. Also, it depends mostly on the factories and their functioning. Therefore, in view of these recommendations we feel that the Government are going to fix the price of sugarcane in relation to the recommendations of the Tariff Commission. In that case, we are sure they are not going to give them any share of the profit that is derived by the manufacturers. The Commission only insist on the quality of the cane and in accordance with the quality of the cane they can take the price.

The hon. Minister told us about the SISMA formula. In South India, particularly in Andhra Pradesh, many factories have failed to pay the extra profit to the sugarcane growers. There was a big agitation among the peasants about this matter. They have made many representations to the State Government. But the State Government say that this is a central subject and therefore they are powerless and they cannot do anything.

Now, the hon. Minister did not tell us one thing. Because of this revised formula or the formula that is going to be implemented, who is going to be benefited? The Minister did not tell us whether the Government is going to use the power with retrospective effect and make the factories pay to the peasants with retrospective effect, or they will let the peasants lose the amount which is to be paid by the manufacturers. He could have come out with a statement that in view of the revised formula every factory or owner must pay the peasants their dues and that they are going to use the power with retrospective effect from 1958. In that case the ryots would have got their share.

But the Minister has not told us that. He only said: "What is wrong? Give the power to the Government. We may use or may not use it. It will be with us." It is quite absurd, because in that case there is no change at all. The House can give the power to the Government provided the House is convinced that the Government are going to use this power in favour of the sugarcane growers. In that case, Sir, I am prepared to support the Bill. But that has not been told here. Even today the Government has not come out with a revised Sugarcane Order. The Government could have come up with this Bill afterwards. They could have prepared the revised Sugarcane Order and placed it before the House. Then the House could have understood as to who was going to be benefited and who was not going to be benefited because of that revised Order. If it is in the interest of the sugarcane growers the House will readily agree to give the power to the Government. If it is in the interest of the manufacturers, I am sure a majority of the Members in this House will not agree to such a power.

Therefore, Sir, it is better to defer consideration of this Bill. First of all, let the Government prepare a revised Sugarcane Order and place it before the House. Let the House examine it and come to a conclusion whether the revised formula is going to help the sugarcane growers or the manufacturers. Then alone the House will be able to decide whether this power should be given to the Government, even if it is going to be used with retrospective effect from 1958, so that the House will be convinced that the peasants are going to be benefited. But now, as things are at present, when we see the report of the Tariff Commission, when we see the recommendations of the Tariff Commission and the acceptance of some of them by the Government, we

are unable to be convinced that the revised formula is going to benefit the peasants. I feel that it is going to benefit the industries.

Before I sit down, Sir, I would request the hon. Minister to make it clear whether according to the revised formula the factories in the country are to pay to the peasants or the sugarcane growers in the country are to pay to the manufacturers. This fact must be clearly told. Then alone the House can consider this Bill. It is very common with the hon. Minister to keep silent over such matters. When there were so many agitations over the SISMA formula throughout the country saying that the sugarcane growers were not given their due share and there were many representations to the Central Government as well as the State Governments, the Government kept silent. They never tried to use their power and see that the sugarcane growers got their due share.

I feel, Sir, that the Government has gone hurriedly with this Bill. Because, as I said, if they pass the Sugarcane Order and the House comes to know the implications of the Order, they will not get this power as the peasants are not going to be benefited.

Mr. Deputy-Speaker: The hon. Member is repeating his arguments.

Shri Yallamanda Reddy: Therefore, first the Sugarcane Order must be passed. The House can then know the implications of that Order. If it is in the interest of the sugarcane growers, we are ready to give such powers to the Government. Before doing that, it is not proper on the part of the Government to demand such powers. Therefore, I oppose the Bill.

Shri A. P. Jain (Tumkur): Mr. Deputy-Speaker, Sir, in order to fully and correctly appreciate the implications of this Bill it is necessary to go into the history of the formula which

is sought to be applied retrospectively. It was in the year 1953 that late Shri Rafi Ahmed Kidwai, when he tried to fix a lower price of sugarcane, came out with the suggestion that the mills which had longer crushing season, mills which were making more profit, should share their profit with the cane growers. The sharing formula was then applied on a voluntary basis. Shri Rafi Ahmed Kidwai was a dynamic personality who always acted in the interests of farmers and, therefore, he could persuade the mill-owners to part with a share of their profit on a voluntary basis. That voluntary formula continued up to the year 1955 when it was given a statutory shape and an order was passed on the 27th August, 1955 which laid down the method of calculating the price of sugarcane.

The price of sugarcane was to be calculated in the following manner. Firstly, Government laid down a minimum price. It was Rs. 1/5/- at that time. Then it came to Rs. 1/7/- and today it is Rs. 1/10/-. In addition the minimum price for sugarcane laid down by the Government, additional sums were to be paid according to a formula, which was appended to this Order, Rule 3A(1) says:

"Where a producer of sugar or his agent purchases any sugarcane from a grower of sugarcane or a growers' Co-operative Society, the producer shall,"

It is necessary to remember the word "shall"

"in addition to the price fixed under sub-clause (1) of clause 3, pay to the grower or the Society as the case may be, an amount, if found due, in accordance with the provisions of the Schedule;"

What was the position 1955? The mill-owners were put under an obligation to pay (a) the minimum price of sugarcane, as announced by the Government, plus (b) whether you call it bonus or by any other name,

[Shri A. P. Jain]

an extra price as worked out according to the formula. Both these became statutory prices. Thus in 1955 the mills were put under an obligation to pay the minimum price plus the bonus or the extra price.

Shri A. M. Thomas: Not in 1955.

Shri A. P. Jain: It was in 1955. The Minister is challenging that. Perhaps I may read out rule 3(1) also. It reads:

"The Central Government may, after consultation with such authorities, bodies or associations, as it may deem fit, by notification in the Official Gazette, from time to time, fix the minimum price of sugarcane to be paid by producers of sugar or their agents for the sugarcane purchased by them,...."

Later on, clause 3A says:

"Where a producer of sugar or his agent purchases any sugarcane from a grower of sugarcane or a growers' Co-operative Society the producer shall, in addition to the price fixed under sub-clause (1) of clause 3 pay to the grower or the Society as the case may be, an amount, if found the due, in accordance with the provisions of the Schedule;"

It is statutory. Anybody who has got a preliminary knowledge of law would agree that this is statutory.

In 1958 this formula was amended. In 1958 the position, so far as the statutory enforcement of this formula was concerned, remained the same, though the formula was changed. Here it is necessary to have some idea of this formula. This formula has used the expression 'X', which has been defined in this order.

"'X' is the percentage cost of sugarcane to the total cost of sugar excluding taxes as determined by the Central Government from time to time on the basis of the reco-

very and duration of season of the factory for year;"

That is to say, the value of 'X' is prescribed from time to time. In the year 1958 when this formula was revised, the mill-owners were dissatisfied with it, so were the cane-growers dissatisfied with it. I was the Minister of Food and Agriculture at that time. In order to resolve the differences, I referred the formula to the Tariff Commission. The report of the Tariff Commission has come. At this stage, I am not concerned with the report of the Tariff Commission, which has raised very many different and larger issues. I am only concerned with that part of the report which is connected with the present Bill.

The Minister has stated that because the matter was with the Tariff Commission, therefore X could not be announced in the years 1959-1960 and 1961. Now we are running 1962. I am sorry, I cannot agree with him. There was nothing to debar Government from declaring the value of X, viz. saying what portion of the price of sugar relates to the price of sugarcane.

The first question is whether this X can be declared only during the year to which it relates or it can be declared subsequently as well. Are we today by law debarred from declaring the value of X? Whatever may be the opinion of the hon. Minister, I again read out the relevant portion for the benefit of the House, though repetition is not a good thing.

"'X' is the percentage cost of sugarcane to the total cost of sugar excluding taxes as determined by the Central Government from time to time on the basis of the recovery and duration of season of the factory for the year;"

It does not lay down that the value of X must necessarily be declared during the year. So, it is open to

the Government to declare it for the years 1958-59, 1959-60 and 1960-61. There is nothing to debar Government from doing it. For that purpose, we need not take power to apply this formula retrospectively.

I understand that the Tariff Commission has recommended that where the point is in dispute the mill-owners are entitled to get rehabilitation rebate; that is to say, for renewal of machinery and for replacement of worn-out parts etc., they must get an allowance. I am not quarrelling with the proposal, because if the industry has to be in tip-top condition, if it has to be kept modern then the mill-owners are entitled to it? But the only question is whether this should apply retrospectively. Here I will refer to the Statement of Objects and Reasons. You cannot lightly pass over the Statement of Objects and Reasons which give pith and substance of the provisions of the Bill. The Bill is to be considered in the light of the Statement of Objects and Reasons. The hon. Minister has to convince the House that the Statement of Objects and Reasons is sufficiently weighty to entitle him to get support for the Bill. What does it say? After saying that the Tariff Commission has given a new formula for determining the additional price, it adds:

"This new formula has been examined and it is considered that it would be more appropriate to apply the existing formula after making suitable amendments thereto which are necessitated as a result of the acceptance by the Government of the suggestions of the Commission for inclusion of allowances for rehabilitation and export losses...."

So, there is no mention of X here. Perhaps, it is an after-thought. Why was it not said in the Statement of Object and Reasons that X could not be declared retrospectively without amending the law? The only two things mentioned in the statement are

(1) payment of rehabilitation allowance to the mill-owners and (2) recovery of export losses. Anybody who has got any knowledge of the cost-structure of sugar knows that it consists of three elements; whatever price is recovered from the consumer is made of three parts. First is the governmental taxes, second is the cost of manufacture and the third is the price paid to the sugarcane grower for sugarcane.

In this particular case, as it relates to the past, sugar has been sold. The price which the sugar fetched is fixed; it cannot be changed. You cannot raise it or reduce it. The taxes have been recovered. You cannot change them. The mill-owner has also recovered his cost of manufacture, profits etc. The sugarcane grower has received his minimum price. Now what is left over? The only thing left over is the bonus, that is, whatever extra price a farmer was entitled to get under the notification of 1955 as amended in 1958.

What does this Bill say? I am a small grower of sugarcane. I supplied sugarcane in the years 1959, 1960 and 1961 and will also supply sugarcane in 1962. I supplied it under a definite and statutory price. What was that price? It was Re. 1-7-0 or Re. 1-10-0 plus bonus. That is my money. There is deferred payment but it is the grower's money. What does this law intend to do? The Government wants to get authority to pay the canegrower's money to the mill-owner in order to reimburse his allowance for rehabilitation. Are we going to rob Peter to pay Paul? It amounts to that. I think there is no justification for the payment of rehabilitation allowance out of my money. There are various ways, if an occasion arises and even if a justification is found for the past, in which this money can be reimbursed. There have been cases where mill-owners have been paid amounts due in the past by raising the cost of sugar for future. If a suitable case is found, you can take to that device. But there is no moral or legal justification

[Shri A. P. Jain]

as to why the money that has fallen due to me, a part of which has not been paid because it was deferred payment, should be paid to the mill-owner or appropriated towards export losses.

Then there is another fundamental defect in this law and it is this. There are some 80 or 90 factories in India which are producing sugar. Out of these only some 30 or 40 factories pay this extra price or bonus; the rest of factories do not pay this bonus or extra price. Now, assuming that this power is taken by the Government what will happen? The result will be that the 30 or 40 factories which have to pay extra price or bonus to the cane-growers will get rehabilitation allowance. These are the best factories in the country which are making large profits. So, by this you are not helping even the poorer factories. You are discriminating between one factory and another factory. You can at the most benefit 30 or 40 factories and not the whole industry. Therefore, it would be wrong to accept this principle that the extra price or money which is due to the cane-grower should be appropriated towards rehabilitation allowance.

Shri Tyagi (Dehra Dun) May I obtain a clarification? How does my hon. friend feel about factories which have already paid the cane-growers their due bonus? After this change will they be authorised to withdraw their share of rehabilitation?

Shri A. P. Jain: No factory has paid any bonus because the Government did not declare X.

Shri Tyagi: I see.

Shri A. P. Jain: Now, the position is this. I consider this Bill to be totally....

श्री काशीनाथ पांडे (इलाहाबाद) : मिलों ने

अपने आप ५१ लाख रुपया दिया, क्योंकि

उन को गन्ना नहीं मिलता था, खासकर पश्चिमी यू० पी० में ।

Shri A. P. Jain: Upto the year 1955 this formula was applicable voluntarily and therefore those payments were voluntary. After 1955 it was a compulsory formula and it has been paid under the compulsory scheme.

What I am submitting is that I do not agree with the hon. Minister that in order to declare X it is necessary to pass the amending Bill. But since he is of one opinion and I am of another, let his opinion prevail. I am agreeable if he wants to have the power retrospectively only to fix the value of X. I have no objection to that, but if he wants to reimburse the mill-owners in regard to the allowance for rehabilitation or if he wants to cover export losses, I will say that this law is anti-farmer; it is anti-social; it is going to harm this country; it is going to shake the faith of the people. So, let it be made clear that if at all these powers are to be taken, they will apply only to the declaration of X so that the farmer may get what is his due and which he is not getting because of certain legal defects.

Mr. Deputy-Speaker: Shri Lahri Singh.... Absent. Shri Tyagi.

Shri Tyagi: Mr. Deputy-Speaker, Sir, it is a matter of great importance for the whole nation because primarily it immediately affects the pockets of the poorer lot in the country, that is, the agriculturist. It is well-known that of whatever little addition has been made to the national wealth quite a meagre portion has gone to the villagers. It is always the industrialist who gets it; every time it is the industrialist factually. I must confess that the strain and stress of the Government has been more towards the industrialists and the urban areas than the rural areas. The rural areas have not profited much. They have been neglected in many ways, economically as well as otherwise. Al-

though quite a lot of sum is being spent on rural areas, no direct benefit has come to them and they have not been able to add very much to their income. Therefore I must warn this House, as I know the fact, that the villagers are not happy with the present way of administration of governmental affairs as far as these economics are concerned. They are unhappy because they feel that they have not been given their due share of prosperity or whatever it is. We are the guardians of the whole population and it is far us, everyone of us, to see that no injustice is done to a bigger class of people. It is not always a question of some majority party or a minority party. Everyone of us claims to be a patriot and patriotism means that we must protect the rights and privileges of the people as a whole.

It is in this background and in this strain that I beg to submit and advocate the cause of the villagers. In this case once a committee was appointed which had looked into the cost structure of sugarcane. This Report of the Tariff Commission says in so many words that under the terms of reference which were given to them they were not asked to enquire into the cost structure of sugarcane production. I have known of Tariff Commission reports where cost structure was an essential part of their enquiry. But this was not given to them and they have mentioned it in the Report that the Government had not asked them to enquire into the cost structure.

श्री विभूति मिश्र (मोतिहारी) :

रिपोर्ट में एक जगह कहा गया है कि चीनी का जो दाम मिलता है, उसका ७५ फीसदी गन्ने का कास्ट ग्राफ़ प्राइक्शन है।

Shri Tyagi: But some time ago an *ad hoc* committee was appointed, in my hon. friend's time perhaps, which had given a report about the cost structure of sugarcane production.

From this report, I am surprised to know that that committee had given a report which has depressed the actual cost; I do not know, to what extent, but there are two instances given in this report where this committee had reported in that manner while taking account of the cost structure. That committee reported that a pair of bullocks cost Rs. 340. Now, this Commission says, and an agricultural expert says that the cost is not less than Rs. 1000. It is a fact that a pair of bullocks which used to cost, in the days of my boyhood, Rs. 80 or 90 is today costing not less than Rs. 1200 or 1400. And yet this is the kind of cost structure which they have taken into account. Have they ever cared to know how much the agriculturists have to pay for the steel that they buy, and how much they have to pay for the textiles and other things? Nobody bothers about the expense ratio of the farmer at all. Again, have they ever realised the cost of labour? The cost of labour is also increasing. In my district at least I can say that it is difficult to have an agricultural labourer for less than Rs. 2 per day, or Rs. 2½ per day.

Shri Braj Bihari Mehrotra (Bilhaur): Buffaloes formerly and bullocks nowadays.

Shri Tyagi: Again, why is it that every time care is taken to see that the margin of profit of a factory is maintained, as if all of us are wedded to factories alone and we are loyal to factories alone? Why not take into account the economics of the cultivator? He is the poorest of the lot, and, therefore, he should be our first concern rather than the factory; the factory should be our concern only after him. Therefore, the cost structure should not be calculated in such a light manner as was done by that committee. I wonder if those very figures have been the basis of the calculations and the conclusions drawn now.

[Shri Tyagi]

Another instance which they have mentioned in this report is that that committee had taken into account the irrigation charge per acre in Bihar as 45 nP. That was the rate which they took into account in North Bihar as the irrigation charge per acre, whereas actually, it is about Rs. 60 in Bihar. This is the casual manner in which the cost structure of sugarcane is calculated. This is unsympathetic, and this Parliament cannot tolerate it. I may make that quite clear. We have seen enough of it in this freedom, but we cannot allow any power to ride roughshod over villagers, and the villagers' rights should be protected.

Coming to the Tariff Commission's report, they were asked only to examine the formula of fair distribution of extra price realisation between the growers and the manufacturers. That is quite right. A commitment was already made, as Shri A. P. Jain has clearly proved now before this House. I too am at a loss to know where the legal difficulty comes. He has said that this was the right given according to this notification; the right was for the Government to announce what the value of X would be. But that has not been done. But, even so, the matter has come up now.

Then, they have recommended that the scheme of deferred payment for growers should be discontinued. I am alarmed on account of the nature of the recommendations and the substance of the recommendations of this blessed Tariff Commission. I call them the blessed Tariff Commission, because I say, may God bless them; I do not mean any abuse.

The Tariff Commission have recommended that the scheme of deferred payments for growers should be discontinued. Thus, in a word, they can dismiss all the rights of the growers; and crores of rupees which are due to the growers can be written off in that manner. We are not prepared to tolerate it so lightly.

Shri Vishram Prasad (Lalganj): This is because they do not have any voice.

Shri Tyagi: Then, they have said that the control price of Rs. 1.62 per maund of cane compares fairly with the cost of alternative crops. That seems to be a good argument that sugarcane crop gives better profits than other crops, than fodder, than maize and other things. In the same way, can I also argue that the prices of Tata's steel shares must be reduced, because that is another industry which gives better profits as compared to khadi or charkha industry? Can I come forward with this argument that because the Ambar charkha production does not give so much margin of profit as iron and steel does, therefore, the profit of the steel industry must be reduced? Can that argument apply in the case of industries? And yet, here, the learned Tariff Commission argues in this strain and says that the cultivation of sugarcane is more paying than that of other crops, and, therefore, the rights of the cane-growers need not be emphasised. They say that the cultivation of sugarcane is more profitable, and, therefore, the growers take to cultivation of sugarcane, and, therefore their rights need not be emphasised. The argument is that they are already getting a profit because they have grown sugarcane instead of the other crops.

Then, they have said that the deferred payment could be justified on the ground that the initial payment was only tentative, or that it was meant to give incentive for the adoption of better techniques of production to improve the quality so that the cost could be reduced, and also that the minimum price fixed by Government was fair and yielded better return in certain areas than what was obtained from alternative crops. So, the argument is that because the alternative crops did not pay so much, therefore, this price was all right for sugarcane.

They have further stated that the deferred price completely ignored the interests of the consumers. Yes, consumers also come into the picture, and, therefore, the consumers' interests also must be considered. Everybody is a consumer, and since his cause is a large cause, we have always to look to the interests of the consumers better. So, because the incidence on the consumer is large, therefore, they say that the sugarcane price must be reduced, but not the profit margin for the sugar industry. The consumer also suffers on account of the high prices that the sugar industry is realising, but nobody bothers about it, because they are after all, our cousins. The industry people are our cousins, urban cousins, while the rural people are step-sons or step-brothers as we might call them. This is not the manner in which we should proceed. This kind of logic is not proper. The same logic must apply uniformly to all the citizens. But the argument that is put forward is that the cultivation of sugarcane is paying more profits, and if we give a higher price for sugarcane, then the incidence of that higher price will fall on the consumers, and, therefore, in the larger interests of the consumers, the sugarcane price must be reduced but not the price of sugar; they never say that the price of sugar must be reduced.

If government felt that owing to a sheltered market, the industry was making high profits, then the proper course would have been to mop up such profits by measures other than sharing with the growers. If Government felt that the sugar factory people were realising huge profits, the best thing would have been to realise more taxes from them, but then they would not give it to the cultivators, because they will become better and they may compete with the urban citizens; and, therefore, this formula of giving additional payment over and above the minimum price should be given up. This is the recommendation which has been made. So, all these recom-

mendations go against the interests of the cultivators.

Of course, my hon. friend has said that he has the interests of the cultivators at heart in bringing forward this measure, although I have not quite understood the argument. But I do realise that there must be some hitch, legal or otherwise, to remedy which he is bringing forward this amending Bill. Perhaps, it may be that legally it may not be sound to pay the deferred payment which was promised to the cultivators at this point of time on account of the lapse on the part of Government or on account of some lacuna in legal interpretation or on account of other reasons, which I need not go into now. But I want that that payment should be made to the cultivators. If it is true, as my hon. friend has practically guaranteed in his statement, that after amending this Act he will be in a better and stronger position to make those payments which have been pending, and which have been due to the cultivators, then I would wholeheartedly support his amendment, but at the same time, I would insist that nothing in his notification should go against the interests of the cultivators.

But, I am afraid that they have said that the sugarcane price be linked with the recovery in the preceding season. But then they have said that Rs. 1.50 will be the minimum price, and the price will not go below that; if that is so, I can quite understand it. But, then, again, a difficulty may arise. Of course, I am coming to a subject which is not relevant to this. A difficulty may again arise out of the notification because the price has been linked with the recovery percentage during the past season. For, it is said that it will be on the basis of the past recovery. How can I get the incentive? Suppose I have produced a richer crop this year. I shall not be paid for the richer crop which I have produced, and I shall

[Shri Tyagi]

not be compensated for the extra expenditure that I have incurred on a lost of good manure which I have used, because I shall be paid not on the basis of the richness of my crop this year but on the basis of the average of the crops during the corresponding five or six months of the previous year. If that is the basis on which I am going to be paid, then what is the incentive for me to improve my crop? This does not give any incentive to the cultivator at all, because, after all, he is going to be paid only on the basis of the previous year's crops. After all, one has to be paid for whatever he has produced now.

Then, it must also be taken into account that the crop does not yield very good recovery in the month of October when it starts. October-November are lean months. Perhaps January/February are the best months. Then again it becomes lean. So it is only for a month or so that the highest recovery is there; for the rest of the season, the recovery is very lean.

Therefore, we shall be paid on the average. The average of the year will be taken, average of good crop and bad crop, as if the whole area is one sugarcane co-operative factory concern or a joint family. It is not so. There are individuals who have produced better crops. You are looking at it as if they have produced a rich crop not for their own personal advantage or the advantage of their own family but for the benefit of the whole area. If I produce a richer crop and there is better recovery on it, the benefit thereof will not come to me; it will go to 20,000 or 30,000 families all round. What is the incentive for me? A collective incentive is there, no doubt. But then an atmosphere has to be created to bring about that collective incentive.

I therefore appeal on behalf of practically the whole House including the

Minister that everything should be done to see that the interests of the peasants and cultivators do not suffer. I hope this hope will not be frustrated and that the assurance given by the hon. Minister will be kept at all costs.

Mr. Deputy-Speaker: Shri Tridib Kumar Chaudhuri. There are about 20 hon. Members anxious to speak. I would request hon. Members to be as brief as possible.

Shri S. M. Banerjee: May I request that the time may be extended?

Mr. Deputy-Speaker: We will see how we proceed.

Shri Bade (Khargone): The Business Advisory Committee had decided to give one more hour for this Bill.

Mr. Deputy-Speaker: We have fixed four hours.

Shri Tridib Kumar Chaudhuri: I represent one of those States which have the fewest number of sugar mills. But fortunately or unfortunately, I represent also a constituency which has a sugar mill and as Shri A. P. Jain and also the present Minister will bear me out, I also happen to be the President of the local cane-growers association and I have had occasion to communicate with the previous Minister and also the present Minister over a number of years.

Shri Tyagi: But your constituency does not appreciate 'sugar' politics.

Shri Tridib Kumar Chaudhuri: It is now four years since the price-linking formula was adopted and I have been pleading with them that it should be implemented for the cane-growers of my area. But up till now it has not only not been implemented but the blanket powers that the Minister now seeks through this Bill make one doubtful whether whatever the promises he might make here will be fulfilled at all in future.

The non-implementation of the price-linking formula over these years is really a history of broken pledge. A solemn pledge, as Shri A. P. Jain has told us just now, was given by the late Shri Rafi Ahmed Kidwai, the then Minister of Food and Agriculture, in 1953-54, according to which this formula was evolved on a voluntary basis; for that year only, that is 1953-54, could the late Shri Kidwai persuade some of the mills in UP to pay according to the previous price-linking formula. But since then, as the Report of the Tariff Commission has made it clear, and as the Minister has also said more than once today, nothing has been paid so far. Several tripartite conferences were held between the millowners, sugarcane growers and the Central Government and State Government representatives concerned. But the gentlemen's agreement was never implemented, that is, the voluntary formula which was previously said to have been in force in terms of that gentlemen's agreement.

Then after three or four years when Government came to the conclusion that it would be impossible to persuade the sugar mill owners to pay anything voluntarily, only then they went for this statutory formula making it a statutory obligation in 1958, as has been pointed out by speakers preceding me. In terms of clause 3A of the Sugarcane Control Order of 1955, this clause was inserted in 1958. Sugar producers because obliged to pay the cane growers the deferred price according to the present formula. Since then, as it has fallen to my lot, I have been pursuing one Minister after another to implement it. In 1959, the last letter I got from Shri Jain when he was in charge of the Ministry contained his promise that he would ask the department to see that the cane growers were paid their due. Then Shri Jain left the portfolio and the matter came into the hands of Shri S. K. Patil. In March 1960, he

wrote to me with reference to the implementation of this formula:

"The extra price due for a particular season under the price linking formula can be determined only when the accounts for the season concerned have been finalised, which normally takes 3 to 4 months after the close of the season".

He also mentioned that the last release from that particular mill, about which I wrote to him, was given in November 1959. He also informed me that the value of 'X' (used in the formula) i.e. the percentage share of the cane growers in the sugar price for 1958-59 season, was being worked out and as soon as it was finalised, it would be communicated to the factories for making payment of the extra price for cane, and that this was expected to be done shortly.

That is, in March 1960, two years after the linking formula was adopted, when it was under the examination of the experts of his department, he had no doubt in his mind, or at least he was advised to that effect, that there was no complexity about the formula. All complications began to arise only, as he has told us, when the Government adopted the new control schedules of prices recommended by the Tariff Commission in the same year, and repeated pressure, it is evident, was brought by the sugar mill owners upon the Government either to abandon the formula or to give them such allowances for rehabilitation etc., which would make a nullity of that formula. Since then, I have written to him this sheaf of letters which I have here, and he wrote to me, and eventually he said that the thing appeared to be much more complicated than he had earlier supposed, but he never explained to us before, nor now, how and wherefore these complications arose. The only factor of which no account seems to have been

(Shri Tridib Kumar Chaudhuri)

taken in the formula, or in calculating the price of "X", was rehabilitation costs for the mill, but there was never any lack of power with the Government to do that even in terms of the old order.

I might draw your attention to sub-clause 2 of clause 3(a) which reads like this:

"Where the Central Government, having regard to special circumstances prevailing in any State or part thereof, and after consultation with the State Government, is of the opinion that the provisions of the schedule should, in its application to the State or part thereof as the case may be, be varied, or not applied, the Central Government may, notwithstanding anything contained in sub-clause 1, direct that in lieu of the payment provided therein, payment shall be made in accordance with such other provisions as may be notified in the Official Gazette."

That is, if they felt the necessity of varying the formula, they had already the power. It is not that they were not armed with the power. They had the power of varying, but they chose not to apply it, sat quiet for four years over the powers, the very wide powers, that they had even under the existing order. The question of giving retrospective effect has come up only because they want to vary the formula, according to us, absolutely in favour of the mill owners and of none else. The Government are not really sincere in their claim that they want to implement this formula and to realise for the farmers, the canegrowers, the money that is due to them from the industrialists who have made, as our friend Shri Yallamanda Reddi just now said, Himalayan profits, about Rs. 55 crores in one year; and

from that time onwards, several years have passed. You can easily realise what colossal amounts of profit have been made by this industry. Our only plea has been to allow the growers some part of this extra gain which the industry has realised.

Now I come to my main objections against the amendment of the Sugarcane Control Order which is being proposed. I draw the attention of everybody to clause 2 of the Bill. Although the Minister has said that he wants power for giving retrospective effect to the amendment, really if you read the clause, it is a complete blanket power. Government arms itself, is trying to arm itself, with the power even to abandon the formula, if they so choose.

Shri Tyagi: You want to protect the rights of the cultivators. Give more powers so that they can do it more successfully.

Shri Tridib Kumar Chaudhuri: That is what they say, but I remind my hon. friend Shri Tyagi, that a man of the stature of Shri Kidwai gave that pledge, and your party and your Government has failed to keep that pledge. They have sullied the memory of that great man, whom everybody, all sections of the House, irrespective of political opinion, respect and hold in high honour. It is your Government which has failed to keep up that pledge.

15.56 hrs.

[SHRI MULCHAND DUBE in the Chair]

The clause says:

"The Central Government may, if satisfied that public interest so requires,.....

—not only the interests of the cultivators—

"...by order notified in the Official Gazette, amend either prospectively or retrospectively....

Why prospectively? Prospective power is already there; perhaps as an abundant caution they have added this to the clause, so that they might do anything they like.

Shrimati Renuka Ray (Malda): For the cultivators, I hope.

Shri Tridib Kumar Chaudhuri: You have done that for the cultivators, you have done that for eight years. You gave a pledge here on the floor of the House in 1953-54 and this is 1962, year of Grace 1962, and you have not up till now been able to realise a single naya paisa from the mill-owners. That is your achievement, that is your credit.

Shri K. C. Sharma (Sardhana): Something has been given somewhere.

Shri Tridib Kumar Chaudhuri: Only when Shri Kidwai could persuade the mill owners to do it. You could not, armed with all the powers that you had, realise anything.

So, we are not prepared to give this blanket power to the Government. If Government really mean business and if they want to keep up the pledge that the Minister is now holding out to the cultivators and Parliament, they must suitably modify not only clause 2 but also the formula in favour of the cultivators.

Thank you.

श्री विश्व नाथ राय (देवरिया) : माननीय सभापति जी, जो बिल सदन के सामने विचाराधीन है, वह देखने में और शब्दों के पढ़ने में बहुत साधारण मालूम होता है। हो सकता है कि यह बिल इस सदन के सदस्यों के लिये, चीनी मिलों के मालिकों के लिये और उपभोक्ताओं के लिये साधारण

हो, लेकिन गन्ना के उत्पादकों के लिये तो यह एक घातक चीज है। क्यों है? यह स्पष्ट है इसलिए कि जिस अनुचित मुनाफे का कुछ हिस्सा चीनी मिल मालिकों से ले कर उपभोक्ताओं को दिया गया था, उसका कुछ हिस्सा उनको नहीं मिला जिन्होंने इस उद्योग को बढ़ाने में काफी श्रम किया और श्रम ही नहीं किया बल्कि अभी भी अपना बलिदान करते हैं। इस श्रम के कंट्रोल (ऐडीशनल पावर्स) बिल के विषय में आगे बढ़ने के पहले मैं सभापति महोदय, आपके द्वारा, सरकार का ध्यान इस ओर आकर्षित करना चाहता हूँ कि चीनी के उद्योग बंधे को उन्नत करने वाले वे किसान जो आज भी परिश्रम कर रहे हैं देश के उस हिस्से से आते हैं जहाँ पर कभी कभी उनका सर्वस्व प्राकृतिक प्रकोप के कारण नष्ट हो जाता है। इस समय आप पूर्वी उत्तर प्रदेश को देख लें बाढ़ के कारण कितनी ही स्थानों पर गन्ना उत्पादन करने वाले किसानों के गन्ने के ऊपर पानी बह रहा है। मैं इस बात की चर्चा इस कारण यहाँ पर करता हूँ कि जहाँ टैरिफ कमिशन की रिपोर्ट में यह कहा जाता है कि गन्ने के उत्पादक अन्य खाद्यान्न के अनुपात से कुछ अधिक पैसा पाते हैं वहाँ उन्हें इस बात का भी ध्यान रखना चाहिये कि जिस उत्तर प्रदेश के पूर्वी हिस्सों में और बिहार के उत्तरी हिस्से में गन्ना उत्पादकों की संख्या सब से अधिक है वहाँ इस तरह के दैवी प्रकोप भी आते रहते हैं। यह खेद का विषय है कि उनकी ओर टैरिफ कमिशन और यह सरकार कुछ उपेक्षा कर रही है। क्या इस चीनी उद्योग की सुरक्षा के लिये विदेशों में उसका निर्यात करने के लिये और कुछ अंश मुनाफे का मिल मालिकों के लिये सुरक्षित होने के लिये उन गन्ना उत्पादकों के हितों की तरफ उपेक्षा की जाय?

16 hrs.

अन्य प्राकृतिक प्रकोपों को छोड़ भी दें और केवल आने वाली बाढ़ों को ही लें तो

[श्री विश्व नाथ राय]

भी इनसे पीड़ित होने वाले कृषक लोगों की संख्या देश में नग्न्य नहीं है। सन् १९५१ को जनगणना के अनुसार गन्ने का उत्पादन करने वाले किसानों की संख्या २ करोड़ से अधिक थी। इस समय और भी बढ़ी है। सन् १९५३-५४ में जहां ३५ लाख एकड़ भूमि पर गन्ने की खेती होती थी वहां सन् १९६१-६२ में करीब ६० लाख एकड़ भूमि पर गन्ने की खेती हो रही है। इसका तात्पर्य यह है कि देश में गन्ने का उत्पादन करने वाले किसानों की संख्या बढ़ रही है और जिस तरह से उनकी संख्या बढ़ रही है वैसे ही राष्ट्रीय आय में जिससे ५० प्रतिशत से अधिक कृषकों की देन है उस राष्ट्रीय आय में गन्ना उत्पादकों के कारण दिनों दिन बढ़ि हो रह है। इस दृष्टिकोण से सोचने पर कि देश की आय होगी, निर्यात चीनी का होगा और उस निर्यात की सुविधा के लिये मिलमालिकों को जो आमदनी हो रही है वह सुरक्षित रह जाय क्या किया जाय ? इसके लिये जो आपने किसानों के लिये अनुपात निर्धारित किया था जो भी अंश मुनाफे का निर्धारित किया था ऐलान किया था इस सदन के अन्दर एक बार नहीं कई बार उसको आप ले लेना चाहते हैं। आप कह सकते हैं कि इस बिल में वह बात साफ नहीं है जिससे यह मालूम होता है कि उनका मुनाफा ले ही लिया जायगा या नहीं लिया जायगा। जब आप निर्यात के लिये या इस चीनी उद्योग को बढ़ावा देने के लिये गन्ना कृषकों के लाभ में से कमी करेंगे तो स्वभावतः यह अनिवार्य है कि उनका हित मारा ही जायगा। इस बात का ध्यान रखिये कि अगर आप इस तरह से गन्ना उत्पादकों को बिलकुल आप अविलम्बित समझ कर उनको दबाते रहे तो निश्चय ही उनका ध्यान उधर से हटेगा और उनके लिये जो भी मुनाफा आप की सरकार द्वारा यहां पर घोषित होता है समय आने पर वह मुनाफा मिलने के बदले यदि उसमें कटौती होती है तो इसका कोई

औचित्य नहीं है। यदि सरकार उन्हें मुनाफा दिलाने में सफल नहीं हुई और अब उनका मुनाफा ले लिया जाय तो यह किसी तरह भी इक्विटी, या न्याय के आधार पर उचित नहीं ठहराया जा सकता है। जिस काम को आप नहीं कर सकते हैं उस काम को छोड़ने के बदले कोई दूसरा उपाय करना चाहिये। जो उसका हकदार है उसके लिये जिनका हक है उनके उस हक को ही यहां पर समाप्त कर दिया जाय यह कहाँ का इंसफ है ? आप कहेंगे कि नहीं पूरा नहीं लेंगे, कुछ कमी की जायगी। हो सकता है कि भविष्य के लिये आप ठीक करें। लेकिन जिस बात के लिये आपने यहां एक घोषणा की उससे पीछे हटना एक लोकतंत्रीय सरकार के लिये प्रशंसा की बात नहीं हो सकती है।

सभापति महोदय, मैं सरकार का ध्यान इस ओर भी आकर्षित करूंगा कि उद्योग-पतियों के उद्योग धंधों को बढ़ाने के लिये केवल निर्यात ही नहीं है। चीनी का निर्यात आज से दो, चार साल पहले इतना बढ़ा नहीं था। चूंकि निर्यात को स्वभावतः हम बढ़ाना चाहते हैं तो उसके लिये जरूरी है कि सरकार गन्ने की खेती को उन्नत करे और गन्ना उत्पादकों को इसके न दे। मैं यह स्वीकार करता हूं कि सरकार का ध्यान उधर है और वह इसके लिये कोशिश भी करती है। लेकिन गन्ने की रिकवरी के आधार पर गन्ने का मूल्य तय करने की जो नीति घोषित हो रही है उस की तरफ टैरिफ कमिशन ने एक बात पर विशेष तरीके से ध्यान नहीं दिया है। वर्तमान नीति को बदलकर चीनी की रिकवरी से संबंधित कर देने से किसको लाभ हो रहा है यह चीज आपको देखनी चाहिये। यह अवश्य दृष्टिकोण रहे कि इससे जिनको लाभ होना है नकी संख्या कितनी होगी। अगर इस तरह से सोचने के बदले उनके मुनाफे का जो अंश होगा उसे किसानों से

लेकर दूसरे उद्योग धंधों और दूसरे क्षेत्र में लगाना चाहेंगे तो स्वभवतः इससे गन्ने के उत्पादन पर आघात होगा।

मुझे इस बिल का विरोध तो नहीं करना है लेकिन सरकार को यह सुझाव देना है कि जो १९५७-५८ से लेकर अब तक की बात है उसके बारे में उनके मुनाफे के बारे में कुछ ऐसा संशोधन हो जो साफ हो। वर्तमान संशोधन इस समय स्पष्ट नहीं। मालूम होता है गवर्नमेंट के दिमाग में न जाने क्या है कि बात साफ नहीं आ रही है। मैं चाहूंगा कि गन्ना उत्पादकों के मुनाफे की सुरक्षा के लिये सरकार कोई संशोधन लाये जब आप भविष्य के लिये कोई नीति अपनायें तो आपकी गन्ना मूल्य निर्धारण की बात फिर सदन में आये। जब वह बातें सदन के सामने आयेंगी तब उन पर विचार हो। लेकिन इस समय तो यही है कि आप जो वादा कर चुके हैं एक वर्ष से नहीं बल्कि कई वर्ष से वादा करते आये हैं उसके बारे में कुछ थोड़ा सा आपने काम भी किया और जिस काम को कि करने के लिये आपकी नैतिक जिम्मेदारी है आप उस जिम्मेदारी को पूरा करें। इन शब्दों के साथ मैं इस बिल में आवश्यक संशोधन के लिये सरकार से अनुरोध करता हुआ अपना स्थान ग्रहण करता हूँ।

श्री विभूति मिश्र : सभापति महोदय, सिर्फ उत्तर प्रदेश वालों को ही बोलने का चांस मल रहा है बिहार वालों को भी तो इस पर बोलने का मौका दिया जाय।

Shri S. M. Banerjee : Mr. Chairman, Sir, I have already moved my amendment that the Bill be circulated for the purpose of eliciting opinion thereon.

Sir, I join my hon. friends whether on this side or on that side in opposing this Bill; and I fully agree with my hon. friend Shri A. P. Jain

in this case. To me, after the Land Acquisition Bill, this is the second or rather the ugliest manifestation of the procapitalist policy of this Government.

I have very carefully gone through this Order which was issued on the 27th August, 1955. It clearly says what should be the basis and how the price is to be fixed. As the hon. Minister stated, because this particular Order could not either please the mill-owners or the cane growers, so a reference was made to the Tariff Commission. It was all intentional, I believe, when this reference was made to the Tariff Commission. I will read this term

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"To examine whether the claim of the industry for a rehabilitation allowance in the matter of division of sugar price between the canegrowers and the industry is justified and, if so, the rate at which the allowance should be allowed in the price-linking formula(e)."

I do not know what was the necessity of referring this particular item to the Tariff Commission because in the Tariff Commission's Report itself, on page 45, it is stated:

"On the question of the application of the formula the industry drew our attention to a letter from Government of India, Ministry of Food and Agriculture (Department of Food) No., J.S. (S)/P.S./61 dated 10th April, 1961 to the Indian Sugar Mills' Association, relevant extracts from which are reproduced below:—"

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The Indian Sugar Mills' Association might have referred this matter to the Government of India and might have demanded some more concession of price facilities to meet their so-called losses due to export.

The reply of the Government was:

"On the basis of the Schedule for the northern region and recovery and the duration attained in 1959-60 the exfactory price in U. P. and North Bihar works out to Rs. 37.31 per maund of sugar. The price of Rs. 37.85 per maund had thus a margin of 54 nP. per maund. The current crushing season is still on and having regard to present trends and estimates of production, it is likely that the margin available this year may be somewhat larger. Government consider that the margin should suffice to enable the industry to meet not only the extra cost on account of wage board award and other factors but also the losses on export quotas so far announced."

I am quoting this to show that whatever is brought in the name protecting the interest of the farmers is for protecting the interests of the capitalists who are making fabulous profits at the cost of the consumer and farmer. The hon. Minister said that he was not a mathematician and that the new formula which was going to be evolved would be in the interest of the farmers. I am not a mathematician and I do not think we require an Indian Einstein to understand the formula in the schedule it has been well defined. Shri A. P. Jain referred to 'S'; There are 'P', 'T', etc.; all have been well defined. Government should see that the farmers do not suffer and the request of the mill owners to reduce excise duty or for more concessions in the name of rehabilitation, etc. is not taken into consideration. Farmers should not be left at

the mercy or at the feet of the mill owners or of Government.

Dr. M. S. Aney: Has 'X' been defined?

Shri S. M. Banerjee: Yes; everything has been defined. Given more time I can read out the whole thing. Hon. Members would have seen the Resolution of the Government embodying the recommendation of the Tariff Commission. It says:

"The Commission's recommendations are: the scheme of linking the price of cane with the price of sugar which is not linked with the quality of cane, which completely ignores the interests of the consumers and does not also promote good relations between the growers and the miller, is not in the larger interests of the sugar economy and should be terminated as soon as possible."

They suggest that this should be linked. It is said in U.P. and Bihar sucrose content in the cane is less; it comes to an average of 9.7 or about 10 per cent. But Shri Tyagi has correctly pointed out that in the subsequent months after the first two months, the content is increasing. I am not a farmer but I have served in a sugar factory for five years as quality supervisor and it will be impossible for the Government to fix the cane price when it is linked with the quality of the cane. It has been done simply to help the industrialists. Right from 1953, the late lamented Rafi Ahmed Kidwai had some arrangement with the employers that they will pay this amount voluntarily. Unfortunately, nobody paid voluntarily with the exception of a few. In U.P. alone, I speak subject to correction, about Rs. 4.5 crores has to be paid to the growers. The Governments of U.P. and Bihar have both opposed the linking formula and have demanded that this money should be realised from the sugar magnates and paid to the cultivators. The hon.

Minister says that he wants this power retrospectively so that he may safeguard the interest of the farmer and see that the same formula is followed by which they can get this amount which is not yet paid to them. May simple question is this. In the Essential Commodities Act is there no section under which a sugar mill owner can be convicted? Section 7 is a penal clause; if an employer or a mill-owner does not pay the grower, he can be punished with three years rigorous imprisonment. Has this section 7 been used against any mill-owner, in Bihar or in U.P. or anywhere else? They never wanted the mill-owners to be asked to pay this amount. Sugar industry in U.P. is the backbone of Congress politics in U.P.

Shri A. M. Thomas: That is here also.

Shri S. M. Banerjee: If you have contested an election from U.P. you would know what it is. I request that this Bill be withdrawn. The *Statement of Objects and Reasons* has made the whole position clear, shamelessly. You cannot segregate by saying that it is only the Bill that is to be considered and not that *Statement of Objects and Reasons* which speaks of:

"inclusion of allowances for rehabilitation and export losses, for adjustment of costs and for sharing of incentives given for increasing the production of sugar."

I do not think that this rehabilitation allowance is necessary. No more subsidy is necessary. We have been told by the hon. Minister that the Government would incur a loss of about Rs. 12.5 crores on account of sugar export subsidy. What is the loss sustained by the sugar industry for export of sugar to the United States? This Bill simply helps the employers and mill owners. They asked for concessions when the wage board award was there or whenever there is any occasion. This time also, this Act is amended retrospectively to suit the needs of the mill owners and to give

them rehabilitation allowance. Suppose Rs. 30 crores is due from the mill owners by way of deferred and other payments, I may tell you that only Rs. 5 crores will go to the farmers and Rs. 25 crores will go to the mill owners in the name of rehabilitation, subsidy for export losses, etc. This is highly objectionable. The hon. Minister should tell us when he is going to evolve the formula, what is the formula and how does it differ from the 1958 modification or the 1955 order. Otherwise, how can we pass this Bill? The hon. Minister has given a sugar-coated pill in the form of this Bill and wants us to swallow it. We have seen the sugar-coated pill. But we want to know what is in this Bill. It is against the interests of the farmer; it is against the interests of the consumer. Everywhere, it is known that the sugarcane price should be Rs. 2. We have argued for it not once, not twice, but many times in this House. I am sure that Dr. Ram Subhag Singh, when he was not a Minister, always stood for the cause of the farmer.

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): I am so even today!

Shri S. M. Banerjee: I am not a farmer, but even today, I believe that Shri S. K. Patil is in favour of the sugarcane grower. But my difficulty is that either it is too deep for us to understand, or, it is all rubbish and in the interests of the mill owner. That is my point. I appeal that the interests of the cane grower should be protected. There are some provisions for the protection. The protection should be given. Under section 7 of the Essential Commodities Act, the mill owners should be dragged to the court of law and punished for three years and they should be clearly told that they cannot possibly do this sort of thing. The cannot force the Government on the basis of their political influence and I am sure that the hon. Minister will kindly withdraw this Bill and take protection under the

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existing law we have got and realise this amount.

I am opposed to the linking of cane price with quality. That is wrong. Even the Tariff Commission, in their various reports, have said that it will be impossible for them and at any rate it will be very difficult to arrive at a definite figure as to what should be the price of the cane with reference to its quality of sugar. I feel that this Bill is not necessary. This should be withdrawn. Heavens are not going to fall; when this Government waited patiently since 1955 up to this day, when they saw that the farmers suffered in the hands of the mill owners, when the mill owners did not pay anything, why should this Bill be so necessary now? I feel that the Bill should be circulated, if at all it is necessary, for eliciting public opinion. After the opinion is obtained, we should consider in a calm and cool atmosphere, without any leaning towards the capitalists, whether this Bill is necessary in the interests of the farmer.

I oppose this Bill and I want my amendment for circulation should be accepted.

श्री विभूति मिश्र : सभापति महोदय, पेशतर इसके कि मैं आगे कुछ कहूँ, सब से पहले मैं डेफेंड प्राइस के सम्बन्ध में थोड़ा सा कहना चाहता हूँ, उसका थाड़ा सा इतिहास आपको बतलाना चाहता हूँ। जब हम १९६२ में चुन कर आए उस वक्त एक रुपया तीन आने और एक रुपया पांच आना मन गन्ने का दाम रखा गया था। इस के बाद हम किदवई साहब के पास गए और उनसे हमने इस के बारे में आग्रह किया और उनको बताया कि गन्ना पैदा करने वालों को कम दाम दिया जा रहा है तो किदवई साहब ने बहुत सोच विचार करके कहा कि हम आपको डेफेंड प्राइस देंगे। हमें विश्वास नहीं हुआ कि मिल वाले डेफेंड प्राइस देंगे। श्री डी० एन०

तिवारी यहां नहीं हैं और अगर वह होते तो वह भी आपको बताते कि हम दोनों रात को किदवई साहब के पास गए और उनसे कहा कि मिल वाले आपको ठग लेंगे और यह डेफेंड प्राइस किसानों को नहीं मिलेगी तो किदवई साहब ने, अपनी उत्तर प्रदेश की भाषा में कहा कि विभूति मिश्र तुम देखना कि मिल वाले ठगते हैं या मिल वालों को मैं ठगता हूँ। यह इस डेफेंड प्राइस का इतिहास है। उसके पंद्रह रोज के बाद किदवई साहब का स्वर्गवास हो गया। उसके बाद दूसरे फूड एंड एग्रीकल्चरल मिनिस्टर साहब आ गए और कभी भी डेफेंड प्राइस नहीं मिली।

मैं आपको यह भी बतलाना चाहता हूँ कि यह डेफेंड प्राइस शुरू कैसे हुई। १९१४ से १९१८ तक की जो फर्स्ट वर्ल्ड वार थी, उस वक्त हमारे जिले में एक चकिया शूगर फैक्टरी है जिसे अंग्रेज चलाता था और उसने डेफेंड प्राइस दी। चूंकि उसको लाभ हुआ था, उसको फायदा हुआ था इस वास्ते उसने ग्राहकों को हिस्सा दिया। लेकिन आज जो मिल वाले हैं वे न तो अपने आप देते हैं और न सरकार उनसे दिलवाती है। जब एक बार कानून में यह तय कर दिया गया कि उनको डेफेंड प्राइस मिले तो क्या वजह है कि उनको दिलवाई नहीं जाती है। १९५८ के बाद से जब डेफेंड प्राइस नहीं मिली और इसके लिए सरकार को कम्पेल किया गया तो सरकार ने जो यह झगड़ा था इसके बारे में तय कर दिया है कि यह टेरिफ कमिशन के पास चला जाना चाहिए। जब यह मामला टेरिफ कमिशन के पास चला गया और उसने इसकी छानबीन की तो उस छानबीन के बाद उसने अपनी रिपोर्ट के पेज ४८ पर लिख दिया :

"As regards 'X' the percentage share, the growers claimed that it

should be exactly in proportion of the cost of cane to the cost of sugar which at current levels is, according to them, not less than 75:25. The representatives of the mill industry who had been advocating a share on 50:50 basis after payment of taxes and meeting cost incidents were agreeable to raise the ratio to 60:40 in favour of the grower."

यह जब तय हो गया तो उसके बाद तो सरकार को कम से कम इतना तो देना चाहिये था, ६० परसेंट तो ग्राहकों को दिलाना चाहिये था। लेकिन यह ६० परसेंट भी सरकार ने नहीं दिलाया है। मैं समझता हूँ कि सरकार इस लिए है कि वह देश का नियंत्रण करे, देश का पालन पोषण करे, देश के जो कानून हैं, उनको ठीक तरह से लागू करे। आपके ऊपर यह इनकम्बेंट था कि हमें ६० परसेंट दिलायें। यह आपने क्यों नहीं दिलवाया। हम लोगों के रिप्रिजेंटेटिव यहां पर आ कर बैठते हैं और हर साल हम सरकार का बजट पास करते हैं। पिछले चार साल से हम सरकार का बजट पास करते आ रहे हैं और सरकार को चलाते आ रहे हैं लेकिन ग्राहकों का पैसा आज तक भी उनको नहीं दिला पाए हैं।

मैं एक खतरे की बात आपके सामने रखना चाहता हूँ। टेरिफ कमिशन की जो रिपोर्ट है यह भानुमती का पिटारा है। इसमें बहुत ही बातें लिखी हैं। हमारे पाटिल साहब एक योग्य कुशल वकील हैं। मैं उनको बताना चाहता हूँ वह बात जो कि इस बिल के स्टेटमेंट आफ आब्जैक्ट्स एंड रीजन्स में लिखी हुई है :—

"This new formula has been examined and it is considered that it would be more appropriate to apply the existing formula after making suitable amendments thereto which are necessitated as a result of the acceptance by Gov-

ernment of the suggestions of the Commission for inclusion of allowances for rehabilitation and export losses...."

मैं बतलाना चाहता हूँ कि इसी रिपोर्ट में लिखा है कि बारह परसेंट जो फैक्ट्री वालों को दिया है उसमें सब कुछ आ जाता है, मुनाफा, खर्चा, सूद वगैरह। अब मैं पूछना चाहता हूँ कि इस बारह परसेंट में रिहैबिलिटेशन क्या नहीं आता है? हमारे पाटिल साहब भी किसानों के भक्त हैं। मैं उनसे प्रार्थना करता हूँ कि वह इस बात को देखें कि १९३४ में जो शुगर मिल लगाई गई थी, उसने आज तक कितना मुनाफा कमाया है? अगर उन्होंने इसको देखा तो उनकी आंखें खुल जाएंगी। आज चीनी का जो कंट्रोल रेट है वह ३७ रुपये ८५ नए पैसे है जिस में ३७ रुपये ३५ नए पैसे तो कीमत है और ५० नए पैसे उनको और दे दिए गए हैं कि अगर घाटा वगैरह हो तो उसको वे पूरा कर लें। जो भाई कलकत्ता के रहने वाले हैं वे इसको अच्छी तरह से जानते हैं कि वहां पर ४१ रुपये मन चीनी बिकती रही है। अब चीनी की एक किस्म नहीं है, उसकी कई किस्में हैं। जो मोटा दाना होता है उसका दाम ज्यादा है और जो पतला दाना होता है, उसका दाम कम होता है। जो कारखाना दार हैं वे अब तक अपना मुनाफा बराबर लेते आए हैं। मैं, सभापति महोदय, आपका ध्यान उन गवाहियों की ओर दिलाना चाहता हूँ जो कि टेरिफ कमिशन ने ली हैं। उसने किसी भी किसान की गवाही नहीं ली है। इस हाउस में पांच सौ से ज्यादा मੈम्बर हैं, जिस में से कुछ किसान भी हैं और बड़े बड़े किसान भी हैं। लेकिन एक भी लोक-सभा के मੈम्बर की टेरिफ कमिशन ने गवाही नहीं ली है। मेरे जिले में नौ शुगर फैक्ट्रियां हैं, मेरे बगल वाले जिले में, सारन में आठ शुगर मिलें हैं लेकिन वहां पर किसी की गवाही नहीं ली गई है।

[श्री विभूति मिश्र]

गवाहियां ली गई हैं, लखनऊ में बैठ कर के, पटना में बैठ करके, कलकत्ता में बम्बई और मद्रास में बैठ करके और उन गवाहियों के आधार पर उसने अपनी रिपोर्ट दे दी है। उस टैरिफ कमिशन की रिपोर्ट के आधार पर हमारे पाटिल साहब ने भी अपना बिल बना कर इस हाउस के सामने पेश कर दिया है। इस तरह से जब रिपोर्ट दी जाती है तो स्वाभाविक है, कि उस पर शक हो और शक होता है सरकार पर भी कि वह क्या करेगी। २२ अगस्त १९६२ को एक रेजोल्यूशन सरकार की तरफ से पब्लिश किया गया था। उसमें सरकार ने कहा है कि रिहैबिलिटेशन की कास्ट वगैरह सब चीज रहेगी। उस में यह लिखा हुआ है :

"Government consider that it would be more appropriate, equitable and reasonable to apply the existing formula set out in the Sugarcane (Control) Order 1955 after suitable adaptations and amendments in order to incorporate the suggestions of the Commission for the inclusion of allowances for rehabilitation and export losses."

हमें इसमें सब से बड़ा खतरा यह मालूम देता है कि पहले अलाउंस फार रिहैबिलिटेशन एंड एक्स्पोर्ट लासिस, यह करार नहीं था। हमारा आपका करार तो पहले से यह है कि आप हमको एक रुपये दस आने और एक रुपया आठ आने देंगे। इस करार के मूलाबिक सरकार का कर्तव्य है कि इतना पैसा वह हम किसानों को दिलाये। अगर सरकार इतना पैसा किसानों को नहीं दिलाती है तो मैं समझता हूँ कि सरकार अपने कर्तव्य का भली प्रकार पालन नहीं कर रही है। माननीय त्यागी जी ने तथा माननीय जैन साहब ने अपने भाषणों में कई बातें कही हैं। लेकिन मैं समझता हूँ कि आज सवाल इतना सा हो है कि जब किसान को चार पैसे

मिलने की बात आती है तो पचासों बखेड़े उसमें नजर आने लग जाते हैं, कई झड़गे लगाये जाते हैं। मैं समझता हूँ कि अगर टैरिफ कमिशन में इस सदन का एक भी सदस्य होता, चाहे वह कोई भी होता, लेकिन वह किसानों के, काश्तकारों के दुख और दर्द को जानने वाला होता, तो यह जो टैरिफ कमिशन की रिपोर्ट है यह दूसरी हो होती।

हमारे भाई ने कहा है कि कानून नहीं है। मैं नहीं कहता कि कानून नहीं है। लेकिन कानून को बदला जा सकता है और इसमें कोई मुश्किल बात नहीं है। हमारे जिले में अंग्रेजों के किसानों से जबर्दस्ती लिया जाया कि वे मालगुजारी बढ़ा सकते हैं और किसानों ने बढ़ी हुई मालगुजारी देना भी शुरू कर दी थी। लेकिन मोहन दास कर्मचन्द गांधी जी के नाम से सब जानते हैं, उन्होंने जाकर उस कानून को बदलवाया और किसानों को उस सारे जिले में जो सुविधायें थीं, सब को सब दिलाई। क्या उनके नाम पर राज करने वाले, उनका ही नाम लेने वाले और उनसे भी बताये उसूलों पर चलने वाले कांग्रेसमैन चार बरस तक किसानों का जो पैसा अटका पड़ा रहा मित्र वालों के पास, १९५८ से लेकर, उसको उन्हें वापस नहीं दिला सकते थे? टैरिफ कमिशन के जिम्मे यह काम पड़ा रहा। लेकिन यह नहीं हो सका। मैं पूछना चाहता हूँ कि यह कौन बढ़ा बात थी जो कि नहीं हो सकती थी। ५०, ६० फैंक्ट्रियों से पैसे लेने हैं। लेकिन चार वर्ष तक यह चीज टैरिफ कमिशन के जिम्मे रही। गांधी जी ने सन् १९१८-१९ में एक साल के अन्दर सारे चम्पारन भर में

सभापति महोदय : अब आपका समय समाप्त हो गया।

श्री विभूति मिश्र : हमारे जिले में ९ फैक्ट्रियां हैं। हमारी लाईफ लाइन जो है वह शूगर फैक्ट्रीज हैं। अगर हमारे जिले चम्पारन

से शूगर फैक्ट्रीज को हटा दिया जाये तो हमारी मृत्यु हो जायेगी। हमारे लिये जीवन में आम-दनी का कोई जरिया नहीं है अलावा शूगर फैक्ट्रीज के। इसलिये मुझे पांच मिनट का समय और दिया जाये।

यहां हमारे उत्तर प्रदेश के भाई बोले हैं और ठीक बोले हैं। मैं बतलाना चाहता हूं कि उस समय गांधी जी ने कानून बदलवा दिया और किसानों को राहत दिलाया। लेकिन आपने चार वर्षों तक किसानों को डेफंड प्राइस नहीं दिलवाई। आप कहते हैं कि हम ने कानून बना दिया है। कानून के बारे में मुझे शक है कि आप जो कानून बना रहे हैं उस में किसानों को डेफंड प्राइस न मिल कर रिटैबिलिटेशन अलाउंस और एक्सपोर्ट ट्रांसज जो हैं वही मिलेंगे। मैं आपको बतलाना चाहता हूं कि आप ने फैक्ट्रियों के मालिकों के फायदे को देखा नहीं है। उनसे हमको ४ आना मन छोआ का मिलता है। मैं पाटिल साहब को चैलेन्ज करता हूं कि वह दिल्ली के बाजार में या बम्बई के बाजार में जाकर देखें कि ४ आना मन छोआ कहीं है। लेकिन किसानों को ४ आना मन ही उसका दाम मिलता है। दूसरे प्रेस मंड ४ आ० से ८ आ० तक हर एक फैक्ट्री वाला बेचता है, जो कि खाद के काम में आता है। लेकिन इसका दाम भी नहीं जोड़ा जाता है। उनके पास बगास है, उसका पैसा भी उनके पास बचता है।

टैरिफ कमिशन को लिखना चाहिये था अपनी रिपोर्ट में कि इतना रुपया किसानों का हर साल अनपेड रहता है, मिल वाले गन्ने का दाम नहीं दे पाते हैं। लेकिन टैरिफ कमिशन ने इस रिपोर्ट में कुछ नहीं लिखा। मैं आपको बतलाना चाहता हूं कि हर साल किसानों का दाम मिल वालों के पास बच जाता है। दो, चार या दस बार ग्रोअर मिल वाले के पास जाता है तब भी उसका पैसा पूरा नहीं मिलता है। इसके बारे में टैरिफ कमिशन ने कुछ लिखा ही नहीं। टैरिफ कमिशन ने ऐसी बातें लिख डालीं पर आप कानून बना रहे हैं। यहां पर

कानून इस तरह से सरकार बनाती है कि सन् १९५८ से लेकर सन् १९६२ तक जो ग्रोअर को डेफंड प्राइस है वह नहीं मिली। उनको मय सूद के वह डेफंड प्राइस दिलाई जाय। आपने कहीं लिखा है कि डेफंड प्राइस सूद के साथ दिलायेंगे? मिल वालों के यहां हमारी डेफंड प्राइस बाकी है। अगर उन्होंने उसे नहीं दिया है तो हम उस ले। लेकिन आप कहते हैं कि ऐसा नहीं होगा। इसी सुदन में आलापुर मिल के बारे में कंस्टीट्यूशन को अमंड किया गया, दस बजे रात में अमंड किया गया। मैं समझता हूं कि यहां पर ७५ फी सदी आदमी ऐसे हैं जो कि ग्रोअर्स के, गरीब किसानों के वोट पर चुन कर आये हैं और यहां पर उन के हित के लिये बैठे हैं। आप ने संविधान में भी लिखा है कि सोशल जस्टिस होनी चाहिये। चार साल तक गरीब का पैसा नहीं मिला, उस ने मूद का हर्ज करके अपने कर्जदारों को दिया। लेकिन चार साल तक आप चुप बैठे रहे। टैरिफ कमिशन ने कहीं भी नहीं लिखा कि जिन मिल वालों ने पैसा नहीं दिया है उन्हें सजा देनी चाहिये। आप कहते हैं कि झगड़ा हुआ। झगड़ा तो हुआ, लेकिन जैसा पेज ४८ पर लिखा हुआ है ६० फीसदी पेजेन्ट्स को, किसानों को और ४० परसेंट मिल वालों को मिलना चाहिये। और जो झगड़ा हुआ वह नहीं होना चाहिये। लेकिन वह भी नहीं हुआ।

पाटिल साहब त्यागी और तपस्वी हैं और किसानों के भक्त हैं। मैं उनसे कहना चाहता हूं कि जब कोई जुआ खेलता है तो कंठ पर लगाता है। सारी चीजें यहां कंठ पर रखी हुई हैं।

मुझे एक और बात कहनी है। आप ने लिख दिया है कि रिकवरी के ऊपर 'आगे जा कर दाम तय होगा, कोमत ठीक होगी' मगर यह खतरनाक बात है। इस रिपोर्ट में खुद लिखा है कि इस का संचालन होना मुश्किल है। लेकिन इस के बावजूद भी सरकार

[श्री विभूति मिश्र]

ने तय कर दिया कि रिकवरी के ऊपर कीमत रक्खी जायेगी। यह सब से खतनाक बात है। जब हमारे हाथ में सरकार आई तो किटवई साहब ने कहा कि डेफंड प्राइस मिलेगी, आप कहते हैं कि डेफंड प्राइस तो नहीं मिलेगी। मैं पूछता चाहता हूँ कि आखिर क्या इन्स्टिट्यूट है किसानों के लिये ? एक दो, तीन, चार या पांच एकड़ जमीन किसान जताता है। मैं आज चैलेंज करके कहता हूँ कि डा० राम सुभग सिंह जो एक किसान मिनिस्टर हैं, खेतों करते हैं, वे हिसाब लगा कर बतायें, उन ने हिसाब लिया जाय, कि खेती में उनकी क्या बचता है। उन को खेती में कितना खर्च होता है और कितना बचत होती है, इस का हिसाब वे सदन को दें। अगर किसान को कुछ बचता हो तो किसान से पैसा लिया जाय नहीं तो न लिया जाय।

एक माननीय सदस्य : वह हिसाब देंगे क्यों?

श्री विभूति मिश्र : देंगे क्यों नहीं ? यहां चेअर पर बैठे हैं तो क्यों नहीं देंगे, आप भले ही न दें? आप एक किसान की फसल को देखिये। आप को पता होगा कि सुबह से शाम तक परिश्रम करने के बाद वह अपना गन्ना फैंक्ट्री तक ले जाता है, लेकिन उसके बाद भी उस को पूरा पैसा नहीं मिलता। हमारी सरकार जो है वह टैक्स लेती है। केन्द्रीय सरकार और स्टेट की सरकार दोनों मिल कर १४ रु० ६ आ० टैक्स लेती हैं। मैं बहुत अदब से पूछता चाहता हूँ कि आप ने क्या केन डेवेलपमेंट किया ? जो पैसा आप लेते हैं उस में से कितना पैसा आप ने उस पर खर्च किया ? मेरा मतलब केन्द्रीय सरकार और राज्य सरकार दोनों से है। स्टेट गवर्नमेंट जो ३ आ० लेती है केन सेस वगैरह का वह जनरल फंड हों गथा, केन्द्रीय सरकार जो एक्साइज लेती है वह भी जनरल फंड हों गथा, जब सभी कुछ जनरल फंड हों गथा तो किसान बेचारा कैसे डेवेलप करे।

हम यहां बैठते हैं, ४०० रु० महीना तन-स्वाह लेते हैं और २१ रु० रोज लेते हैं, अगर कंडिशन जगह में बैठते हैं, इस लिये हम को किसानों का हालत का पता नहीं चलता। गांधी जी ने जो शर्त रक्खी थी कि जो जिस काम पर जाय पहले उस काम को करे, उस तरीके से काम होना चाहिये। अगर हमारे फूड और ऐग्रिकल्चर मिनिस्टर अपने हाथ से खेतों करते, अपने हाथ से हल चलाते, कुदाज चलाते, तब उन्हें पता चलता कि किसान का दुःख और दर्द क्या चीज है।

एक माननीय सदस्य : अब खेती करने वाले मिनिस्टर हैं ?

श्री विभूति मिश्र : इस लिये मैं चाहता हूँ कि अगर पाटिल साहब किसानों का पैसा दिलाना चाहते हैं तो रिहैबिलिटेशन अला-उस और एक्स्पॉर्ट लासेज की बात न करें। सब से बड़ी बात यह है कि हमें मंत्री महोदय से बहुत आशायें हैं, उनकी मिनिस्ट्री से आशायें हैं, आगे चल कर हमें देखना है कि क्या होता है।

श्री विश्राम प्रसाद : सभापति महोदय, बड़े दुःख और शर्म की बात है कि हमारे कृषि मंत्रालय के द्वारा, जहां पर रोज कृषकों के फायदे की बात कही जाती है, ऐसे बिल लाये जाते हैं जिन से किसानों का बहुत बड़ा अपहित होने वाला है। अभी कल परसों लैंड ऐक्विजिशन बिल आया, जिस के ऊपर इतना हाहाकार मचा। उसमें अमेंडमेंट हुए और अब यह दूसरा बिल आया है गन्ना प्राइस कंट्रोल के बारे में। मैं श्री जैन से और श्री त्यागी की बातों से सहमत हूँ। फार्मुला छोड़ दिया जाय जो इस में दिया हुआ है। मैं एक सिम्पल फार्मुला आप के सामने रखता हूँ। एज ऐन ऐग्रिकल्चरिस्ट मैं ने ऐग्रिकल्चर पढ़ा और उस के बाद यू० पी० गवर्नमेंट में ऐग्रिकल्चर डिपार्टमेंट में १४ साल तक काम किया। मैं आपको

ऐग्रिकल्चर डिपार्टमेंट के फिगर्स दे रहा हूँ। अगर १०० मन गन्ना पैदा होता है तो उस में से ६० मन जूस निकलता है, १५ मन गुड़ निकलता है और १० मन चीनी निकलती है। जैसा कि सरकार ने फिक्स किया है, अगर किसान को प्राइस १ रु० १० आ० मन हो, तो १०० मन का दाम करोब १६० रु० हुआ। अगर उस में से १० मन चीनी बनी तो उस का दाम लगभग ४०० रु० हुआ। उस के बाद मिल मालिकों को ४ या ५ मन चोटा, जिस को आप मोलैसेज कहते हैं, मिलता है, खोई भी मिलती है। अगर उस का दाम ज्यादा नहीं, १० रु० ही रख लें तो कुल ४१० रु० हो गये। उस में से १६० रु० गन्ने की कोमत निकाल दें, तो भी मिल मालिक को २५० रु० बचा। उस में से मिल मालिक का प्राफिट, सेस टैक्स, एक्सपोर्ट टैक्स, यवर्नमेंट टैक्स वगैरह का जितना हिसाब चाहें लगा कर निकाल लीजिये। १६० रु० तो किसान को मिला, फिर २५० रु० में से कुछ कास्ट आफ प्रोडक्शन वगैरह निकाल दीजिये। अगर किसान को १०० फी सदी मिलता है तो मिल ओनर को १५० फी सदी मिलता है। लेकिन होता क्या है कि जब किसान को दाम देने की बात आती है तब इस तरह के बिल आ जाते हैं कि जिस में किसानों को ठीक दाम न मिल। जब १९५५ के ऐक्ट में १ रु० १० आ० दाम फिक्स हुआ था उस के बाद किसान को बोनास देना था तो वजह क्या है कि इस तरह का बिल लाया जाय? इस बिल को लाने का मकसद क्या है? मकसद यह है कि बोनास न दिया जा सके। मंत्री जो ने बताया कि महाराष्ट्र और गुजरात में जो मिलें हैं वह गन्ने का दाम दो रुपया और सवा दो रुपया देने के बावजूद किसानों को एक करोड़ ३७ लाख रुपया बोनास के रूप में दे सकें। लेकिन उत्तर प्रदेश में जहां ४० से ज्यादा चीनी मिले हैं और जिन्होंने ५५ करोड़ मुनाफा किया, उसमें से किसानों को केवल ५१ लाख

दिया। इसका मतलब यह है कि जितना रुपया उनको बोनास के रूप में देना चाहिए था उतना आज तक नहीं दिया। मैं इस बिल को लाने की आवश्यकता तो तब अच्छी तरह समझ सकता जब मिल ओनर्स की ओर जो किसानों का पैसा निकलता है उसको इसके द्वारा दिलाये जाने की बात होती। मिल मालिकों ने जो २० पर सेंट और २५ पर सेंट मुनाफा करके जो ५५ करोड़ रुपया कमाया है उसको वसूल करके अगर किसानों को दिलाने की बात होती तो यह बिल सपोर्ट करने के काबिल होता।

आज किसान को अपने गन्ने का मूल्य एक रुपये और दस आने मन मिलता है। आप देखें कि किसान कितने परिश्रम से गन्ना पैदा करता है। यहां बहुत कम लोग होंगे जो यह जानते हों कि किसान किस प्रकार घूप में और सू में गन्ने को सींचता है और किस प्रकार जाड़े को रातों में उसका रखा करता है, और फिर उसको काट कर किस प्रकार उसको मिल के दरवाजे पर तीन तीन दिन तक रकना पड़ता है। उसके बाद उसको एक मन गन्ने का मूल्य १ रुपया १० आना मिलता है। मेरी प्रार्थना है कि एक दिन मंत्री जो बैलगाड़ी में बैठ कर गन्ने के खेत की हवा खा लें, ताकि उनको अहसास हो जाये कि किसान जो पैदा करता है उसमें उसको कितना परिश्रम करना पड़ता है।

यह बिल जो लाया गया है यह रिहैबिलिटेशन के लिए और एक्सपोर्ट लासेज को पूरा करने के लिए है। पर इन चीजों से किसान का क्या सम्बन्ध है? उसका क्या फायदा है? अगर आप गन्ने का भाव १ रुपया दस आने मन रखते हैं तो चीनी का दाम ८ आने सेर रखिये और अगर आप चीनी का भाव एक रुपये सेर रखते हैं तो किसान को अपने गन्ने का दाम ढाई रुपये मन मिलना चाहिए। आपने बताया कि

[श्री विश्राम प्रसाद]

महाराष्ट्र और गुजरात में किसानों को गन्ने का दाम सवा दो रुपये दिया गया तो भी मिल मालिकों ने उनको एक करोड़ ३७ लाख रुपया बोनास का दिया

श्री स० का० पाटिल आप गलत कह रहे हो, यह बोनास उस गन्ने के दाम से अलग नहीं है, यह उस में शामिल है।

श्री विश्राम प्रसाद : तो भी ज्यादा है।

मैं कहना चाहता हूँ कि आपके पास एग्रीकल्चरल एक्सपर्ट हैं, रिसर्च स्टेन्स हैं, आप देख लें कि किसान जो गन्ना लाता है उसमें एक्चुअल सूक्रोज कंटेंट कितना पड़ता है, दस परसेंट पड़ता है या पांच परसेंट पड़ता है, चीनी का कास्ट आफ प्रोडक्शन क्या पड़ता है और आपका शेयर क्या पड़ता है, और उसके बाद किसान को जो कीमत मिलती है वह उचित है या नहीं। अगर आपके हिसाब के बाद किसान का गन्ने का मूल्य कम आता है तो कम दीजिए, लेकिन अगर आप किसान के फायदे की बात करते हैं

श्री क० ना० तिवारी (बगहा) : यह आप क्या कह रहे हैं। जब ५ परसेंट सूक्रोज कंटेंट होगा तो वह कम दाम देंगे, इससे किस का नुकसान होगा और किस पर इसका असर पड़ेगा ? आप किस का काज एडवोकेट कर रहे हैं ?

श्री विश्राम प्रसाद : मैं जानता हूँ कि पांच परसेंट कभी नहीं जाएगा। नवम्बर में कम होता है, लेकिन दिसम्बर, जनवरी और फरवरी में और मार्च तक ज्यादा होता है, अप्रैल में जाकर कम होता है। लेकिन पांच परसेंट कभी नहीं जाता।

मैं इस बिल का इसी शर्त पर समर्थन कर सकता हूँ कि इस के द्वारा किसानों का जो पैसा सन् १९५८ से आज तक का बाकी है वह उनको दिलाया जाए। आपने कहा कि

किसानों को महाराष्ट्र और गुजरात में इतना मिलता है। उसी हिसाब से अन्य किसानों को भी दिलाया जाए तो मैं इसका समर्थन कर सकता हूँ। वरना इससे किसानों को नुकसान होगा और मिल ओनर्स को फायदा होगा जिनका, मुझे विश्वास है, आपके ऊपर प्रेशर है। अगर इस बिल के द्वारा आप यह करना चाहते हैं कि मिल मालिकों को किसानों का जो बोनास देना है वह माफ कर दिया जाए, तो आप इसको वापस ले लीजिए।

Dr. P. S. Deshmukh (Amravati): A lot of points have already been urged, and I would not like to repeat what has already been said.

The formula itself came into existence because it was found that sugar was being sold at prices higher than what Government had determined, and the price of sugarcane was determined in relation to a particular price of sugar. When it was found that the millowners were making larger profits and selling the sugar at higher prices, it was my senior colleague, at that time, Shri Kidwai who considered it unreasonable for the millowners to appropriate the whole profit and not to share it with the cane-growers. The genesis of this formula and all these various other things that have arisen out of it is this.

So far as the present Bill is concerned, it looks fairly innocent, and I believe it is, because all that Government seek by this Bill is to get the power of retrospective action, so far as the application of the formula is concerned. On the other hand, Shri A. P. Jain has urged with considerable force, I believe, that no such retrospective power or authority is necessary because there is in the Order itself the necessary power with Government. All that they have to do is to determine the percentage, namely the value of x, and to work out the profits that should go to the cane-growers. If that suggestion is accept-

able, then there will be no need for this Bill. But he also said that in case Government differed from this view and thought that without this power they would not be able to act, then he had no objection, nor do I have any objection, to the Bill being passed. But I have the strongest possible objection to the Government's acceptance of the recommendation of the Tariff Commission so far as rehabilitation and export losses are concerned, and I have taken this opportunity to say a few words by way of protest against this acceptance by Government of the Tariff Commission's recommendations, so far as these two points are concerned.

This is fantastic. I think that it is unheard of. I have not been able to get the time to study how far in any industry the man who supplies raw material is made to contribute to the rehabilitation of the industry, however foolishly it is run by those who are the owners and the managers of the industry. It is apparent that it does not apply only to sugar but it applies to all the industries in India; they are run by people who cannot distinguish one thing from another and have no expert knowledge whatsoever. All that they have is the thousands of rupees which they have accumulated through usury and other things, and they have become industrialists with that money; they never take any precaution to see that the industry from which they get the profit functions properly, adequately and scientifically so that it could last long, and also see to it that the machinery is repaired continuously to the adequate extent. When the condition of our industry is this, Government have accepted, somewhat blindly, I believe, at any rate without proper thought that the people who are supplying sugarcane and thus are doing an innocent job of supplying the raw material for an industry, this recommendation of the Tariff Commission. The growers are now going to be retrospectively subjected to the charges for rehabilitation of that industry, for the upkeep of which the industrialists

have not at any time paid much attention because all the time they are interested only in profits, high profits, exorbitant profits and unreasonable profits, and profits day and night and every time, without caring to see whether the machinery can bear that much strain, whether it is properly repaired, and whether it is kept in proper trim.

So I think the Government ought to revise this decision even after the acceptance of this recommendation, and they should come forward and say that it is unreasonable to expect the sugarcane growers to bear any portion of the cost of rehabilitation of the industry, because they have had no share in the management of the industry. I could have understood if they had any say in the management, if they were represented on an advisory board or some such thing connected with the management. But there is no such relationship between the suppliers of cane and the management of the industry.

Similarly as regards export losses, why should the growers bear the same. There are many other agencies coming into play. For instance, Government have given the whole monopoly of export not to the co-operatives but to the Sugar Mills Association. If they have to bear any losses and if Government think that they should not bear so much loss, they might contribute out of the taxation they get from the industry which pays very heavily in terms of taxation. The sugarcane grower has to pay the sugarcane cess, the industry has to pay; I have calculated some of the figures put before me and I find that a new factory pays in a year about the whole investment in that factory by way of taxes including, of course the sugarcane tax. If a new mill costs those people who set it up about Rs. 1½ crores, I think the factory has to pay minimum in one year about Rs. 90 lakhs by way of taxes to Government, Central and State. Therefore, I submit it is very unreasonable for the Government which make so

[Dr. P. S. Deshmukh]

much out of the sugarcane grower and the industry to except the small sugarcane grower to be made responsible for these export losses.

Secondly, I agree with the contention that the linking of the price with the sucrose content will not be a practical thing to do. I hope the Minister of Food and Agriculture will see that this matter is considered, because as has been mentioned in another place by Shri A. P. Jain, there are so many factors; it takes a lot of time for the sugar factory to crush the cane which lies in the yard for a day or two—the cane grower is not responsible for that—he is also not the authority to choose his own time to cut the cane; as soon as it is ready—there may be no water in his well—he has no alternative but to cut it and bring it to the factory. These are all the circumstances and it would be penalising the sugarcane grower to link it with the sucrose content.

Here I must also say that circumstances relating to cane growing differ from place to place. The situation in U.P. and Bihar does not obtain so far as Maharashtra is concerned. Probably something else may therefore be proper in Maharashtra which would not be proper to be applied to U.P. and Bihar. For instance, even the period of maturity of sugarcane differs. In U.P. and Bihar the crop is mostly annual while in the south it is 18-month crop. In the south they get two crops in three years; therefore the sucrose content is higher. There are so many other factors also.

My main point is however against the rehabilitation charges being put on the shoulders of the sugarcane growers. I may also say that I wish Shri S. K. Patil every success in his attempt because I think it is his desire that the sugarcane growers should not be put to a loss. I hope as a result of this Bill which he is piloting he will be able to pay the growers what they are entitled to and so far as the future

is concerned, he will support my contention, namely, that the sugarcane growers should not be burdened with the cost of rehabilitation and export losses. To put this burden on the sugarcane growers, who have no hand in the management of the industry or in the export of sugar, would be unjust. Therefore, even if a decision has been taken before, I hope it will be revised and the sugarcane growers will not be saddled with these charges.

श्री गौरी शंकर कक्कड़ (फतेहपुर) :

सभापति महोदय, आज जो संशोधन बिल हाउस के सामने रखा गया है उस के इतिहास पर आप गौर करें तो शुरू में जैसा कि अभी बतलाया गया है सन् १९५५ के पहले दो दफा आपस में एग्रीमेंट होकर यह रखा गया था कि जो प्राइस जो कोमत सरकार की मिनिमम हो उसके अतिरिक्त बोसरन के रूप में भी जो गन्ना पैदा करते हैं उनको पेंसा दिया जाय। इसके बाद सन् ५५ में एक आर्डर बना कर उसको एक स्टैचुटरी पोजीशन दे दी गई। सन् १९५८ में भी उसको पुष्ट किया गया और उसके बाद अब उसकी बहुत साफ पोजीशन है। जब एक चीज यह कानूनी तौर पर बन गई कि जो गन्ना पैदा करते हैं उनको गन्ने की कीमत मिलेगी। जो भी एकोनामिक कोस्ट होगी उसके अतिरिक्त उन को वहां बोनस के तौर पर ऐक्स्ट्रा पेमेंट भी दिया जायगा। मेरी एक बात समझ में नहीं आ रही कि क्या दिक्कत थी और क्या आपसित थी जबकि एसेंसियल कमोडिटीज ऐक्ट १९५५ में बना और उस कानून को एनफोर्स किया गया तो उस कानून में सम्बन्धित धारा में यह बड़ा साफ दिया हुआ है कि अगर किसी तरीके से कोई इन आर्डर्स की वीच करता है, नहीं मानता है तो पीनेल क्लाइ उसमें तीन साल की सजा के लिए दिया हुआ है। खाद्य मन्त्री महोदय ने सदन के सम्मुख जो यह बात रखी कि जो भी रुपया काश्तकारों को जिन्होंने कि गन्ना पैदा किया उन को पाना है उनको वह पैसा देने के लिये लीगल सैक्शन नहीं है,

में उनसे इसमें सहमत नहीं हो सकता। मेरा तो यह विचार है कि कानूनी दृष्टिकोण से जब एसोसियल कम्पैडिटीज ऐक्ट एनफोर्स है तो जो भी पैसा ड्यू है और जिसको कि आपने स्टैंचुटरी शेष सन् १९५८ में दे दी है, कोई कानूनी आपत्ति नहीं है और वह पैसा मिल मालिकों से वसूल किया जा सकता है। यह खाली सिविल लायबेलिटी नहीं है क्रिमिनल लायबेलिटी भी है क्योंकि एसोसियल कम्पैडिटीज ऐक्ट के अन्तर्गत यह आर्डर गवर्नमेंट आफ इंडिया ने पास किया है और इसके ब्रीच करने पर जैसा कि मैंने अभी निवेदन किया उनको तीन साल की सजा है। मेरी तो यह समझ में नहीं आता कि जब सरकार एक तरफ तो यह आवाज उठाती है कि हम देश में समाजवादी आर्थिक व्यवस्था चाहते हैं परन्तु जब सदन के सामने कोई संशोधित बिल आता है जब सदन के सम्मुख कोई भी कानून आता है तो इस बात का प्रदर्शन होता है कि इस देश के रहने वाले मुट्ठी भर जो पूंजी वाले लोग हैं जो मिल मालिक हैं उनको प्रोत्साहन देने के लिये और उनकी दौलत को और जल्दी और ज्यादा बढ़ाने के लिये काम किया जा रहा है।

मुझे तो यह देख कर बड़ा हर्ष होता है कि हमारी खुद रूलिंग पार्टी के बहुत से माननीय सदस्य भी इस की मज्जमत करते हैं और बुराई करते हैं परन्तु बाद में जब मत देने का प्रश्न होता है तब मालूम नहीं क्या बात हो जाती है कि वह प्रजातन्त्रवादी भावनाएं उनमें उस समय नहीं रह जाती हैं। मैं यह समझता हूं कि अगर यह भावनाएं जिनका कि वह प्रदर्शन सदन में करते हैं और यह सिद्ध है कि वह समाजवादी आर्थिक व्यवस्था के बिल्कुल विपरीत चीजें होती हैं तो फिर उनको उस तरीके पर मत देने में भी बाधा होनी चाहिये।

समापति महोदय, मुझे आप के द्वारा माननीय मंत्री से यह निवेदन करना है कि

यह शक्कर का प्रश्न बड़ा गम्भीर प्रश्न है। आज तो हमने शक्कर के मामले में इस कदर प्रगति की है कि शक्कर एक ऐसी चीज है जिसको कि हम विदेशों में भी भेजते हैं। जब शक्कर के उत्पादन में मिल मालिकों को इस कदर मुनाफा होता है जैसा कि रिजर्व बैंक की रिपोर्ट से विदित है कि उन को एक वर्ष में ५५ करोड़ रुपये के करीब मुनाफा हुआ तो ऐसा व्यवसाय जिसमें कि इतना अधिक मुनाफा होता हो, तो जो मेहनत करते हैं जो किसान गन्ना पैदा करते हैं, सुबह से शाम तक खून पसीना एक करते हैं उनके अधिकार की जो चीजें हैं जिनका कि आप ने उनको अधिकार दिया है, जो पैसा उनको पाना है कानूनन जिसके कि वह अधिकारी हैं, एन्ट्राइटिल्ड हैं उस पैसे के लिये भी आप उनको इस तरह के संशोधन लाकर एक ऐसी जगह पर ले जाते हैं कि उनको पैसा न मिल सके।

17 hrs.

यह बात मेरी समझ में तो नहीं आती है। इस बिल के स्टेटमेंट आफ आबजैक्ट्स एण्ड रीजन्स में यह कहा गया है कि यह संशोधक विधेयक इसलिये लाया जा रहा है कि श्रमर पैदा करने वाले मिल-मालिकान के लिये पुनर्वास और एक्सपोर्ट पर होने वाले खर्च, एक्सपोर्ट लासिज, को पूरा करने की व्यवस्था की जाये। स्टेटमेंट आफ आबजैक्ट्स एण्ड रीजन्स से इस बिल का उद्देश्य बिल्कुल स्पष्ट और साफ जाहिर होता है। इस लिए अगर सरकार इस सदन को यह विश्वास दिलाने का प्रयत्न करे कि हम गन्ना पैदा करने वाले किसानों के हितों की रक्षा के लिये यह कानून बना रहे हैं, तो यह बात मेरी समझ में नहीं आती। मैं समझता हूं कि कोई मामली कानून जानने वाला भी इस बात से सहमत नहीं हो सकता। अगर यह प्रश्न कभी भी किसी न्यायालय में जायगा, तो स्टेटमेंट आफ आबजैक्ट्स एण्ड रीजन्स के आधार पर कभी भी इस प्रकार का कोई निर्णय नहीं हो सकता, जिससे श्रमर-

[श्री गौरी शंकर कक्कड़]

केन पैदा करने वाले किसानों को फ़ायदा हो सके। स्टेटमेंट ऑफ़ आबजैक्ट्स एण्ड रीज़न्स से बिल्कुल साफ़ जाहिर होता है कि सरकार ने यह संशोधक विधेयक देश के कुछ मुट्ठी भर मिल वालों को फ़ायदा और लाभ पहुंचाने के दृष्टिकोण से इस सदन के सामने रखा है, जो कि ख़ूब मुनाफ़ा खा रहे हैं और जिनका मुनाफ़ा दिन-प्रति दिन बढ़ रहा है।

मुझे एक बात और कहनी है। सरकार इस बात की कोशिश कर रही है कि इस संशोधक विधेयक को बिद रेट्रोस्पेक्टिव इफ़ेक्ट लागू किया जाये और इसको पिछले सालों के सम्बन्ध में भी एन्फ़ोर्स किया जाये। जैसा कि मैंने अभी आपसे कहा है, जिन किसानों ने मेहनत करके गन्ने का उत्पादन किया है, जिन्होंने १९५५ से लेकर अब तक का रुपया प्राप्त करना है, जो कि उनका कानूनी राइट, टाइटल और अधिकार है, उन किसानों को कानूनी रूप से हमेशा के लिये उस से वंचित करने के लिये सरकार यह विधेयक ला रही है। मेरी समझ में नहीं आता कि अगर यह अर्मेंडिंग बिल न लाया जाये, तो सरकार को इसमें क्या आपत्ति है। अगर किसी व्यक्ति को कोई कानूनी टाइटल या अधिकार प्राप्त है, तो इस अर्मेंडमेंट के बिना उसका प्रयोग हो सकता है और वह पैसा वसूल किया जा सकता है, यहाँ तक कि उस कानूनी राइट का ब्रोच करने पर क्रिमिनल प्रासीक्यूशन हो सकता है। यह सब होते हुए भी सरकार की ओर से यह कहा जा रहा है कि गन्ना पैदा करने वालों के हितों की रक्षा के लिये यह संशोधक विधेयक लाने की आवश्यकता हुई।

मुझे खेद है कि १९५५ से लेकर अब तक सात वर्ष हो गए, लेकिन सरकार को अभी तक न तो इस बात की क्षमता रही और न हो शायद उस को इस बात का समय मिला कि

वह एक मर्तबा भी कीमत निर्धारित कर सके। जहाँ तक उस फार्मूले का सम्बन्ध है, जिसके द्वारा मूल्य निर्धारित किया जाना है, उसके बारे में भी सरकार ने अभी तक कोई निर्णय नहीं लिया है। जब सात वर्ष का समय व्यतीत हो गया और अब तक उस तरफ़ कदम नहीं उठाया गया है, तो फिर यह कैसे समझा जाये कि सरकार के हृदय में उन गरीब किसानों के लिये किसी तरह की हमदर्दी है, किसी तरह का खयाल है, जो कि रात-दिन खून पसीना एक करके गन्ने का उत्पादन करते हैं ?

अभी एक सप्ताह भी नहीं गुज़रा है, जब कि इस सदन के सामने लैंड एक्वीज़ीशन बिल पेश किया गया था। उस समय भी ऐसा मालूम होता था कि इस सदन के समस्त माननीय सदस्यगण इस राय के हैं कि उस बिल के द्वारा ग्रामीणों के ऊपर एक बड़ा कुठाराघात हुआ है। उस समय मैंने देखा कि कांग्रेस पार्टी के हमारे मित्रों और बुजुर्गों ने बड़े जोर के शब्दों में उस राय का समर्थन किया, जैसा कि आज इस विधेयक के बारे में हो रहा है। परन्तु मुझे यह आशा करनी चाहिये कि जो माननीय सदस्य इस बात को समझते हैं और इस संशोधक विधेयक को पूरे तौर से देख कर इसके यही माने निकालते हैं, दूसरे माने नहीं निकालते हैं, कि इस विधेयक को पास कर देने से उन करोड़ों किसानों का बहुत बड़ा अहित होगा, जिन्होंने गन्ने का उत्पादन करके मिलों में भेजा है और शूगर तैयार करने में इतना बड़ा भाग अदा किया है, मतदान के अवसर पर वे माननीय सदस्य, श्री चौधरी, और दूसरे सदस्यगण के द्वारा पेश किये गये इस संशोधन का समर्थन करेंगे, जिस का आशय यह है कि इस विधेयक को पास करने से पहले इसको जनमत की राय जानने के लिये बाहर भेजा जाये। जहाँ तक इस संशोधन का प्रश्न है कि विधेयक के बारे में जनता की राय लो जाये, मैं उस का समर्थन करता हूँ।

मैं इस सदन को विश्वास दिलाता हूँ कि इस तरह के अर्मेन्डिंग बिल पास कर देने से इस देश में समाजवादी आर्थिक व्यवस्था के सूत्रधार इस बात का प्रदर्शन करते हैं कि वास्तव में समाजवाद से उन का कोई सम्बन्ध नहीं है, बल्कि उन का सीधा-सीधा सम्बन्ध इस देश के मुट्ठी भर, इने-गिने पूँजीपतियों से है और उन्हीं को फायदा पहुंचाना उन का उद्देश्य है। इसी अधिवेशन में हम लोगों ने यह सुन लिया कि दस पंद्रह साल से पीपल्स कार के बारे में जो चर्चा चल रही थी, जो विश्वास दिलाया जा रहा था कि पांच, साढ़े पांच हजार रुपये में वह कार मिल सकेगी, उस के बारे में हमारी कैबिनेट ने आखिरी फ़ैसला कर दिया और उस योजना को शैल्व कर दिया। उस का क्या कारण है? उस का कारण यह है कि भारतवर्ष का एक परिवार है, जिस को हमारी सरकार फायदा पहुंचाने के लिए प्रोत्साहन देना चाहती है और अगर लोगों को सस्ती कार मिलने लग जायें, तो उस परिवार की इस बारे में कोई मानोपली नहीं रह जायेगी।

मैं निवेदन करता चाहता हूँ कि आज इस तरह के संशोधक विधेयक, जिस से कि आम जनता और मेहनत करने वालों का शोषण होता है, उन लोगों के द्वारा लाये जा रहे हैं, जो कि आज्ञादी से पहले, १५ अगस्त, १९४७ से पहले, इन बातों का कट्टर विरोध करते थे। आज उन लोगों का सामने आ कर इन बातों को अपनाना कहां तक उचित होगा?

इस लिए मैं आप के द्वारा मंत्री जी से प्रार्थना करूंगा कि या तो वह कृपा कर के इस अर्मेन्डिंग बिल को वापस ले लें, या, जैसा कि माननीय सदस्य, श्री बनर्जी, या श्री चौधरी के संशोधनों में कहा गया है, इस बिल के बारे में जनमत ले लिया जाये, ताकि देशवासियों को यह मालूम हो सके कि इस विधेयक के द्वारा किस तरह उन गरीब किसानों का गला घोंटा जा रहा है, जिन्होंने

मेहनत कर के शूगरकेन का उत्पादन किया है, और इस विधेयक के बारे में हम लोग उन की राय जान सकें।

Shri K. N. Pande: Mr. Chairman, I have to say a few words about this Bill. So many points have been touched by hon. Members.

Mr. Chairman: The House will be sitting up to 6-30 till this Bill is finished.

Shri Harish Chandra Mather (Jalore): It should be with the consent of the House. The decision should not be taken in the Chamber.

Mr. Chairman: Government is under some difficulty.

Shri Hari Vishnu Kamath (Hoshangabad): Parliament is supreme here, Sir; it can even revoke what Government has decided.... (Interruptions.)

Shri S. K. Patil: With due respect, I would say that Government has no part in it.

Shri Tyagi: He says Government has no part in it. If you are pleased to extend the time of the House, you may kindly take the formal sanction.

Shri Hari Vishnu Kamath: On a point of order, Sir. The Order Paper says that the item listed at 5 O'Clock is the half an hour discussion. What has happened to that? I find Shri Malhotra also waiting here.

Mr. Chairman: It will be taken up on some other day.. (Interruptions.)

Shri Bade: Sir, a point of order has been raised by Shri Kamath.

Mr. Chairman: I see the point. But let us proceed for the present.

Shri Bade: It is a point of order. Please give us a ruling whether you accept the point of order or not.

Mr. Chairman: One may or may not accept it. It is a different matter.

[Mr. Chairman]

But the House is sitting till this Bill is finished. Please go on. Let us see.

Shri Hari Vishnu Kamath: Does it mean that the half-an-hour discussion will be taken up at 6 O'clock instead of at 5 O'clock?

Mr. Chairman: Yes; or at the time that the House wants.

Shri S. M. Banerjee: Before this Bill was taken up and even after that, some of the hon. Members including some on that side requested the Deputy-Speaker who was in the Chair at that time that the time for this Bill should be increased. It appears that as in the case of the Land Acquisition Bill, they want to pass this Bill today. It is really strange why this Bill should be passed today itself.

Shri Tyagi: I formally propose that the House should sit up to 6 O'clock and finish this Bill. You might take the consent of the House.

Shri Hari Vishnu Kamath: Let that motion be put to the House.

17-11 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Shri Gauri Shanker Kakker: I rise to a point of order. According to the Order Paper, at 5 O'clock, we have to take up the half-an-hour discussion. I cannot understand how it can be changed and discussion on this Bill continued.

Mr. Speaker: The House is master of its own procedure. If it wants to proceed with the Bill and finish it, certainly we can make adjustments. We are not ruling out that we cannot take it.

Shri Hari Vishnu Kamath: The point is whether it is agreeable to the House.

Mr. Speaker: I have just put that point. I am not saying that I can do it. The House can do it. I will have to explain the position to the House

also. We have just had a meeting of the Business Advisory Committee. Shri Kamath was also present there. We had just seen the business which we have. We want to rise on the 7th September, definitely, as has been programmed already. Therefore, we have to adjust the business. There is some business with the Government and the Government is very anxious to finish it. Again, there was a very strong demand that the flood situation should be discussed because it had caused so much damage to the country and a grievance was made the other day also. So, we have to find some time for that also. Then the discussion about the law and order position is there, so far as Delhi is concerned. Some hon. Members feel that that also must be taken up. We had all these considerations in the Committee just now and we have come to the conclusion that every day we shall have to sit longer in order to finish the work that we have got. For today, we wanted that—and it was our desire—this Bill should be finished. It is for the House to decide.

Shri Hari Vishnu Kamath: We sit longer from tomorrow. That was what we decided.

Shri S. M. Banerjee: When the Deputy-Speaker was in the Chair, some of us requested that this Bill is a controversial Bill. As you can ascertain from the proceedings, almost all Members who spoke wanted to oppose the Bill in one way or the other. My submission is, since this Bill has raised a public controversy, the time should be extended. This Bill, after all, is not replacing any ordinance. Therefore, what is the hurry that this Bill should be passed at this point of time?

Shri Rane (Buldana): This difficulty would not have arisen had the Land Acquisition Bill not taken such a long time. Additional time of ten hours or more was taken by it. That is why the difficulty. (Interruption).

Shri Hari Vishnu Kamath: But then Shri K. C. Reddy's motion was dropped.

Mr. Speaker: We are faced with a situation in which we have to finish some business that is before us within the last four days of this session. We need not go into the causes: whether we spent more time on the Land Acquisition Bill or whatever else was the reason. Now, we are faced with a situation that if we want to adjourn the House on the 7th, then, we must sit longer. We shall have to bear that in mind and I think we should agree to do that.

It is for the House to decide whether we want to take up the half-an-hour discussion just now and then, after half an hour, take up again the discussion of this Bill. If that be the wish of the House, we can spend half an hour on that discussion and then come back to the discussion of this Bill and continue with it and finish it. Or, we might continue this Bill and fix the half-an-hour discussion for some other day. I think hon. Members will also agree to that.

Shri Tyagi: In this Bill, there are no other amendments to the clauses; there is only one amendment that the Bill should be circulated for eliciting opinion.

Shri S. M. Banerjee: There is an amendment that the Bill be referred to a Select Committee.

Shri Tyagi: Therefore, this Bill is not going to take any time for the second reading. We have had our say and if there are a few other Members who want to have their say, they may do so. We may sit till 6-30 and finish this Bill. I formally move that we sit till 6.30.

Mr. Speaker: That would be my request also, that we might sit up to 6.30. I would give time to those who want to express themselves. Whatever decision the House takes ultimately, that is a different thing,

whether the House then feels like throwing it out or whatever it is.

Shri S. M. Banerjee: There is an amendment for referring the Bill to a Select Committee. Some of the Members, thinking that it would be put to vote tomorrow, have left and they are not here.

Mr. Speaker: So far as the amendments or clauses are concerned, when we come to them, if there is any real difficulty, we can have the voting postponed. But let us first finish the discussion on the Bill and then take up the clauses. If there is some practical difficulty, we will see what can be done.

Shri Hari Vishnu Kamath: May I make an earnest appeal to you? There is a seminar in the Central Hall today. Secondly, I have found unfortunately—it is a matter for regret—that several times in the last session and in this session also, half-hour discussions fixed on several items have been postponed and sometimes not taken up at all. Again it is going to happen today. It is very unfair to the House. I do not blame you nor the Minister of Parliamentary Affairs wholly, but collectively the Government and the Ministers. (*Interruptions*). Today let us have the half-hour discussion. From tomorrow, let us sit till 6.30.

Some Hon. Members: No.

Shri Hari Vishnu Kamath: If the Minister is agreeable, he might withdraw the Bill and bring it for the next session.

An Hon. Member: Why should he withdraw?

Shri Hari Vishnu Kamath: He might postpone the Bill.

Mr. Speaker: The time that we can usefully spend in discussing the Bill is spent in other directions.

Shri Sinhansan Singh (Gorakhpur): 4 hours have been fixed for the Bill and the Bill began at 2.30. Even if we sit till 6, it will be less than 4 hours.

Mr. Speaker: We are sitting till 6:30. It comes to 4 hours, unless he wants to exclude the time that he is now taking.

Shri Sinhasan Singh: Then, you have discretion to extend the time by 1 hour more.

Mr. Speaker: There is a formal motion by Shri Tyagi that we might sit up to 6:30 and finish this Bill today. I think that is the pleasure of the House.

Some Hon. Members: Yes.

Shri Inder J. Malhotra (Jammu and Kashmir): What about the half-hour discussion?

Mr. Speaker: We can have it tomorrow or the day after. I shall see that it is taken up tomorrow or day after.

Shri Inder J. Malhotra: All right.

Mr. Speaker: Was any Member in possession of the House?

Shri K. N. Pande: Yes; I have been called.

Mr. Speaker: There are a large number of hon. Members who want to speak. They might make their points as strongly as they want, but take as little time as possible.

Shri K. N. Pande: I do not want to mention many points in this connection, because many points have been stressed by Shri Jain, Shri Tyagi and others. I want to say something as to why this Bill was brought and what effect it is going to have so far as the practical working is concerned. The reason given for bringing this Bill before the House is that the Commission has recommended that something should be given towards rehabilitation and also for losses incurred against exports. But I fail to understand as to how the Bill is going to be brought into practical action. The same Tariff Commission had recommended that the factories were not entitled for rehabilitation in 1959

though the Indian Sugar Millowners' Association had put its claim for the same before the Tariff Commission. But they rejected it. First of all, it has to be understood first as to what rehabilitation is. Every factory has got some machinery which has a certain life. Taking into consideration the lives of those machineries, depreciation has to be allowed. Most of the factories were established in 1934. At that time the price of machinery was very much less. As such, the depreciation money realised by those factories cannot be sufficient to meet the higher prices prevailing at the moment. Therefore, the factories represented their case before the Commission and said that as the prices have gone up, they should be given some margin so that they can replace their machinery. The Commission pointed out that the condition of the factories was not uniform. They said that some were established in 1924, some in 1934 and some in 1940, and therefore the rate of rehabilitation allowance for each factory was different. The Commission therefore asked the factories to put up their case so that they could understand how much money was required for rehabilitation. The case was represented before the Commission, but in the end the Commission did not favour it, and when the report of the Commission came before the Government they also did not accept the proposal of the industry. An order was passed and Government accepted the report of the Tariff Commission.

What new thing has come up at this moment that the same Tariff Commission has suggested that the factories require support for rehabilitation? This is reasonable. That the machineries have to be replaced, and as the prices have gone up naturally they require some help. But how is this Bill going to meet the requirements of those factories which were not required to pay extra price for cane to the cultivators? This was not

based on sound reasons. This formula was applicable only in north where the factories had earned more money by selling sugar at a higher price. The price of sugar is also not uniform in all the factories. Not all the factories have realised the same price. Therefore, the formula was based on this, that if a factory realised certain results beyond what was fixed by the Government they will be liable to give something out of that and share, it with the cultivators. This was under examination for four years. Anyhow, his Bill has come and I agree that if the case of these factories who were required to pay higher prices is considered to allow them something for rehabilitation, let the same be done.

But what is going to happen with those factories which were not required to pay anything to cane growers? You cannot discriminate among factories. You cannot say that one factory is going to get rehabilitation charges and the other factory is going to be deprived of it. I do not think that anybody can say that this formula or this reasoning is rational.

What is the other alternative? I am not referring to the amount of money that will be collected. I am referring to the principle. Once the Government is agreeing that the factories are entitled for rehabilitation without ascertaining as to how much the factories require in order to rehabilitate themselves. This question has to be examined first, and if the Government comes to a decision that such and such factories require so much money for rehabilitation they have to take decision for all the factories in the country. Now what is going to happen? Out of the 172 sugar factories only a few factories are going to give this extra price according to this Bill. If it is accepted that the whole money is going to be pooled and the Government will share it equitably among all the mills in order to enable them to rehabilitate themselves, then it is all right. But is the money going to be pooled?

1730 (Ai) LS—8.

Coming to the export losses, there is no doubt about it that there are losses on exports done by this country. But the factories have got a margin to adjust that loss and something is allowed in the sugar price against export loss. How is it going to be utilized? Is it going to be refunded only to those factories which were required to pay the extra price or is it going to be pooled for others too? That is the question which has to be examined. If you accept the principle of rehabilitation then those factories which are not going to get any refund even they will claim to be rehabilitated. Then what will happen? You will have to increase the price of sugar. Is it possible? If you simply say that you are going to collect this money for rehabilitation and export losses, it is a very dangerous thing which will invite so many complications. Therefore, I would suggest to the hon. Minister to reconsider the whole matter, because it is very complicated, and refer it to the Tariff Commission for examination so that we may not become a laughing stock before the country.

Coming to the linking formula, although the hon. Minister says that the formula evolved just now by relating it to the recovery is very rational and the present *ad hoc* arrangement is very irrational, still I fail to understand the logic. It may be anything, but the new formula is not rational. Why? What was your basis for evolving this new formula? You want to encourage that cultivator who produces better type of sugarcane. But by the introduction of your formula what is going to happen? Bad and good cultivation will be mixed together and the payment will be on the average. Then there will be no encouragement to a good cultivator to produce better cane. The result will be that the quality of cane will deteriorate at the end and you will not achieve what you want to achieve. Therefore, if after two years you will have to come to the same conclusion, why not you examine the

[Shri K. N. Pande]

formula in the beginning itself. What is wrong with the *ad hoc* formula? By that the cultivators were at least assured that they will get so much price. Now, according to this formula, what is going to happen for the last two years or seasons, the factories have been running upto the month of July. Naturally, after March the recovery goes down and the average is very low. It is only in the end of December and January and February that there is high yield, but it is consumed by the low recovery in the beginning and the end of the season. As the factories in the last two seasons have been running up to the month of July, the recovery on the whole has gone down. So, if you are going to take the average figure, naturally, the cultivator is not going to gain anything, unless you fix some minimum price as the limit. Therefore, there is no difference between the old formula and the new formula, if you fix that a certain minimum has to be paid to the cultivator in spite of the fact that the quality of the sugarcane is not good. So, my suggestion is that before you start this new experiment try to improve the quality in the first two years. Your new formula has a history behind? Your own department has conducted some experiments in some factories but that is not sufficient. As long as the cane of each cultivator is not being analysed in the factory, what is the difference between the good and bad cultivator? So, the result is not going to be very good. Therefore, as I said in the beginning, I hope you will give some thought to it and do the needful, as required by the cultivators.

17.30 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Mr. Deputy-Speaker: Shri Thomas.

The Deputy Minister in the Ministry of Food and Agriculture (Shri A. M. Thomas): Mr. Deputy-Speaker, Sir..

Shri K. N. Tiwary: Sir, I gave my name much earlier.

Shri D. D. Puri (Kaithal) and Shri Sinhasan Singh (Gorakhpur) rose—

Mr. Deputy-Speaker: He is not giving the final reply. He is only intervening. We will continue the debate after his speech.

Shri Inder J. Malhotra (Jammu and Kashmir): Let the the intervention be final.

Mr. Deputy-Speaker: The hon. Minister will be replying to the debate at the end.

Shri A. M. Thomas: I am only intervening.

Shri S. K. Patil: I will be replying at the end.

Mr. Deputy-Speaker: The hon. Deputy Minister will have to be very brief.

Shri D. D. Puri: We must be given some time.

Mr. Deputy-Speaker: He will be brief.

Shri A. M. Thomas: This is only an enabling measure which authorises the Central Government to apply the price linking formula, whatever it may be, with retrospective effect, that is, from the year 1958-59. A lot of issues have been raised in this debate which are, to me, alien to the consideration of the issue in question. It has even been stated that this measure is anti-farmer and anti-social. Very strong expressions have been used by Shri A. P. Jain and Shri Tyagi. But I humbly submit that they have not carefully read either the Tariff Commission's Report or the Resolution of the Government of India on the Tariff Commission's Report. If they had carefully read the Report as well as the decision of the Government of India, I think they would not have rushed with the expressions that they have used on the floor of the House today.

Shri Tyagi said that we should always be ready to protect the interests of the peasant and the farmer. I would like to recollect what exactly has been the minimum price of sugarcane. A lot of things were said about the late Shri Rafi Ahmed Kidwai and how he tried to protect the interests of the growers. He had done a great lot for the farmer and for this country but we have to bear in mind certain facts. When Shri Kidwai was the Minister of Food and Agriculture the minimum price of sugarcane was Re. 1[3]- and Re. 1[5]-.

Shri Tyagi: And of sugar?

Shri A. M. Thomas: I will tell you.

Shri Inder J. Malhotra: In which year?

Shri A. M. Thomas: In 1952-53. The increase in sugar prices mainly arose because of the excise duty. I remember, in the First Lok Sabha, when I was a private Member, hon. Members led by Shri Lal Singh fought for an increase in sugarcane prices.

Shri K. C. Sharma: We may take it that Shri Rafi Ahmed Kidwai was as bad as you are.

Shri A. M. Thomas: When we consider the minimum price we have certainly to take into consideration the prices of competing crops; and according to Shri Kidwai even at the rate of Re. 1[3]- and Re. 1[5]- sugarcane cultivation was profitable. Then, after Shri Kidwai, Shri A. P. Jain was the Minister of Food and Agriculture. The price of cane was Re. 1[5]- and Re. 1[7]- till he left in August, 1959. Every Session, so to say, there was a debate on the price of sugarcane and it was said that this must be raised from Re. 1[5]- and Re. 1[7]- to at least Re. 1[8]- and Re. 1[12]-. But then it was consistently being resisted saying that it was a reasonable price and that even with this price acreage under sugarcane was increasing.

Shri Tyagi: Ministers always do like that.

Shri A. M. Thomas: I do not want to say that. It was in 1959 that the minimum price of sugarcane was raised from Re. 1[7]- to Re. 1[10]-. Is it an anti-farmer measure? Is it an anti-social measure? I respectfully ask. Without knowing the background it is very easy to blame and say that the measures brought by Government are all anti-farmer or anti-social and something like that.

I am afraid, there is a lot of misunderstanding as to what the Government intends to do in this matter. The Government has published its resolution on the Tariff Commission's recommendations. Hon. Member's think, and I think Shri Tyagi still entertains that doubt, that we are going to enforce the recommendations contained in the Tariff Commission's Report, and it is for that purpose that we have brought forward this Bill.

Shri Tyagi: Yes, my hon. friend is right.

Shri A. M. Thomas: The main recommendation of the Tariff Commission is this:

"A new formula should be applied on an all-India basis for the seasons 1958-59 to 1961-62 for computing the deferred price payable to the growers. In this formula, the share of the cultivator has been fixed at 45 per cent of the additional sugar price and that of the miller at 30 per cent, the balance 25 per cent being represented by taxes on the share of the miller."

This is the crux of the recommendation of the Tariff Commission. What have Government done on that? Government have not accepted that recommendation. Government have said that the existing price linking

[Shri A. M. Thomas]

formula will continue with certain modifications.

Shri S. M. Banerjee: What are those recommendations?

Shri A. M. Thomas: The question now is whether those modifications are necessary or not. Shri Tridib Kumar Chaudhuri has been saying that for the last four or five years, we have not been enforcing this price linking formula, but now we have brought forward a measure which might take away those very rights which have accrued to the sugarcane growers, and he wanted to know the reason for it.

Now, what is the real position? It was in the month of September, 1958 that this schedule making compulsory the payment of a deferred price had been incorporated in the Sugarcane (Control) Order. Shri A. P. Jain said that it had become obligatory from 1955. I interrupted him at that time and said that he was wrong, but he persisted in his remark. Now, Sir, what exactly is the correct position? The Sugarcane (Control) Order is of the year 1955, but the Sugarcane (Control) Order from which he was reading had this heading 'Sugarcane (Control) Order as amended up to 2nd March, 1960'. The price linking formula by which the sugarcane grower gets a deferred payment has been incorporated in it only in September, 1958. That notification is also with me, and it is dated 23rd September, 1958, and it reads thus:

"In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955, the Central Government hereby makes the following further amendments:.....".

It is in that notification that this clause 3A has been inserted. So, it is only from the season 1958-59 that this deferred payment has become compulsory. Before that it was only voluntary; the sugarcane

growers and the factories, and in order to keep up the good-relationship, Government also, were trying to see that payment was made, but that was purely on a voluntary basis.

Shri Sinhasan Singh: No.

Shri A. M. Thomas: I do not understand how my hon. friend Shri Sinhasan Singh says 'No'. When the legal position is like that, when I quote from facts and figures, from the statute itself, I do not know how my hon. friend says 'No'.

Shri S. K. Patil: My hon. friend has not read the order.

Shri A. M. Thomas: I was saying that it was only from the year 1958-59 that this deferred payment had become obligatory.

Shri Yallamanda Reddy: I have got the 1955 Order with me, and I can read out from that.

Shri A. M. Thomas: I do not know how with so much of legislative experience my hon. friends are saying like this. The Order was issued in 1955, but whenever an amendment is made to any enactment or any order, that will take effect only from the date of that amendment. This Order of 1955 has been amended by the order dated the 23rd September, 1958. Further, this clause has been called clause 3A. If it had been in the original order, it would have been numbered as 3, 4, 5 or 6 or something like that, and not as 3A, so that this was something new and this was something which came into force from the season 1958-59. So, this was enforceable only from the year 1958-59.

I may now explain why this Bill is necessary. Although the price linking formula was devised from the year 1958-59, in that very same year, the question of the price structure of the sugar industry was referred to the

Tariff Commission. The Tariff Commission in its report prescribed four regional schedules applicable to four regions. That was a revised cost structure. So that when this 'X' had to be declared, we have necessarily to take into account the Tariff Commission's report which was accepted by Government and which was laid before this hon. House. No Member raised any objection to that price formula which has been adopted by us on the recommendation of the Tariff Commission. That had necessarily to be adopted. In order to enforce this price linking formula, in order to arrive at 'X', we have necessarily to adopt this revised price schedule drawn up by the Tariff Commission, accepted by Government and laid on the Table of the House. It is necessary that two or three points be made clear in this matter.

So that that has to be done. Then the Gopalakrishnan Committee, the report of which was responsible for introducing this price linking formula, recommended a rehabilitation allowance of 52 nP for every factory.

Shri S. M. Banerjee: Did you accept it?

Shri A. M. Thomas: If you had to go according to this price linking formula, that is the Gopalakrishnan Committee's formula, you had necessarily to adopt the price structure adopted by that Committee; so that you had necessarily to give 52 nP by way of rehabilitation allowance. And what is it that the Tariff Commission has recommended? The Tariff Commission recommended 40 nP rehabilitation allowance for factories in certain regions. What have the Government of India done? They said it would be given only in those cases where as a matter of fact factories had set apart an amount for rehabilitation allowance and in those cases where amounts have been spent in rehabilitation. Only in those cases would the rehabilitation allowance become payable. Is this a case where justice is being denied?

Shri Tyagi: Why did you not clarify it in the very beginning?

Shri A. M. Thomas: This is the case with regard to rehabilitation allowance.

Then with regard to export losses, it is true that in certain seasons when exports started the export losses were met by raising the internal price of sugar. But afterwards that was stopped. Then Government itself came in and said they would bear the export losses. The industry was also asked to bear a part of the loss from the fair price that has been fixed for it. But when you want to share in the margin, you would necessarily have to take into account for that particular loss that has been borne the industry. That is only proper and fair.

Shri Yallanmanda Reddy: What is the recommendation of the Tariff Commission?

Shri A. M. Thomas: You will find that although the Tariff Commission had only recommended 45 per cent to the grower—when Government commit a matter to such an impartial and competent body, Government usually accept all the recommendations—here some modifications have been made and it was only for this purpose, namely, to see that as far as possible the existing formula was kept on which the expectations of growers have been based. At the same time, we must try to be fair to the industry in order to cover the actual expenses that the industry was legitimately entitled to.

Considering all these aspects, Government have come to the conclusion that they have. The Resolution makes the matter clear. I am very sorry that several Members have used very strong words which had absolutely no relevance. If they read the Resolution of the Government of India I think these words would not have been used.

17.44 hrs.

[MR. SPEAKER in the Chair]

श्री विभूति मिश्र : अध्यक्ष महोदय, मैं आप की आज्ञा से मंत्री महोदय से एक प्रश्न पूछता चाहता हूँ। गन्ने की जो कीमत फिक्स की जाती है उस में चार आने मन छोआ (मोलैसेज) का दिया जाता है जबकि बाजार में मोलैसेज ३ रुपये मन बिकता है तो इस के बारे में टैरिफ कमिशन ने अपनी रिपोर्ट में क्यों नहीं कुछ लिखा है ?

श्री सिर्हासम सिंह : अध्यक्ष महोदय, आप ने जो मुझे थोड़ा सा समय इस बिल पर बोलने को दिया उस के लिए मैं आप का आभारी हूँ।

उपमंत्री महोदय ने सन् १९५५ के आर्डर की बाबत जो कहा है कि वह वालियेंटरी था मैं समझ नहीं सकता कि जो आर्डर गर्वनमेंट के एसेंशियल कमोडिटीज ऐक्ट के अन्दर निकले वह आर्डर वालियेंटरी है या कम्पलसरी है ? एसेंशियल कमोडिटीज ऐक्ट का संक्शन ३ प्रोवाइड करता है कि गर्वनमेंट अपने आर्डर को एसेंशियल कमोडिटीज ऐक्ट के अन्दर ईश्यू करे। संक्शन ३ यह है :—

Section 3 provides:

"If the Central Government is of opinion that it is necessary or expedient so to do for maintaining or increasing supplies of any essential commodity or for securing their equitable distribution and availability at fair prices it may by order provide for regulating or prohibiting the production, supply and distribution thereof, and trade and commerce therein."

It includes the prices at which they may be bought and sold. This order was issued on 27th August, 1955 under this very provision of section 3 of the Essential Commodities Act. My hon. friend has been mentioning section 3A. Sections 1 to 3 of the order mention the minimum price of sugarcane, the price payable to the producer of sugarcane. Then the addi-

tional price is given in 3A. He has misconstrued this 3A. This 3A has been again referred to while modifying the very order in 1958. It is not that a new order was issued in 1958. The 1958 order is only a modification of the order issued in 1955. The order of 1955 says:

"Where a producer of sugar purchases any sugarcane from a grower of sugarcane or from a growers' co-operative society, the producer shall unless there is an agreement in writing to the contrary between the parties, pay within fourteen days from the date of delivery of the sugarcane, to the seller or tender to him the price of the cane sold at the rate fixed under sub-clause (1)."

This was a mandatory order issued by the Government under the provisions of section 3 of the Essential Commodities Act. It is not voluntary. Not only this. This particular order specifies how the minimum should be settled. The amount payable to the growers may be at such time and in such manner as the Central Government may from time to time determine. The Central Government has not taken recourse to this clause 3 of the order, in which they have stated that they will fix the price from time to time and try to see that it is enforced.

Under section 7 of the Essential Commodities Act, if the order is not complied with, there is a penalty. Fortunately, two ex-Ministers have spoken against the Bill.

भूतपर्व खाद्य मंत्री जो कि एक जनाने में इस मंत्रालय के लिए जिम्मेदार थे वह कहते हैं कि वह आर्डर मैनडेटरी था जब कि मौजूदा मिनिस्टर कहते हैं कि वह वालियेंटरी है।

Shri S. K. Patil: Why change the language now? First English, then Hindi.

Shri Sinhsan Singh: Section 7 clearly says that if any person contravenes any order under section 3, he will be punishable with imprisonment which may extend to three years and also be liable to pay a fine. This was a mandatory order for compliance by the factory owners, and if they failed, there was the penal clause, but have Government punished any one in a court of law, can Government say they have tried to enforce it?

Now, the Minister comes with an apology. He says he wants to enforce it now, he could not do so till now because he did not have the power to do it retrospectively. There is no question of taking a retrospective right from this law. The right was given to him under the Essential Commodities Act. All orders were issued for compliance under that Act, and the penal clause was not applied. The same order of 1955 was modified in 1958. Between 1955 and 1957 nothing was paid to the growers. In 1958 the order was modified, but nothing has been paid in U.P. except some lakhs as the hon. Minister said.

Coming to the substance, what is the purpose of the present Bill? My hon. friend has read out a portion, but left out another portion which is applicable.

Recommendation (d) is the recommendation of the Commission about the distribution of the deferred price and recommendation (e) is the recommendation about the incentives. There are two prices to be paid to the growers, one, the incentive price ratio the other the deferred price. About the deferred price the figure fixed by the Tariff Commission is between 45 and 55; 45 to the growers and 30 to the mill-owners and 25 as value of taxation. Government does not agree to this.

"Government consider that it would be more appropriate, equitable and reasonable to apply the existing formula set out in the Sugarcane (Control) Order 1955 after suitable adaptations and amendments in order to incorporate the suggestions of the Commission for the inclusion of allowances for rehabilitation and export losses, for adjustment of costs and for the sharing of incentives, than to accept the new formula for retrospective application.

All these recommendations of the Commission have not been accepted because they have fixed the proportion of 45 to the grower. As regards incentives, (e), they say:

"As regards item (e) of paragraph 2 above, the Government of India, having regard to the background of the scheme of incentives and to given effect generally to the recommendation of the Commission, have decided that out of the incentives allowed by Government for increasing production of sugar by way of 50 per cent rebate in basic excise duty, 25 per cent should be left with the industry to meet taxes and other outgoings and only 75 per cent of the amount so earned should be taken into account for determining the additional cane price payable to the growers."

They want that 25 per cent should be ear-marked for the industry and 75 per cent distributed. But the Commission said that out of 100, 30 should go to the industry and 70 to the growers. This is specific recommendation. But Government said let 25 per cent be ear-marked for the industry and let the 75 per cent be distributed between the two. Is it in the interests of the grower?

Lastly, they say, the law is coming. The Bill has come; and we have seen it; we have seen the Objects and Reasons of Bill. They say that they are going to give relief by way of allow-

[Shri Sinhasan Singh]

ances for rehabilitation and export losses.

I will further quote an old recommendation of 1961, wherein they said clearly that the sugar mills could not have incurred any losses and that they were earning lots. In view of this, I do not know how the hon. Minister could go against his own writings, against his own letters.

In 1955, the Government came forward to take powers under section 3 of the Essential Commodities Act and asked those people to pay who have not already paid.

This law is unnecessary unless the Government want to take some money out of the pockets of the growers and give it to the mill-owners.

Mr. Deputy-Speaker: Shri Puri. The hon. Member should be very brief.

Shri D. D. Puri (Kaithal): Sir, I will be ver brief; but I have a lot of ground to cover. The Government of India, for the first time in 1950-51 assumed power to fix the price for sugar-cane. It was in 1952 that sugar was de-controlled except to the extent of 25 per cent, which was reserved to be allotted by Government. The bulk of the sugar produced was de-controlled for the first time in 1952.

As soon as that happened, the price of sugar started going up. But, it was in the year 1952 itself that the minimum price of cane was brought down from Re. 1/75 nP to Re. 1/31 nP. The two things happened at the same time. the price of sugar went up and the price of cane came down. The statutory minimum price of cane came down. At that time introducing control again was very seriously considered by the Government. I say that

from personal knowledge. This deferred payment was devised for the first time as an alternative to control. Government of India felt it was no use introduce control again because it would inhibit production or to vary the price of cane with the varying price of sugar. It was the genius of late Kidwai who said: it does not matter, let the factories make excess profit and I shall mop them up and I shall make the grower a partner in those profits. It must be clearly understood that it was the excess profit that was sought to be mopped up; it was the alternative to control. The hon. Minister has today spread the net so as to include the period in which the industry was controlled and the control was confined to northern zone and this problem also arises there. Deferred payment was confined to any realisation by a factor over and above what was considered to be a reasonable price. Today what is happening? The period to which the Bill relates is from 1958 to 1961. Control was first introduced in Punjab, U.P. and North Bihar on the 30th July, 1958 and it was extended in April 1960 to South Bihar. This continued till November 1961 when sugar was de-controlled. In this period, what was happening? Government referred this question to the Tariff Commission. There have been two reports of the Tariff Commission, and that has created some confusion. First, they were given a simple exercise, to work out the cost of production of sugar. They sampled 42 factories all over the country and they sent their cost accountants to examine very closely all the figures of the sugar industry and examined them and then the cost was worked out for the northern zone and also for the other zones. They also recommended that in addition to the actual cost, there was to be an incidence of 12 per cent: this was to cover a multitude of items including bonus to labour, gratuity also to labour, interest on debentures, etc. That is all given in the Tariff

Commission report. This was to be the cost of production, plus, they recommend 12 per cent return on the capital employed to be given to the industry to cover items I detailed before. That is what the Tariff Commission said. Throughout the period of control the price fixed was on the basis of cost as worked out by the Tariff Commission plus 12 per cent, not a penny more, nor a penny less. So, there are no excess realisations. There may be individual factories which made more and others which made less. When we take an average, certain factories will work better than the average factory, certain others will work less than the average factory. But the point I am making is that throughout the period for which powers are now being sought the industry realised only the cost plus 12 per cent that was awarded by the Tariff Commission and accepted by the Government of India in their resolution. The price of sugar was fixed on that basis. Certain adjustments were made because of the various things such as duration, recovery, etc.

The point that I am seeking to make is that the price-linking formula was conceived to mop up the profits made above a certain point, as an alternative to control, and there was no question of the price-linking formula being applied during the period when the sugar industry was under control. That is the first point I want to make.

18 hrs.

Mr. Speaker: How many more points has he got? He said this is the first point.

Shri D. D. Puri: I have quite a few more points. It is true that some complexity was introduced in this matter because the sugar industry was given certain concessions. The country was short of sugar and an incentive was devised for the industry even as an incentive was devised for the grower. The minimum price of cane was raised from Rs. 1.7 Rs. 1.10.

There was an incentive for the industry; they said: "you go on; extend the area beyond the area that you normally operate if you incur some extra cost, you will get a rebate by way of half the excise duty. That was a new factor. The industry readily agreed. When the second reference went to the Tariff Commission, they said, "Yes; we get this incentive; let the price-linking formula be applied; we will give the calculation." But the Minister is going beyond that. He is not going to confine himself merely to the realisation of the incentive. He has cast his net much wider even during the period when the price of sugar was statutorily controlled—

श्री विभूति मिश्र : जब चीनी मिल मालिकों को लासिस हुए तो इस हाउस में बैठ करके उनको हम ने कम्पेंसेशन देने की बात की। चीनी का जब शार्टेज हुआ तो चीनी हम को बाहर से इम्पोर्ट करनी पड़ी और उसकी हम ने इजाजत दी।

Shri D. D. Puri: I can answer that very easily. But I do not go beyond the period before 1958 that is covered by the Bill. There has never been any question of any compensation paid to the industry in this period. Then a point has been made that the Bill is not necessary. If the growers do not want it, the industry does not certainly want it, because, after all, the position is very clear. Unless the Government themselves take powers, what will be the result of this? Nothing could be realised as deferred payment of cash. You are going back to the season 1958-59. In respect of 1959-60 and 1960-61 seasons, the cost was worked out by the Tariff Commission, and any element that did not go into those costs cannot legitimately be put upon the shoulders of the sugar industry. At that period, certain details were gone into by the Tariff Commission and the cost of the cane was put at the actual minimum price at that time. That is the price that has to be realis-

[Shri D. D. Puri]

ed. Any other elements were not taken into account by the Tariff Commission.

Shri Tyagi: For instance?

Shri D. D. Puri: For instance the extra payment in question itself was not taken into account by the Tariff Commission at that time. They said: "This is the control period; why do you want anything more?" So, it was not allowed. The point is that any element of cost which did not go into the calculation of the Tariff Commission cannot now be imposed on the industry.

Shri Bibhuti Mishra: What about molasses?

Shri D. D. Puri: I will come to molasses. The sale price of molasses as sold by the industry figures prominently in the Tariff Commission cost calculation. Credit has been duly given for it, and if my hon. friend Shri Bibhuti Mishra bears with me, I shall show him the report.

Mr. Speaker: If he just listens to the interruptions and gives an answer, he might miss his own points!

Shri D. D. Puri: I am sorry. The second point is, all items which were not taken into account in the cost structure by the Tariff Commission cannot now be imposed. The Tariff Commission, in their earlier report, refused to enter into it and said that there was no question of the deferred payment, because that was meant for mopping up the excess profit. They did not allow it.

In regard to rehabilitation, the Gopalkrishnan formula had it as an item of cost. Even on a voluntary basis, when the first calculation was made, there was an element of rehabilitation. I will not go into the details of that; when that formula comes and if it is ever discussed by this House, I will place the entire case before the House. Rehabilitation was taken into account by the Gopalkrishnan formula as an item of cost.

In regard to export losses, again it is up to the Government. For a certain period, they have met the export losses out of general revenues or the excise duty which they have levied. But for this period, they have not paid. Apart from this loss, the industry has borne its own share of export losses and even today when exports have been subsidised, the industry is still bearing a certain loss. That apart, it is up to the Government to make good the loss out of general revenues. For that, it need not come here at all.

Shri S. M. Banerjee: What about profits made by the industry?

Shri D. D. Puri: The industry is not the profit on sugar export. Some parts of the industry are making profits, but on sugar export the industry is not making profits.

Profit-sharing through price-linking was devised as an alternative to control and there is any amount of evidence to show that there was no question of introducing price-linking during the period that sugar was controlled. Secondly, any item that was not taken into account as part of the sugar price as determined by the Tariff Commission and as accepted by the Government cannot be imposed on the industry now.

श्री शिव नारायण (बांसी) : अध्यक्ष महोदय, सब से पहले मैं यह कहना चाहता हूँ कि मैं उस इलाके से आता हूँ जहाँ पर दो शूगर फैक्ट्रीज हैं और पानी के नीचे हमारा गन्ना रहता है। हमारे भाइयों ने यहाँ पर बहुत ही विद्वत्पूर्ण भाषण किये हैं और किताबों में से कई बातें बतलाई हैं। लेकिन मैं किसानों में जो बात है उनमें जाना नहीं चाहता। मैं खुद एक किसान हूँ और खेती करता हूँ। मैं आपको जो प्रैक्टिकल बात है, वह बतलाना चाहता हूँ। एक मन गन्ने में से

चार सेर चीनी निकलती है। लेकिन मैं पौने चार सेर ही रखता हूँ। मैं खुद भेली बनवा कर चीनी तयार करने के परिणाम को जानता हूँ। उस आधार पर मैं आपको यह बात बतला रहा हूँ। अब आप चीनी के भाव को देखें। यहाँ दिल्ली में चीनी एक रुपया बीस नये पैसे सेर बिकती है। आप देखें कि एक रुपया दस आने तो हम को गन्ने के मिले जिस में से तीन आने या चार आने हमारा किराया पड़ गया और इसको निकाल दिया जाये तो हम को एक रुपया चार आना के करीब ही मिला। चार रुपये के करीब तो उस की कीमत हुई और हमें मिले कितने एक रुपया चार आने। बाकी जो पैसा है, वह इसका मतलब यह हुआ कि मिल मालिकों को जा रहा है। आज हमें उसके मेंटेनेंस के लिए खर्च करना पड़ता है। हम आपको गन्ना बिना दाम लिए हुए दे देते हैं, बिना पैसा लिए हुए दे देते हैं। माल तो आपके घर चला जाता है और हम को छः महीने तक इंतजार करना पड़ता है। आज भी लाखों रुपया जो असली दाम का है वह हमारा बाकी है। डेफ़ड प्राइस को तो आप छोड़ दें लेकिन जो असली दाम हैं और जो बाकी हैं, वे तो आप हम को दिलवा दें। किसान भूखों मर रहे हैं, उनको अपना पैसा नहीं मिलता है। कमलापति जी का स्टेटमेंट आया कि लाखों किसान भूखों मर रहे हैं। ऐसी दशा में मैं गवर्नमेंट का अनुगृहीत हूँगा अगर वह इनको पैसा दिला दे। जब इस चीज को स्टेट गवर्नमेंट के नोटिस में लाया जाता है तो स्टेट गवर्नमेंट कहती है कि सेंट्रल गवर्नमेंट इसको देखे और जब सेंट्रल गवर्नमेंट के नोटिस में लाया जाता है तो वह कहती है कि स्टेट गवर्नमेंट देखे। इस घपले में हम पड़े हुए हैं। मैं चाहता हूँ कि इस ओर आपका तत्काल ध्यान जाना चाहिये।

आप देखें कि तीन पैसा तो गवर्नमेंट ले लेती है डिबलेपमेंट के नाम पर लेकिन उसमें से एक पैसा भी हम को नहीं मिलता

है। मैं फूड मिनिस्टर साहब को दावत देता हूँ कि वह नवम्बर महीने में आ कर देखें किसी मिल को हमारे इलाके में कि क्या गति बैलों की होती है। अब बैलों की कीमत को भी आप देखें। आज एक हजार में एक बैल मिलता है जब कि पहले जमाने में दो सौ में जोड़ी मिल जाया करती है। इससे आपको पता चल जायेगा कि हमारा कास्ट आफ कल्टीवेशन और कास्ट आफ ट्रांसपोर्ट कितना बढ़ गया है। पहले हमें मजदूर चार आने और आठ आने में मिल जाया करता था और आज डेढ़ रुपये में मिलता है और खाना उसको हमें अलग से देना पड़ता है। हमारे गन्ने की प्राइस नहीं बढ़ती है, मिल मालिक का सब कुछ बढ़ता जा रहा है। हमें जो पब्लिक को पैसा फेस करना पड़ता है, उसको हम हीं जानते हैं। मान्यवर, मैंने गन्ने की बोवाई अपने यहाँ कम कर दी है। चार बीघे के बजाय मैंने दो बीघे हीं में गन्ने की बोवाई करवाई है। अच्छा गन्ना हम पैदा करते हैं तो एक पुर्जी तो मिलती है नवम्बर महीने में और एक मिलती है जनवरी में.....

अध्यक्ष महोदय : पार्लियामेंट का काम भी आप कर रहे हैं, इस लिये गन्ने की बोवाई कम कर दी है।

श्री शिव नारायण : पार्लियामेंट गन्ने की प्राइस फिक्स करती है। लेकिन मैं आपको बतलाना चाहता हूँ कि यू०पी० असम्बली ने कांग्रेस और अपोजीशन वालों सब ने मिल कर एक रेजोल्यूशन पास किया था कि गन्ने का दाम पौने दो रुपया कर देना चाहिये लेकिन उसको मंजूर नहीं किया गया है। यह प्रस्ताव आपके पास भेजा गया है लेकिन इसको आपने कार्यान्वित नहीं किया है इसको आपने मंजूर नहीं किया है। एक रुपया दस आने ही हम लोगों को मिलता है।

आप टेरिफ कमिशन की रिपोर्ट की बात करते हैं। कोई मेम्बर भी इस हाउस का उस कमिशन में नहीं है। एक भी किसान को उसने

[श्री शिव नारायण]

एग्जमिन नहीं किया है। पटना, लखनऊ, बम्बई, कलकत्ता वगैरह में एयरकंडिश्नड कमरों में बैठ करके उसने अपनी रिपोर्टें तैयार कर ली है। यह हमको मान्य नहीं है। इस कमीशन को खत्म करें। मैं मिनिस्टर साहब से रिक्वेस्ट करता हूँ कि वे एक नया कमीशन बनायें और उसमें किसानों को शामिल किया जाये। किसानों पर तो गवर्नमेंट मुन-हसिर है। आज उनके अन्दर एक आह है, उन गरीबों की हालत खराब है। आखिर आप किसानों से किटना लेना चाहते हैं? असल में सारी कीमत में से तीन चौथाई तो हम किसानों को मिलना चाहिये, लेकिन आज हमें आधा भी नहीं मिलता। अगर हम को आधा मिलता होता तो हम बढ़िया गन्ना पैदा कर के दे सकते हैं। मैंने क्यूबा में देखा कि ज्यों ज्यों चीनी के दाम बढ़ते हैं वैसे ही मजदूरों की मजदूरी बढ़ती है, गन्ने के दाम बढ़ते हैं। लेकिन यहां पर कुछ नहीं होता। मुट्ठी भर लोग बैठ कर टैरिफ कमिशन बना लेते हैं। मेरी रिक्वेस्ट है कि आप टैरिफ कमिशन फिर से बिठलायें। उस में किसानों को भी बुलाइये उन जगहों पर जहां पर आज बड़े बड़े लोग बैठे हुये हैं, तब आप को सारा पता लग जायेगा। मैं भी खेती करता हूँ और असलियत को जानता हूँ। पंजाब और बिहार के लोग भी जानते हैं। व्हाई यू आर नाट गोइंग टु फिक्स द प्राइस फर आल इंडिया? आप एक प्राइस सब जगह के लिये कीजिये। १०० मन गन्ने में १० मन चीनी होती है, चाहे मद्रास का रस हो चाहे बिहार का रस हो। रस तब होता है जब पानी जल जाता है। पानी जलने के बाद प्यार रस रहता है। इस लिये उस का दाम ठीक से और एक तरह से मुकर्रर करना चाहिये।

इन शब्दों के साथ मैं पुनः आग्रह करके कहना चाहता हूँ कि इस विषयक के जो आव्-जेक्ट्स एंड रीजन्स हैं, उन से शंका पैदा होती है कि आप मिल मालिकों को प्रोटेक्शन

दे रहे हैं, किसानों को नहीं। इस लिये मैं इस का विरोध करता हूँ।

Shri K. C. Sharma: Mr. Speaker, Sir, I have to make only one or two observations. This Bill is to have retrospective effect from 1st November, 1958. My submission is this. Supposing a commodity has been sold away and the price has been fixed, afterwards it is not up to the purchaser to say: "Well, I purchased your cow for Rs. 100; unfortunately my wife and children were asleep and a thief came and stole away all the money". That is no argument to say that he is not in a position to pay and therefore he would not pay. The same is the case here. It is up to the Minister or to the industry to make a proposition or to devise a formula. If it is acceptable, it is all right. If they can enforce it, they may do so. Let the power be balanced. The situation in 1950 or 1955 was different from what it is now in 1962, and we know to our cost in the elections what the public pulse is. We cannot say: "You have given the cow to us. We have nurtured our children on the basis of the milk of that cow. But because a theft has been committed I do not want to pay the price of the cow." Sir, you are a lawyer. A gentleman promised some money to a mosque. On the basis of that promise certain material was bought and a building was coming up. The case went to a High Court. I am referring to the famous Calcutta case. The man said: "Well, there was no consideration for this promise. I do not mean to pay". The court held: "You made the promise, and on the basis of that promise certain things took place; you are responsible for that change in the situation and therefore you shall have to pay."

Therefore, having given the crop, now the industry or the Government cannot stand in the way. It is an impossible proposition. There is a thing which I regard as essential ingredient in the freedom of the country.

What is freedom to me if justice is denied to me? What is freedom? Is freedom a kala saheb?

Mr. Speaker: The hon. Member may turn this side and address me.

Shri Tyagi: He cannot talk in that tone towards you.

Mr. Speaker: That is why I wanted him to look this side.

Shri K. C. Sharma: Sir, I want to make my position clear. I am second to none in sacrifice, suffering or in doing anything that a young man in my position can do.

Shri A. M. Thomas: Young man?

Shri K. C. Sharma: I was young then, and I am comparatively young even now too.

Mr. Speaker: Why should hon. Members dispute this claim of his?

Shri K. C. Sharma: My point is this that justice must be given to everybody. I appeal in the unalterable nature of justice that justice to the peasant must be done. I ask a person with conscience, a person with honesty: can he say that the position from 1958 can be changed retrospectively? Suppose I sold a commodity to a person in 1958 and the price was settled. How can anybody now say that he has got the right to modify the conditions of that sale? That is an impossible thing. I again submit that there is such a thing as the unalterable nature of justice, and that will stand for ever. On that the human society has been nurtured and established.

All over the world it has been accepted that wherever the peasant produces something, because the community lives on the production of the peasant, the peasant in relation to the non-peasant community will get 68 per cent of the income of industrial sector. Suppose the industrial income increases by 10 per cent, then

for the same belong and investment income of the peasant increases to 6.8 per cent. Here in India the position is, and that is the tragedy of it, when the national income increases by 5 per cent, the income of the peasant increases by 2 per cent. That is to say, if the income of the nation is Rs. 200 today, it would be Rs. 210 next year. For the peasant, because he is half the shareholders, his Rs. 100 will become Rs. 102. So, Rs. 210 minus 102, that is, 108 is the portion which will go to the non-agricultural community for every 100. But the peasant gets only 25 per cent.

The position now is that if the industry gets Rs. 100, for the same labour, for the same intelligence, for the same investment, the peasant gets only Rs. 35. This is an impossible proposition, and this has been possible for two reasons. The peasant was ignorant and he was unorganised. Now, in the coming years the peasant is going to be neither ignorant nor unorganised. You have to meet the situation as it is. My friend says he shall not pay. Who is he not to pay? I will get money through his nose.

Mr. Speaker: He should not extort demand in this manner.

Pandit K. C. Sharma: They have to pay through their noses and he is no exception. With these words, I want to express my gratefulness to you for giving me this opportunity to take part in this debate.

Mr. Speaker: Shri Lahri Singh. Hon. Members should not take more than five minutes each.

श्री सहरो सिंह (रोहतक) : अध्यक्ष महोदय, हमें बड़ी खुशी है कि कांग्रेस बेंचेंज से कांग्रेस के माननीय सदस्यों ने भी, मेरा ख्याल है कि एक के सिवा सब ने. इस बिल के खिलाफ आवाज उठाई है।

श्री त्यागी : जानबूझ कर ?

श्री लहरो सिंह : जान बूझ कर नहीं । ऐसे ही लैंड ऐक्विजीशन ऐक्ट पास करने के वक्त उठाई । इस लिये मैं चाहता हूँ कि कम से कम अपनी पार्टी को तो मिनिस्टर साहब कन्विन्स कर देते ।

अध्यक्ष महोदय : बड़ा अच्छा होता कि आप खामोश रहते और यह काम उन्हें ही करने देते ।

श्री लहरो सिंह : मैं अर्ज करूँ कि यहां पर कुछ ऐसे मालूम होता है कि अपोजीशन की तरफ से भी और कांग्रेस वाले भी सारे लोग एक व्यू कें हैं कि गरीब किसान को न मारो । गरीब किसान के जो पेमेन्ट्स एरिअर्स में हैं, उसका जैसा हिसाब लगे, उस हिसाब से दे दो । जब आगे का हिसाब आप करेंगे तो उसके बारे में मैं आगे बतलाऊंगा । जो खेती करने वाले लोग हैं उनका सन् १९५५ से लेकर इस वक्त तक का जो रुपया रुका हुआ है वह किसान को नहीं दिया गया है, हालांकि एक प्रोवाइड करता है कि वह जरूर दिया जाना चाहिये और न देने पर उसके लिये पैनलिटि प्रोवाइड करता है । वह कहता है कि तमाम रुपये का पेमेन्ट होना चाहिये और गरीब किसान को तकलीफ नहीं होनी चाहिये । लेकिन उसने लिये वह हिसाब कैसे करे ? किसान को इतना हिसाब नहीं आता, लेकिन इस पर भी आपने एक क्लोज इसमें डाल दिया कि सारी चीजों का हिसाब में लगाया जायेगा । “फार इन्क्लूजन् आफ अलाउसेज फार रिहैबिलिटेशन” इसमें रख दिया गया । यह इतना बेग क्लोज है कि इसमें बहुत लेटिट्यूड मिल गया है इंडस्ट्री वालों को । अलाउसेज फोर रिहैबिलिटेशन वगैरह की एक लम्बी लिस्ट बनी हुई है । रिहैबिलिटेशन इतना बेग क्लोज है कि कहां तक इसका अकाउंट किया जा सकता है । कौन किसान उसको देखेगा । आडिटर्स आयेंगे उनके गाइडेंस के लिये भी कुछ नहीं है । तो मिनिस्टर साहब को

चाहिये या कि टैरिफ कमिशन ने जो रिहैबिलिटेशन के लिये कहा है, उसकी कोई लिमिट तो रख देते । यह तो बड़ा वाइड टर्म है । अगर किसान का गन्ना खराब हो जाता है या उसका बैल मर जाता है, तो कौन उसको रिहैबिलिटेट करता है । उससे तो हर हाल में लैंड रेवेन्यू वसूल कर लिया जाता है । आप देखें कि जो किसान खेती करता है क्या वह मिल मालिकों की तरह कार रखता है, या कोठियों में रहता है । जिनको इतना मुनाफा है उनको और फायदा पहुंचाने की कोशिश की जा रही है कि उनको डेफेंड पेमेन्ट न देना पड़े । टैरिफ कमिशन की यह सिफारिश नहीं मानी जानी चाहिये । चार आदमी बेंठ पड़े और चाहे कुछ कर दिया । टैरिफ कमिशन की सिफारिश को मंजूर करना कोई लाजिमी नहीं है । उसकी तो आपके लिये एक गाइडेंस भर है । रिहैबिलिटेशन के एलाउसेज का कोई हिसाब रखना चाहिये कि कितना मिनिमम होगा । आपकी जो एक्साइज ड्यूटी है वह भी बहुत ज्यादा है ।

किसी और इंडस्ट्री के लिए इस तरह का रिहैबिलिटेशन एलाउंस नहीं रखा गया है सिर्फ इसी का इंडस्ट्री को रिहैबिलिटेट करने के लिए यह चीज रखी गई है और इसको डिफाइन भी नहीं किया गया है, न यह कहा गया है कि यह इतने से ज्यादा नहीं होगा । इसके लिये कोई फार्मूला नहीं बताया गया है । आपने तो सेठ जी के हाथ में कलम दे दी, वह होशियार आदमी है और पढ़ा लिखा है, वह कहता है कि हमारे ऊपर जुल्म हो रहा है ।

मेरी अर्ज तो यह है कि जो आज तक के हमारे एरियर्स हिसाब से होते हैं वह दिलवा दो और यह रिट्रास्पेक्टिव रहने दो, आगे के लिये हिसाब करो और इस रिहैबिलिटेशन एलाउंस के लिए कोई फारमूला हो सकता हो तो उसको बना दो तो इसका कोई जस्टीफिकेशन भी हो ।

श्री त्यागी : ऐसा ही करेंगे ।

श्री लहरी सिंह : इन लफ्जों के साथ मैं उम्मीद करता हूँ कि मिनिस्टर साहब इस पर गौर करेंगे और बेजुबान किसानों का खयाल रख कर और सोच विचार कर काम करेंगे । वह अभी तक तो बहुत पापुलर रहे थे लेकिन अब अनपापुलर होते जा रहे हैं । तो उनको सोच समझ कर काम करना चाहिए ।

अध्यक्ष महोदय : तीन सदस्य और बोलना चाहते हैं । अगर उनको वक्त दिया गया तो सात बजे तक बंठना होगा ।

श्री लहरी सिंह : तब तो आप इस बूढ़े आदमी को मार दोगे ।

अध्यक्ष महोदय : मैं भी तो बूढ़ा हूँ ।

Shri Tyagi: We are more or less repeating the argument.

Mr. Speaker: The arguments are being repeated. The same thing has been said so forcefully by so many hon. Members. If they want that their names should be included in the list, I will put their names in that. May I call the hon. Minister then?

Some Hon. Members: Yes, Sir.

Mr. Speaker: But if the House is prepared to sit longer, I have no objection.

Shri S. K. Patil: Mr. Speaker, Sir, I would appeal to the House that on this very important, not the Bill but the subject, let us not be guided by mere sentiment.

Mr. Speaker: I might be excused one interruption. Shri Shastri and one other Member stood up. I will certainly accommodate them when we take up the clauses.

Shri Tyagi: That can be done during the third reading stage, if you like

Mr. Speaker: I will accommodate them. Now the hon. Minister might continue.

Shri S. K. Patil: As I have abundantly made clear in the very beginning, this particular legislation has nothing to do directly with any of the things that have been said here. They may be for my guidance when the formula is made. They may be for the guidance of the Government or when we consider many of those things, but so far as this enactment is concerned, it has nothing to do either with this formula or with that formula because such a formula is not before the House just now. Many Members have asked—I would like to ask them whether they are really serious in that—“Why do you have this Bill?” I would be most pleased to withdraw this Bill just now. But do they know the consequences of the withdrawal of this Bill?

Here, a situation has arisen where everybody gets up—and naturally, I can quite understand that—and says that he is the protector of the rights and privileges of the poor people, and the poor Minister is merely somebody who wants to grab from the kisan etc. If that is the claim, I respectfully say that no gentleman should advance that type of claim. We are all here, the Members of this great House, and the members of this country, interested in protecting the growers' interests. If the slightest harm is going to come to the kisans or to the growers by passing this Bill, I would not be the Minister to do it here.

But, here is a case in law, where we have not done something for reasons that have been explained by my hon. colleague. We could not determine the thing because so many commissions were sitting. Therefore, a doubt has been created that if I want to give retrospective effect, as I must give retrospective effect, there is no formula worth the name that we can think of or that this House can think of for doing so, other than having this Bill passed. Here, those who profess the interests of the producers or the growers must understand that if the

[Shri S. K. Patil]

growers have got to get anything out of this, the formula has got to be made, and they have to get it from the time that the formula has been made compulsory.

Now, for the information of the House, I would say this. I was going through this Bill, and I found that it was such a Bill or such a proposal which meant that the grower was going to take part in the sharing of the profit etc. as we intended him to do, or get the deferred payment or whatever else you like to call it. Has any Government, any progressive Government anywhere in the world ever enacted such a thing? The answer is an emphatic 'No'. There is no legislation of that kind anywhere, because these things are done generally by the sweet will of the other side, call it sweet will or the power of the growers, because they have got power, and many things are done because of that power. How did they do it in Maharashtra? Do you mean to say that the Government of Maharashtra is so angelic that there is no trouble about it, and things happened smoothly? There are many things that do not happen in Maharashtra, but because of the power of the growers, it happened.

An Hon. Member: Our Gujarat also.

Shri S. K. Patil: Or Gujarat also, because Gujarat was also part of the Bombay State.

Why did it so happen in Bombay? It happened because of the cumulative or collective power of the growers, because they threatened that if this thing were not accepted, they were not going to give sugarcane to them, and that unless they became participants in the excessive profits that the industry was earning, they would not part with their sugarcane. When that was the situation, the sugar producers themselves thought that it was in their interest that they should have the co-operation of these growers and they should have some kind of arrangement with them; Gov-

ernment came in only as the third party just to give their blessings and say that what they were doing was the right thing to do, and the growers should also be benefited. What was open to the then Bombay State and the growers there was open to the States and the growers elsewhere also. All the time, it was open to all the growers and all those people whose interests have been represented in this House today. What prevented them from doing so? As I have pointed out, all the southern States were giving something, and they have been giving up till now. But what prevented UP, Bihar and all these other States from giving it? I am talking of those years when there was no compulsion at all. What prevented the people in all those States where there were growers from doing such a thing? Even after coming to the conclusion that it was necessary to give something to the growers, not a single factory in UP, good or bad, has paid anything to the growers except for one year; only for one year out of the four years before, they have paid, and for the other three years, they have not paid even a single naya paisa; there was no difference whatsoever between one factory and another in this respect. (*Interruptions*) I am not yielding, Sir. What I am saying that it is not for me or for the Government to do it, but I was pleading and I was expecting that it would have been really much better if the governmental machinery had not come into the picture and Government had only used their good offices in bringing the growers and the sugar producers together and done it as in the vast world, everywhere, in every country including the Hawaii, and Cuba and Indonesia where these things are done day in and day out. But we thought in the plenitude of wisdom that this was perhaps the best way of doing things, and we have done it. Now, let us consider it. Given good-will, all things will be all right. But the point is what is to happen during those four years, be-

cause, there was not such a formula before them? If we make the formula now, it will be very difficult to apply it to those four years, unless there is retrospective effect; unless there is retrospective effect to this it will not be possible for the growers' interests to be protected. My hon. friend Shri D. D. Puri made a statement giving an account. Apart from that account, I am afraid that he would be the man who will be most happy if this Bill is withdrawn, because there is nothing that remains, and there is no legal stand for anyone to go to a court of law. My hon. friends here may merely talk, but do you mean to say that simply because it is said that the grower is a poor person, he would not go to a court of law? There is a growers' association, and would they not go to a court of law especially when crores of rupees are involved? They could not have gone to the court for those four years. I am not talking of the period when the formula became compulsory but the period before that. They knew that because the formula was voluntary before, going to the court would be of no avail, because they would not get anything out of it. If during these four years they had not gone to court, it is because there was no formula and there is nothing legally by which they could go. What I am seeking to do, I would respectfully submit, is in the largest interest of the growers themselves and it is the only way in which their interests could be protected. I am giving legal legs to it; when the formula is enacted that formula would be placed on the Table of the House, as is usually done. If there is anything in that formula which requires amendment, there will be time enough to amend it or change it or do anything. But what is sought to be done in the present legislation is very limited, namely, that whatever formula that Government may enact, it should be given retrospective effect.

Therefore, I would make a humble appeal to those hon. Members who

have moved for circulation of this Bill for eliciting opinion or for reference to Select Committee. I cannot understand it. I want this Bill passed as early as possible so that if any action is going to be taken my hands should be free. I am not prepared to wait. I waited for long. Do you suggest that so much time should be taken on it? The Commission was sitting on it. Is it now suggested that I should spend another two years on it to find out....

An Hon. Member: Only one month.

Shri S. K. Patil: Do you think it is in the interest of the growers that you are trying to protect by this move?

Dr. M. S. Aney: Is the hon. Minister telling us that he is going to create a legal right in favour of the peasant which can be enforced in the court?

Shri S. K. Patil: Legal right may exist, but I do not want to be in a doubt at all, when the formula is made.

We have not accepted *in toto* the proposals of the Tariff Commission. But I respectfully submit that the derogatory remarks which were made against a Commission of that type which Government have appointed should not have been made. The Commission is not present here to protect itself. It is the responsibility of the Minister to see that when Government appoint a Commission,—you may accept their proposals or you may not—they should not be held to ridicule in the manner some Members have sought to do.

But even after the Commission had made their proposals, there is the Government Resolution, which was read out by my hon. colleague. There we have not accepted *in toto* what the Commission has said. According to the Commission, they would not get more than 45 per cent. I am trying to bring it up to 65 per cent. I have not taken every word

[Shri S. K. Patil]

of what the Commission has said. If you want to do more and you can sustain it in a court of law, I do not mind if you make it 100 per cent. The formula is not before the House. I have not made it. Government will apply its mind and will take into consideration all the good and useful suggestions that have been made here. If the formula can be made impregnable and with that the largest amount of money could be given to the growers, Government will be second to none in their anxiety to do so.

Therefore my appeal to those Members not to press their amendments. Let Government be given this power. It is only power to give retrospective to the legislation, to the formula that will be evolved. I think that is where the interest of the growers will be protected.

Sir, I move:

Mr. Speaker: There are two amendments. One is by Shri S. M. Banerjee.

Shri S. M. Banerjee: I press it.

Mr. Speaker: I will put to vote. The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th October 1962."

Those in favour may kindly say 'Aye'.

Some Hon. Members: 'Aye'.

Mr. Speaker: Those against will kindly say 'No'.

Several Hon. Members: 'No'.

Mr. Speaker: The 'Noes' have it....

Some Hon. Members: The 'Ayes' have it.

Mr. Speaker: Let the Lobbies be cleared.

श्री प्रकाशवीर शास्त्री (बिजनौर) :
on a point of order. अध्यक्ष महोदय,
लंक सभा का अपना नियम है कि सभा

के विसर्जन का ५ बजे जो नियमित समय है उस के बाद अगर सदन चले तो उस अतिरिक्त समय में कोई वोटिंग नहीं होगी ।

अध्यक्ष महोदय : माननीय सदस्य, श्री बनर्जी, क्या कहना चाहते हैं ?

There is already a point of order. Is he going to say something different, or the same that has been mentioned by him?

Shri S. M. Banerjee: Same

अध्यक्ष महोदय : माननीय सदस्य, श्री शास्त्री, ने यह प्वायंट आफ़ आर्डर उठाया है कि चूंकि यह एक्सटेंडिड आवर है, इसलिए इसमें कोई वोटिंग नहीं हो सकता ।

श्री प्रकाशवीर शास्त्री : यह कन्वेन्शन है ।

अध्यक्ष महोदय : असल बात यह है कि हमने यह तय किया हुआ है कि १ बजे से ढाई बजे तक हाउस को फाउंट नहीं किया जायगा । इसका मतलब है कि उस वक्त चाहे क्वोरम न भी हो, तो भी हम कार्यवाही जारी रखेंगे और अगर कोई मेम्बर साहब स्पीकर के नोटिस में यह बात लायेंगे कि इस वक्त क्वोरम नहीं है, तो उस वक्त स्पीकर हाउस में हाज़िर मेम्बर साहबान की गिनती नहीं करेगा, ताकि ऐसा एलान करने का सवाल न उठ सके कि चूंकि क्वोरम पूरा नहीं है, इस लिए कार्यवाही नहीं चल सकती । मैंने पिछले स्पीकर साहब का रुलिंग देखा है । वह यही है कि जिस तरह हम १ बजे से ढाई बजे तक फाउंट नहीं करते, उसी तरह हम एक्सटेंडिड आवर में भी वह शुमार (फाउंट) नहीं करेंगे । वह रुलिंग क्वोरम के बारे में है, लेकिन क्वोरम इस वक्त मौजूद है । लेकिन चूंकि मैंने हाउस का टाइम मेम्बर साहबान को नोटिस दिये बग़ैर एक्सटेंड किया था, इसलिए मैं इस प्वायंट आफ़ आर्डर को ओवरराइड नहीं करना चाहता । अगर मेम्बर साहबान को इस बारे में बहुत एतराज

हो, तो मैं इस वोटिंग को इस वक्त नहीं लूंगा ।

कुछ माननीय सदस्य : इसको कल ही लिया जाये ।

अध्यक्ष महोदय : बहुत अच्छा । इस वक्त हम हाउस को मुलतवी करते हैं और कल हम इसको लेंगे ।

Shri S. K. Patil: When do you take the vote?

Mr. Speaker: Tomorrow morning, I think.

Shri Tyagi: The debate has been closed. It is only voting.

Mr. Speaker: Yes. It is voting that has to take place.

Shri S. M. Banerjee: No, no; the debate on the general discussion has concluded.

Mr. Speaker: Whatever the stage is, from here we start tomorrow. That is all right.

BUSINESS ADVISORY COMMITTEE SIXTH REPORT

Shri Rane (Buldana): Sir, I beg to present the Sixth Report of the Business Advisory Committee.

Mr. Speaker: The House will now stand adjourned till 11 A.M. tomorrow.

18-41 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, September 4, 1962/Bhadra 13, 1884 (Saka).

[Monday, September 3, 1962/Bhadra 12, 1884 (Saka)]

		COLUMNS			COLUMNS
ORAL ANSWERS TO QUESTIONS		5439-81	WRITTEN ANSWERS TO QUESTIONS—contd.		
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743	House rent in Delhi	5439-42	2145	Homes for Scheduled Castes and Scheduled Tribes	5484-85
744	Experiments regarding turning heat into electricity	5442-44	2146	Houses for Harijans	5485
746	Oil Refinery, Calcutta	5444-46	2147	Imperial Gazetteer	5485-86
747	Cement quota for Bihar	5446-49	2148	Promotion of M.A.B.T. teachers	5486-87
748	Foreign experts to Study coal transport problem	5449-52	2149	Geological Survey in Andhra	5487
749	Bhilai Steel Plant	5453-55	2150	Vijnan Mandirs in Punjab	5487-88
750	I.A.S. Officers on deputation from States	5456-60	2151	Sindri Fertilizer	5488
751	Merger of A.F.H.Q. and Ministry of Defence	5460-61	2152	Cement factory in East Ramanathapuram, Madras	5488-89
752	Indian Ocean Expedition	5461-65	2153	Marine Insurance Law	5489
753	Scholarships for Pakistanis and Chinese	5465-66	2154	Indian Army Officer missing in Congo	5489-90
754	Coal mining rights in Madhya Pradesh	5466-68	2156	Landless tribals in Orissa	5490
755	Cultural agreements	5469-70	2157	Small Irrigation Schemes for tribals in Orissa	5490-91
756	Cement factory at Sahalgadh, Madhya Pradesh	5470-71	2158	C.I. sheets to Orissa	5491-92
757	World Olympics for the deaf	5471-72	2159	Iron and Steel for Orissa	5492
758	Export Promotion	5472-74	2160	Prices of coal	5493-94
759	Bilingual Dictionary	5474-75	2161	Transportation of coal by road	5494-95
760	Avro-748	5475-78	2162	Translation of Acts in Hindi	5495
762	Steel for industry	5478-79	2163	Research in Animate Science	5495
S.N.Q. No.			2164	Disturbed allowance in Nagaland	5496
10	Bhilai Steel Plant	5479-81	2165	Employment of engineering personnel	5496-97
WRITTEN ANSWERS TO QUESTIONS		5481-5525	2166	Corruption	5497
S.Q. No.			2167	Employment for students	5497-98
745	Education in rural areas	5481	2168	Development of Rocket Science	5498
761	State share in Gujarat oil refinery	5481-82	2169	Pakistani smugglers	5498
763	Coal quota to Bihar	5482-83	2170	Colonies for backward classes in Rajasthan	5499
764	Pay Roll Saving Scheme	5483	2171	Central Civil Conduct Rules	5499
766	Shortage of drilling rigs and equipment	5483-84	2172	Recruitment methods	5499-5500
U.S.Q. No.			2173	Tribals of Singhbhum	5500-01
2144	Free and Compulsory Primary Education in Punjab	5484	2174	Messrs Bharat Collieries Ltd.	5501
			2175	Fall of army bull-dozer in Alaknanda	5502

WRITTEN ANSWERS TO
QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
2176	Officers of Himachal Pradesh	5502
2177	Army, Navy and Air Boards	5503-04
2178	Gold deposits in Punjab	5504-05
2179	Foreign assistance for coal production . .	5505-06
2180	Bokaro Steel Projects . .	5506
2181	Confirmation of A.F.H.Q. employees	5506
2182	Iron ore in Orissa . .	5507
2183	Concentrated milk powder . .	5507-08
2184	National Advisory Council for handicapped . .	5508
2185	Training Centres for deaf-mutes	5508-09
2186	Deaf and dumb in Union Territories	5509
2187	Institution for deaf and dumb	5509
2188	Coal mines in Orissa . .	5509-10
2189	Manufacture of cars . .	5510
2190	Panel for Section Officers . .	5511
2192	Sahitya Akademi Prizes . .	5511-12
2193	Military Training School in Punjab	5512
2194	Low voltage air brake contractors etc. . . .	5512-13
2195	Foreign exchange for students	5513
2196	Primary and middle schools in New Delhi . .	5514-15
2197	Children's Education Allowance	5515-16
2198	Advisory Mission of UNESCO	5516
2199	Foreign business of Indian Insurance	5516-17
2200	Grant of foreign exchange for going abroad . .	5517
2201	New Universities	5518-19
2202	Intelligence Wing in Ministry of Mines and Fuel	5519
2203	Natural Gas in Gujarat . .	5519-20
2204	Crimes in Union territories	5520
2205	Post-matric Scholarships Scheme for S.C. and S.T.	5520-21
2206	Hostel for S.C. and S.T. student in Allahabad . .	5521

WRITTEN ANSWERS TO
QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
2207	Housing Schemes for Scheduled Castes in Mysore	5521-22
2208	Harijan Girls' Hostels . .	5522-23
2209	Under invoicing of jute goods	5523-24
S. N. Q. No.		
9	Heavy Engineering Project, Hatia	5524-25

CALLING ATTENTION
TO MATTERS OF URGENT PUBLIC IMPORTANCE

5525—30

(1) Shri Daji called the attention of the Prime Minister to the reported killing of two Indians by the Pakistani Armed raiders near the Piasbari border post in West Bengal, on the 28th August, 1962.

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon) made a statement in regard thereto.

(2) Shri Indrajit Gupta called the attention of the Minister of Education to the reported statements made at Djakarta by G.D. Sondhi Senior Vice-President of the Asian Games Federation and the reactions expressed thereto by the Indonesian Government.

The Minister of Education (Dr. K.L. Shrimali) made a statement in regard thereto.

STATEMENT BY MINISTER

5530—38

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon) made a statement regarding the establishment of 30 new posts in Ladakh by the Chinese troops

	COLUMNS		COLUMNS
PAPERS LAID ON THE TABLE	5538-39	BILLS INTRODUCED	5540-41
(1) A copy of Notification No. 3/7/62-Act./L published in Manipur Gazette dated the 22nd June, 1962 containing the Manipur Children Rules, 1962, under sub-section (3) of section 59 of the Children Act, 1960.		(1) The Electricity (Supply) Amendment Bill, 1962.	
(2) A copy of the Geneva Conventions (Assignment of Legal Practitioners) Rules, 1962 published in Notification No. S.R.O. 222 dated the 25th August, 1962, under section 19 of the Geneva Conventions Act, 1960.		(2) The Warehousing Corporations Bill, 1962.	
(3) A copy of the Mineral Concession (Fourth Amendment) Rules, 1962 published in Notification No. G.S.R. 1076 dated the 11th August, 1962, under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957.		BILLS PASSED	5541-87
		(1) Further discussion on the motion for consideration of the Reserve Bank of India (Amendment) Bill, moved on the 31st August, 1962, continued. The motion was adopted. After clause-by-clause consideration, the Bill was passed.	
		(2) The Deputy Minister in the Ministry of Finance (Shri B.R. Bhagat) moved for consideration of the Banking Companies (Amendment) Bill. The motion was adopted. After clause-by-clause consideration, the Bill was passed.	
MESSAGES FROM RAJYA SABHA	5539-40	BILL UNDER CONSIDERATION	5587-5700
Secretary reported the following messages from Rajya Sabha:—		The Minister of Food and Agriculture (Shri S. K. Patil) moved for consideration of the Sugarcane Control (Additional Powers) Bill. The discussion was not concluded.	
(i) That Rajya Sabha had agreed without any amendment to the Atomic Energy Bill, 1962, passed by Lok Sabha on the 20th August, 1962.		AGENDA FOR SEPTEMBER 4, 1962/BHADRA 13, 1884 (SAKA)	
(ii) That Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Appropriation (No. 4) Bill, 1962.		Further consideration and passing of the Sugarcane Control (Additional Powers) Bill. Consideration and passing of the Constitution (Fourteenth Amendment) Bill.	
(iii) That Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Appropriation (Railways) No. 4 Bill, 1962.			