

Third Series, Vol. V—No. 50

Thursday, June 21, 1962  
Jyaishta 31, 1884 (*Saka*)

# LOK SABHA DEBATES

(First Session)



(Vol. V contains Nos. 41—51)

LOK SABHA SECRETARIAT  
NEW DELHI

ONE RUPEE (INLAND)

FOUR SHILLINGS (FOREIGN)

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## LOK SABHA DEBATES

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### LOK SABHA

Thursday, June 21, 1962/Jyaistha 31,  
1884 (Saka).

—  
The Lok Sabha met at Eleven of the  
Clock

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

#### Power Transformer Factory in Kerala

+

- \*1591. { Shri S. C. Samanta:  
          Shri M. L. Dwivedi:  
          Shri Warrior:  
          Shri Vasudevan Nair:  
          Shri A. V. Raghavan:

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

(a) whether an agreement has been reached with M/s. Hitachi of Japan to establish a 1.1 crore power transformer factory in Kerala;

(b) if so, what would be the location of the factory; and

(c) what would be the capacity and production of the factory?

The Deputy Minister in the Ministry of Steel and Heavy Industries (Shri P. C. Sethi): (a) The terms of collaboration of M/s. Hitachi Transformers and Electricals (Kerala) Ltd., Trivandrum with M/s. Hitachi of Japan have been approved by the Government of India. The draft of the agreement is now being finalised.

(b) The factory is proposed to be located at Ankamali in Ernakulam District in Kerala;

(c) The firm has been permitted to  
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produce transformers up to the range of 50,000 K.V.A. The capacity has not been fixed.

Shri S. C. Samanta: May I know whether there will be any investment from the State of Kerala?

Shri P. C. Sethi: Yes, Sir; to the extent of 25 per cent, Kerala Government will invest.

Shri S. C. Samanta: May I know who else are the participants?

Shri P. C. Sethi: 25 per cent of the investment will be by M/s. Hitachi, 25 per cent by the Kerala Government and the rest will be shares.

श्री म० सा० द्विवेदी : इस कार्य में पूरा कितना व्यय प्रायेगा और हिताची कम्पनी को इस में साल व साल कितना लाभ मिला करेगा ?

प्रध्यक्ष महोदय : इस की क्या फिक्र, वह लोग खुद तय कर लेंगे ।

श्री म० सा० द्विवेदी : जब वह हमारे यहां कारखाना लगा रहे हैं . . . .

Mr. Speaker: Yes; the hon. Minister.

Shri P. C. Sethi: The equity capital will be Rs. 1.5 crores, and the terms of collaboration will be finalised. If the hon. Member wants, I can read out the terms of collaboration.

Shri Vasudevan Nair: May I know the employment potential of this factory?

Shri P. C. Sethi: A separate notice may be given.

Shri P. Kunham: When is the plant going to be commissioned?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** The first phase will be completed within a period of two years when 15,000 KVA transformers will be produced. The next phase will take another 1½ years.

**National Institute of Training in Industrial Engineering**

\*1592. { **Shri Maheswar Naik:**  
**Shri Subodh Hansda:**  
**Shri S. C. Samanta:**

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the progress so far made towards the establishment of the National Institute of Training in Industrial Engineering;

(b) the financial involvements thereof; and

(c) the manner in which the finances for the institute are proposed to be raised?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) A 35-acre site has been secured in Bombay and a Board of Governors set up for the management of the Institute.

(b) The Institute is estimated to cost Rs. 44 lakhs on buildings and equipment and Rs. 7.46 lakhs, recurring.

(c) An amount of Rs. 42.57 lakhs for buildings and equipment and 50 per cent of the recurring expenditure will be provided by the Central Government. The other 50 per cent of the recurring expenditure will be met by the Institute out of trainees' fees.

The United Nations Special Fund has agreed to provide equipment, experts and fellowships estimated at \$ 605,100 (about Rs. 29 lakhs).

**Shri Maheswar Naik:** The curriculum of this institute seems to offer a wide range of subjects and the

duration is sought to be from 1 week to 22 weeks. May I know whether a wide variety of subjects can be covered within a course of 1 to 22 weeks?

**Shri Humayun Kabir:** It will depend upon the nature of the course. Obviously a course which requires 22 weeks will not be covered in 1 week and only a course which can be covered in 1 week will be covered in 1 week.

**Shri Maheswar Naik:** There was a proposal sometime back that different industries will be contributing towards the establishment of an institute like that. May I know whether the industries have done their part for the establishment of such a training course?

**Shri Humayun Kabir:** The industries will, of course, cooperate. As I have said, half the recurring expenditure will be met by the trainees' fees and the trainees' fees will be paid in many cases by the industries concerned.

**Shri Subodh Hansda:** May I know what is the basis of selection of the trainees and whether there will be any quota for the different States or they will come through open competition?

**Shri Humayun Kabir:** When the institute is fully functioning, it will have a capacity of about 1400 technicians per year and we expect that the whole of India will be covered.

**Shri Bhagwat Jha Azad:** May I know what would be the strength of the institute and how far in the annual out-turn it will be able to meet the requirements of trainees?

**Shri Humayun Kabir:** I have just now mentioned that the out-turn will be about 1400.

**Dr. L. M. Singhvi:** When is the Institute likely to start functioning?

**Shri Humayun Kabir:** We have planned to start it in the second half of the Third Plan. Therefore, it will



start perhaps either next year or the year after.

**Shri Saraf:** May I know whether this institute will be run only by the Government or the industry will also be collaborated?

**Shri Humayun Kabir:** I have just now mentioned that the Board of Governors has been set up. It will be run by the Board of Governors and not by the Government.

**Shri Priya Gupta:** May I know whether the total technical supervisors turned over from the National Institute of Training per year will be proportionate to the requirements of supervisors in the industry, and whether in view of the large number of such requirement, other centres like this are also deemed to be opened?

**Shri Humayun Kabir:** This is the first step we are taking in setting up this kind of institution. It is my hope that afterwards there will be other institutions of this kind in other parts of India also.

**Shri Kunhan:** What are the courses of studies proposed to be introduced by this institute?

**Shri Humayun Kabir:** There will be 31 different courses. I can mention one or two. There will be a number of courses on advanced work measurements including design and installation of incentive schemes; another set of courses on work measurements and incentives; a third set of courses on production, planning and control; certain courses on sales organisation.

**Mr. Speaker:** He need not read all the 31. **Shri U. M. Trivedi.**

**Dr. M. S. Aney:** May I know.

**Mr. Speaker:** Order, order. I have called Shri Trivedi. Dr. Aney also requires my permission to put a question.

**Shri U. M. Trivedi:** Will the courses of study be guided by any university

or will they be independent of the control of any university?

**Shri Humayun Kabir:** These are a kind of practical training and some theoretical training is also given to people who are already in employment. This has nothing to do with universities.

#### Technical Personnel for Mines

\*1593. **Shri P. R. Chakraverti:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether Government have made any arrangement to set up a pool of technical personnel to be kept ready for employment in mines;

(b) what is the existing supervising agency to regulate the movement of technical personnel to the areas where they are in demand from the areas where they may be in surplus because of the lessening demand through the closure of mines or of exhaustion of the minerals; and

(c) whether there is any provision for making payment of subsistence allowance to such personnel, who temporarily go out of employment and seek fresh avenues?

**The Parliamentary Secretary to Minister of Mines and Fuel (Shri Thimmaiah):** (a) There is no pool of technical personnel to be kept ready for employment in mines, as such. There is, however, a pool for temporary placement of well-qualified scientists and technologists, including technical personnel trained in Mining Engineering, until they are absorbed in suitable posts on a, more or less, permanent basis. The Council of Scientific and Industrial Research is the controlling authority of the Pool.

(b) There is no such supervising agency at present. There are however, arrangements in the Employment Exchanges for the circulation of vacancies of certain categories and for the compilation and circulation of lists of registrants belonging to certain occupations who are prepared to take employment in other areas,

advantage of which facilities can be availed of by personnel, including technical personnel, registered in any of the Exchanges and, for any reason, surplus in the area where they are registered, for being considered for vacancies in areas where, for any reason, there is surplus demand.

(c) None, with the exception of payment of the prescribed emoluments to Pool Officers, referred to above.

**Shri P. R. Chakraverti:** Sir, in view of the fact that the declared policy of the Government is to augment production in mines through the introduction of technology, is it not proper to take some steps to maintain the morale of the personnel concerned; if so, how do Government propose to deal with this question which is not only material but psychological?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** So far as is known to us, there is no difficulty in finding employment for qualified technical personnel especially mining engineers who might incidentally become surplus in certain areas—as a matter of fact, we are short of mining engineers—except for the fact that those who have just come out after passing their examinations may have to spend a few months without employment. I want to assure my hon. friend that the Government are taking steps to train sufficient number of mining engineers and also other technical personnel who will be absorbed in jobs.

**Shri P. R. Chakraverti:** What is the apparatus, if any, which has been set up by the Government to watch over the interests of personnel whose services are disturbed by the introduction of some innovation in the technology and, if so, whether this personnel would be given a sense of assurance or security that any change in the technology will not affect the security of their services?

**Shri K. D. Malaviya:** At present there is no particular body which is

looking after this aspect of the question. But, as I answered the main question, a register is maintained by the Ministry of Scientific Research which looks after the interests of such technical personnel who come to India after receiving training from abroad, or who have qualified themselves for any particular job here, and they are given some job as an interim measure. After that, close scrutiny is held as to where they go and in what way their interests have to be watched.

**Shri Vidya Charan Shukla:** Have Government made any assessment of the requirement of technical personnel for mines by the end of the Third Plan and, if so, what is that requirement and what efforts are made by the Government to meet that requirement?

**Shri K. D. Malaviya:** Yes, Sir, a survey has been completed recently on the requirements of technical personnel in the mining industry. I have not got the figures with me here as to requirements at the end of the Third Plan.

**Shri Bhagwat Jha Azad:** Do Government propose to extend facilities for the training of mining technical personnel in order to make up the shortfall that we have at present?

**Shri K. D. Malaviya:** Yes, Sir. At various places such facilities are already existing. We have increased the number of students and expanded the facilities for training. Lately, we have also started opening schools for diploma-holders and some other type of junior technicians.

#### **PL 480 Funds used by U.S. Embassy in India**

\*1594. **Shri Nambiar:** Will the Minister of Finance be pleased to state:

(a) what is the total amount allocated under PL 480 Agreement with U.S.A. for expenditure to be incurred by the U.S. Embassy in India;

(b) how much of it had already been given by the Government to the U.S. Embassy; and

(c) how much of it had been utilised by the U.S. Embassy.

**The Minister of Finance (Shri Morarji Desai):** (a) Out of the rupee proceeds amounting to Rs. 1131.71 crores accruing under the PL 480 agreements signed to-date, the total amount allocated for use by the Government of the United States of America is Rs. 145.12 crores.

(b) There is no amount as such being given by the Government of India to the U.S. Embassy. As imports of foodgrains and other agricultural commodities take place, the payment thereof is made in rupees into the U.S. Government account with the Reserve Bank of India. Out of such proceeds amounting to Rs. 602 crores on 31-3-1962, the amount available for use by the Government of the United States of America is Rs. 91 crores.

(c) Since this relates to the expenditure incurred by the Embassy of a foreign Government, it cannot be disclosed.

**Shri Nambiar:** In view of the fact that such a huge amount has been allotted for the use by the US Embassy in India, may I know whether Government have any knowledge as to how this amount is being utilized?

**Shri Morarji Desai:** There is no question of anything being allotted to the United States. The whole money of Rs. 1131 crores belong to the USA for the grain they have supplied to us. Therefore, there is no question of our allotting anything. Out of that amount, they are giving back to us 80 per cent as loans and grants. After that, 20 per cent remains with them for their use. Who are we to ask what they do about it?

**Shri Nambiar:** Since that 20 per cent runs to Rs. 91 crores up to 31-3-1962 to what use is that money spent by the US Embassy in India?

**Shri Morarji Desai:** It is their money.

**Shri Daji:** Since this is a rather strange practice, does Government have any information, or means of information, as to how they will spend that money, not for Embassy matters but for matters unconnected with Embassy work?

**Mr. Speaker:** He has answered that.

**Shri Morarji Desai:** It would be impertinent for us to ask them.

**Shri Yallamanda Reddy:** As already there are Rs. 91 crores in the country in the account of the US Government, is it not the duty of this Government to know how they spend their money here? What is the secrecy?

**Mr. Speaker:** He has answered that and said that it is no business of ours.

**Shri A. C. Guha:** In spite of the fact that the money belongs to America, is there no general policy agreement between the Government of India and the United States Government as to how they will spend it, whether they will spend it on some productive purpose or on some other purpose?

**Shri Morarji Desai:** This again is a very strange question. They give to us 80 per cent of their money to which we are not entitled and 20 per cent of the money remains with them. My hon. friend wants to know as to what they do with their own money. It is a very fantastic question.

**Shri A. C. Guha:** I do not want to know that. I want to know whether there is any general policy agreement... (Interruption).

**Shri Vasudevan Nair:** Why is the hon. Minister so excited about it?

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

**Shri Harish Chandra Mathur:** May I know whether this 20 per cent

amount is to be remitted to USA or is to be spent here?

**Shri Morarji Desai:** That is their look out.

**Shri Harish Chandra Mathur:** My question is whether we give this amount to be remitted to USA or whether this amount is supposed to be spent here.

**Shri Morarji Desai:** The amount is in rupees. Therefore it cannot be remitted. It is to be spent only here.

### Correspondence Courses and Evening Colleges

\*1595. **Shri M. K. Kumaran:** Will the Minister of Education be pleased to state:

(a) whether the Expert Committee has submitted its report on correspondence courses and evening colleges;

(b) if so, what are their main recommendations; and

(c) whether Government have taken any steps to expand the scheme of correspondence courses and evening colleges?

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

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

I would like to inform the hon. Member, if he would kindly wait for a minute, that the Expert Committee has already made some recommendations to the Delhi University and to the Government, though they have not submitted the report, and the Delhi University had appointed the working group. It has been decided to start correspondence courses in the Delhi University during this session, that is, 1962-63. If you would kindly permit me, I might give a few details with regard to the proposals which the House may be interested to know. The syllabi and examinations will be identical with those prescribed for the regular students. The duration of the course will be three years for those who have passed the Intermediate Examination and four years for those who have passed the Higher

Secondary or equivalent examination. For the first batch of students the final University examination will be held in September, 1965. I might also inform the House that about 400 students from all over India will be admitted in the first year, that is, both men and women. Admissions will be open to all persons all over India and it will be by selection on merit. These are some of the recommendations which have been accepted by the Expert Committee and I thought the House might be interested in them.

**Shri M. K. Kumaran:** May I know whether it has come to the notice of the Government that management of private industrial undertaking in the country are putting obstacles in the way of their employees who wish to attend evening colleges and, if so, whether Government propose to take any action to lift this ban on learning?

**Dr. K. L. Shrimali:** The hon. Member does not expect me to answer this question because it is the management and the employees who will have to deal with the situation. As far as the Government are concerned, we are starting correspondence courses in Delhi University. They also received proposals from several other universities—there are about ten of them—for starting correspondence courses and after the University Grants Commission has watched the development of this course in Delhi University it will sanction these proposals for other universities also. We want to encourage it. I hope my hon. friend over there will take up this question with the particular management which tries to put obstacles in the way of its workers in taking advantage of this course.

**Shri M. K. Kumaran:** It has appeared in the papers that the managements of private industrial undertaking in Calcutta.....

**Mr. Speaker:** He has advised the hon. Member that he might take it up with the private management con-

cerned. He can ask another question if he wants to.

**Shri M. K. Kumaran:** In view of the importance of giving facilities to young men and women for higher education—that is recognised by the Planning Commission and the Central Government—may I know whether the Central Government will evolve some scheme whereby all the universities will be persuaded to accept this scheme?

**Dr. K. L. Shrimali:** I cannot ask all the universities to adopt this scheme. As I said, some universities have sent their proposals and the University Grants Commission are considering them. They will be sanctioned after the Commission have watched the progress of this scheme in the Delhi University.

**Shri Daji:** The question also relates to evening classes. So many universities are already holding evening classes. Has the Committee made any special or fresh recommendations about the evening classes?

**Dr. K. L. Shrimali:** The question of evening classes is also being examined by the Expert Committee. The report is expected by September.

**Shri Hem Barua:** Are Government aware of the fact that some universities are having a sort of conservative attitude towards evening classes and correspondence courses and if so, what steps do Government propose to take to bring them to a reasonable frame of mind?

**Dr. K. L. Shrimali:** The Universities are by nature conservative. We discussed the whole question yesterday. It is not possible to give them any directive.

**Dr. L. M. Singhvi:** Is it proposed to formulate a scheme to broadcast lessons from the All India Radio and, if so, when is the scheme likely to start functioning?

**Dr. K. L. Shrimali:** The All India Radio has already some programmes on education. I am not in a position to say whether under the correspondence courses advantage will be taken of the All India Radio. This is a suggestion which can be considered.

**Shri D. C. Sharma:** May I know, Sir, whether the correspondence course to be conducted by the University of Delhi will be open to students of Delhi, or students all over India?

**Dr. K. L. Shrimali:** This will be open to students all over India.

श्री म० ला० द्विवेदी: इस कारेसपोंडेंस कोर्स के सम्बन्ध में जब बिल उपस्थित किया गया था तो कहा गया था कि कारेसपोंडेंस कोर्स कई जगहों पर शुरू किये जायेंगे, और भी विश्वविद्यालयों में शुरू किये जायेंगे। मैं जानना चाहता हूँ कि यह जो प्रयोग किया जा रहा है यह क्या दिल्ली में ही शुरू किया जा रहा है या दूसरे विश्वविद्यालयों में भी इसको शुरू किया जायेगा और यदि किया जायेगा तो कब ?

डा० का० ला० श्रीमाली: मैंने निवेदन किया है कि दूसरे विश्वविद्यालयों में भी यह शुरू होगा लेकिन यूनिवर्सिटी ग्रांट्स कमिशन ने यह मिफारिश की है कि छः महीने के लिये जरा इसको देख लिया जाये कि यह जम जाता है दिल्ली यूनिवर्सिटी में या नहीं। हमारा इरादा और यूनिवर्सिटीज में भी इस काम को शुरू करने का है।

**Shri S. N. Chaturvedi:** Has it come to the notice of Government that there is a ban on Government servants joining working men's colleges and will this ban apply to the evening classes as well?

**Dr. K. L. Shrimali:** I am afraid all these questions do not arise.

**Shrimati Sarojini Mahishi:** Will the examinations of the students of the correspondence courses be held sepa-

rately, or along with those for regular students?

**Dr. K. L. Shrimali:** All these are matters of detail, which will have to be examined.

**Shri Yallamanda Reddy:** Are Government aware of the fact that in some of the States, the Government departments are not allowing their servants to attend evening classes?

**Mr. Speaker:** Now we cannot go into them. Each State cannot be taken up separately.

**Shri Yallamanda Reddy:** Some of the States are not allowing their employees to attend these classes. Has that fact been brought to the notice of Government and, if so, what action is proposed to be taken?

**Dr. K. L. Shrimali:** The hon. Member is asking questions which deal with State Governments. This is a matter for the State Governments to decide. As far as the Government of India is concerned this facility is provided and it is hoped it will be taken advantage of by those people who are in jobs. The correspondence courses are meant for them.

**Mr. Speaker:** He says some of the States refuse permission to their employees to attend evening classes.

**Dr. K. L. Shrimali:** In these matters each State Government will have to examine the situation. There may be certain situations in which they may refuse permission. I cannot give a general answer to this question. It is a matter for the State Governments.

उत्तर प्रदेश-बिहार सीमा विवाद

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\*१५६६. { श्री सरजू पांडेय :  
श्री मंत्री :

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

(क) उत्तर प्रदेश और बिहार सरकारों के बीच सीमा विवाद, जिसमें प्रधान मंत्री

ने मध्यस्थता करना मंजूर कर लिया था, निबटाने में क्या कठिनाइयाँ हैं ;

(ख) क्या यह सच है कि बिहार सरकार के अधिकारियों ने उत्तर प्रदेश के हजारों खेतिहर मजदूरों को उन की मजदूरी के बदले में दिया गया धन इस वर्ष जव्त कर लिया है; और

(ग) क्या सरकार खेतिहर मजदूरों की कठिनाइयों को देखते हुए उन्हें अपनी मजदूरी के बदले में मिला हुआ अनाज अपने राज्य में ले जाने की सुविधाएं देने की किसी योजना पर विचार कर रही है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री बातार) : (क) से (ग) एक विवरण पत्र सभा पटल पर रख दिया गया है ।

### विवरण

(क) पक्की सीमा निर्धारित करने के विषय में दोनों प्रदेशों की सरकारों के बीच मतभेद था । बिहार सरकार के विचार में नदी की धार की सालाना जांच के आधार पर सीमा निर्धारण का वर्तमान मिद्दात ही ठीक था । उत्तर प्रदेश सरकार पक्की सीमा के पक्ष में थी ।

(ख) यह सच नहीं है कि बिहार सरकार के अधिकारियों ने उत्तर प्रदेश के हजारों खेतिहर मजदूरों को उन की मजदूरी के बदले में दिया गया धन इस वर्ष जव्त कर लिया है, किन्तु कुछ दिन पहले उत्तर प्रदेश के बलिया और गाजीपुर जिलों के २५ व्यक्तियों के खिलाफ ऐमैमिशयन कमीडिटीज ऐक्ट की धारा ३—८ के अधीन बिहार से उत्तर प्रदेश को धान ले जाने के जुर्म में मुकदमा चलाया गया था । उत्तर प्रदेश सरकार ने बिहार सरकार को लिखा है कि ये लोग खेतिहर मजदूर थे जो अपनी मजदूरी का धान ले जा रहे थे । बिहार सरकार मुकदमा वापस लेने के प्रश्न पर विचार कर रही है ।

(ग) बिहार खाद्यान्न (यातायात नियंत्रण) आदेश १९५७ की धारा (३) के अधीन अधिकृत प्रार्थी राज्य सरकार या उसके नियुक्त अधिकारी द्वारा जारी किये गये परमिट के अनुसार बिहार से बाहर कहीं भी अनाज ले जा सकते हैं ।

**श्री सरजू पाण्डेय :** मैं ने प्रश्न यह किया था कि उत्तर प्रदेश और बिहार के मीमा विवाद को तय करने के लिये प्रधान मंत्री ने मध्यस्था की है ? मैं जानना चाहता हूँ कि क्या उन्होंने दोनों राज्य सरकारों के मुख्य मंत्रियों के साथ कोई बातचीत की है या नहीं ?

**गृह-कार्य मंत्री (श्री लाल बहादुर शास्त्री) :** जी हाँ, प्रधान मंत्री जी की कुछ बातचीत हुई थी दोनों मुख्य मंत्रियों से और उन्होंने एक सज्जन को इस काम के लिये नियुक्त किया है कि वह मध्यस्था करें । आर्बिट्रेशन करें । वह इस काम को अपने हाथ में लेंगे ।

**श्री सरजू पाण्डेय :** जो विवरण दिया गया है, इसमें कहा गया है कि बलिया और गाजीपुर के कुल २५ खेत मजदूरों पर मुकदमे चलाये गये हैं । लेकिन मेरी सूचना इससे भिन्न है । २५ से ज्यादा खेत मजदूरों के ऊपर अकेले बलिया से मुकदमे चले हैं और मैंने स्वयं अपनी आँखों से देखा है कि खेत मजदूरों से धान इत्यादि छीन करके उनको नंगे—

**अध्यक्ष महोदय :** अब आप गवाय करें ।

**श्री सरजू पाण्डेय :** मैं गवाय कर रहा हूँ । मैं जानना चाहता हूँ कि क्या केन्द्रीय सरकार की तरफ से कोई ऐसा डायरेक्टिव दिया गया है बिहार सरकार को कि वह खेत मजदूरों की थोड़ी बहुत जांच करके उनको छोड़ दिया करें और वहाँ से धान, मजदूरी के रूप में जो वे लाते हैं, उसे ले आने दिया करे ? क्या ऐसा कोई डायरेक्टिव बिहार सरकार को दिया गया है या नहीं ?

**श्री लाल बहादुर शास्त्री :** डायरेक्टिव देने की यह बात नहीं है । उनको यह सलाह दी गई है कि जहाँ तक हो सके मजदूर जो जाते हैं और उनको जो मजदूरी मिलती है अनाज के रूप में, उसको वहाँ से लाने में उनके रास्ते में कोई खास दिक्कत पैदा न की जाये । लेकिन उनके कुछ कायदे कानून हैं जिसमें कुछ परमिट वगैरह की बात है । अगर वह चीज बहुत ज्यादा हो जाती है तब उसमें कुछ न कुछ नियमों का पालन करना जरूरी हो जाता है ।

**श्री प्रकाशवीर शास्त्री :** मैं जानना चाहता हूँ कि यह जो भाग विवादास्पद है, इसमें कितने गांव और कितना भूभाग आ जाता है ? साथ ही जब तक इस विवाद का कोई हल न निकल आये तब तक के लिये इस क्षेत्र के निवासियों की समस्या का समाधान करने के लिये क्या यह उचित नहीं होगा कि केन्द्रीय सरकार अपनी देखरेख में उतने भूभाग को लें ?

**श्री लाल बहादुर शास्त्री :** इसको माननीय सदस्य करीब कीब चीन और भारत के बार्डर का प्रश्न बना बैठे हैं । ऐसा कुछ नहीं है । इसे हल होना चाहिए, यह जरूरी है ।

**श्री प्रकाशवीर शास्त्री :** मेरे पहले भाग का उत्तर नहीं दिया गया है कि यह कितना भूभाग है और इसमें कितने गांव आते हैं ?

**अध्यक्ष महोदय :** दूसरा सवाल आपने ऐसा कर दिया कि उन्होंने समझ लिया कि आपने पहले भाग के बारे में इतने गीगियस नहीं हैं ।

**श्री राम सेवक यादव :** जिनको प्रधान मंत्री जी ने इस काम के लिये नियुक्त किया है, उनका नाम क्या है और यह मीमा विवाद कितने दिन के अन्दर हल हो जायेगा ?

**श्री लाल बहादुर शास्त्री :** वह सज्जन श्री सी०एम० त्रिवेदी हैं जो प्लानिंग कमिशन के मੈम्बर हैं । अभी उन्होंने काम शुरू नहीं

किया है, लिहाजा यह कहना कि कब यह खत्म हो जायेगा, बहुत जल्दी है।

**Shri Bhagwat Jha Azad:** May I know whether this Arbitrator would hear the arguments on the Government basis of meeting the officials and Ministers or sit like a court and hear arguments from professional lawyers on behalf of the Government?

**Shri Lal Bahadur Shastri:** That is going into too much detail. He will perhaps decide for himself. I do not think he is going to function there as a law court, but he will certainly meet the officials, non-officials and he might also visit the spot and meet the people there.

**Shri Basappa:** May I know whether the mediation of the Prime Minister in such matters is confined only to U.P. and Bihar or whether it will also be extended to Mysore and Maharashtra?

**Mr. Speaker:** That is a different thing.

**श्री भक्त दर्शन :** क्या मध्यस्थ को नियुक्त करने से पहले बिहार और उत्तर प्रदेश दोनों राज्यों की सरकारों की स्वीकृति ले ली गई है कि जो भी निर्णय दिया जाये, उसको वे मान लेंगे और उस पर अमल करेंगे ?

**श्री लाल बहादुर शास्त्री :** अगर ऐसा नहीं है तो उन्हें आविद्वेशन की बात प्रधानमंत्री से कहनी ही नहीं चाहिये थी। जब यह कहा जाये कि आविद्वेशन आप कर दें तो इसके जो फैसला होगा वह मान्य होगा।

**Shri Jashvant Mehta:** What are the points of reference to this Arbitrator?

**Shri Lal Bahadur Shastri:** It is a long one. The terms of reference will be:

(1) Whether the principle of fixed boundaries between the aforesaid districts should be accepted? If so,

whether they should be determined in the manner suggested at the 1952 Conference, or in a different way?

(2) If the principle of fixed boundaries is not advisable, what improvement should be made in the existing principle based on the deep-streams of the rivers Ganges and Ghagra?

(3) Whether, in the opinion of the Arbitrator, there can be any other solution to the question of the boundaries between the said districts? If so, what?

**श्री त्यागी :** इन दोनों गवर्नमेंट्स ने प्रधान मंत्री को मध्यस्थ स्वीकार किया था या उनके नामिनी को स्वीकार किया था ? प्रधान मंत्री जी ने क्या यह काम अपने ऊपर लिया था या यह कहा था कि वह कोई मूल्यदार नियुक्त कर दें अपनी तरफ से और उसको यह काम सौंप देंगे ?

**श्री लाल बहादुर शास्त्री :** जिस आदमी पर बहुत अधिक लोगों का विश्वास होता है वह अगर अपने काम में किसी की मदद ले ले तो वह भी विश्वास की बात है। 'उन्को पूरा विश्वास है और इसको वे पसन्द करते हैं। फैमला तो प्राइम मिनिस्टर का होगा लेकिन जिस की मदद वह लेना चाहते हैं, लेते हैं।

उत्तर प्रदेश में रासायनिक उर्वरक कारखाना

+

\* १५६७ { श्री भक्त दर्शन :  
डा० लक्ष्मीमल्ल सिधवी :

क्या इस्पात और भारी उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार उत्तर प्रदेश में मथुरा व आगरा के बीच एक रासायनिक उर्वरक कारखाना स्थापित करने का विचार कर रही है ;

(ख) यदि हां, तो क्या उसकी लागत, उत्पादन-क्षमता, तथा उसकी स्थापना करने वाली फर्म का व्योरा बताने वाला एक विवरण



सभा पटल पर रखा जायेगा ; और

(ग) उस कारखाने की स्थापना में अब तक क्या प्रगति हुई है ?

इस्पात और भारी उद्योग मंत्रालय में उपमंत्री (श्री प्र० चं० सेठी) : (क) में (ग). सरकार का मयुरा और आगरा के बीच सरकारी क्षेत्र में एक रासायनिक उर्वरक कारखाना स्थापित करने का कोई विचार नहीं है । ताहम ऐसा कारखाना स्थापित करने के लिये निजी क्षेत्र से कुछ प्रस्थापनायें प्राप्त हुई हैं जो विचाराधीन हैं ।

श्री भक्त दर्शन : मैं यह जानना चाहता हूँ कि कौन ऐसी संस्थाएँ या व्यक्ति हैं जिन्होंने इस तरह के कारखाने की स्थापित करने का प्रस्ताव रखा है, और क्या यह सत्य है कि उन का समर्थन उत्तर प्रदेश की सरकार ने कि... है ?

श्री प्र० चं० सेठी : जी हाँ, उत्तर प्रदेश की सरकार ने समर्थन किया है । दो व्यक्तियों की दम्बास्ते श्री, मेमर्स विड़ला खालियर (प्राइवेट) लिमिटेड और मेमर्स हिन्दुस्तान फर्टिलाइजर लिमिटेड । उत्तर प्रदेश सरकार ने मेमर्स विड़ला खालियर (प्राइवेट) लिमिटेड को रिकमेंड किया है ।

श्री भक्त दर्शन : इस सम्बन्ध में कब तक अन्तिम निर्णय हो जाने की आशा की जाती है, और कब तक यह फैक्ट्री चालू हो सकेगी ?

श्री प्र० चं० सेठी : जैसा अब से पूर्व बतलाया गया, मामला अभी विचाराधीन है ।

Dr. L. M. Singhvi: What is the proposed size of the factory in the framework of the Plan?

The Minister of Steel and Heavy Industries (Shri C. Subramaniam): In the private sector for which recommendation has been made, the final

proposal is to have 68,000 tons of nitrogen and 72,000 tons of  $P_2O_5$ .

Shri P. Kunhan: May I know whether the Government have received any representation from other States like Kerala for the establishment of a fertiliser factory in the Third Plan?

Mr. Speaker: That is not relevant here. Next question.

### Medical Graduates

\*1598. Shri Bibhuti Mishra: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Government are considering a scheme for the medical graduates to work in the rural areas for a certain period just after getting their degrees; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) and (b). The question is under consideration.

श्री विभूति मिश्र : मैं जानना चाहता हूँ कि अगर यह मामला अभी विचाराधीन है तो सरकार किस बात पर विचार कर रही है ?

अध्यक्ष महोदय : आप ने जो बात पूछी उस पर विचार हो रहा है, फिर आप कहते हैं कि किस बात पर विचार हो रहा है ।

श्री विभूति मिश्र : कहा गया कि मामला विचाराधीन है तो विचाराधीन कौन कौन सी खास बातें हैं जिन की तरफ सरकार का दिमाग खिंच गया है ?

Shrimati Chandrasekhar: Examination has been finished with the State Governments. We are now considering amongst ourselves whether this would be feasible or desirable.

श्री विभूति मिश्र : क्या यह सही नहीं है कि आज कल मेडिकल कॉलेज में ग्रेजुएट होने में पांच साल लगते हैं? अब मान लीजिये

कि सरकार ने कहा कि वे लोग एक साल गांवों में जा कर काम करें तो उन को डिगरी मिलने में छः साल लग जायेंगे। तो क्या ब्रेजुएट होने में जो समय लगता है, जो विद्यार्थी का धन खर्च होता है, जो दिक्कत होती है, उस को सरकार और बढ़ाना चाहती है ?

**गृह-कार्य मंत्री (श्री लाल बहादुर शास्त्री) :** जी नहीं, यह कोई परीक्षा के समय या कोर्स को बढ़ा देने का मवाल नहीं है। यह राय दी गई कि जो डाक्टर गवर्नमेंट सर्जिस में आना चाहते हैं उन को डिगरी मिल जाने के बाद कुछ समय तक गांवों में जा कर काम करना पड़ेगा। जब वे वहां पर काम करेंगे तभी उचित रूप से वे गवर्नमेंट सर्जिस में शामिल होंगे। यह बात कही गई है।

**Dr. L. M. Singhvi:** For how long has this matter been under consideration? By when is the matter likely to be finalised?

**Shri Lal Bahadur Shastri:** Just now, my colleague has said that preliminary enquiries have been completed. How long, I cannot give the date.

**Dr. L. M. Singhvi:** Since when?

**Shri Lal Bahadur Shastri:** May be, it was in August 1961 perhaps that this idea was mooted. We have to consult the various Governments and other Ministries. We have done some work. We hope to finalise.

**Shri Harish Chandra Mathur:** Even under the existing rules, what prevents the Government from posting one of their employees in the rural areas? May I know whether they have also considered what is the use of sending raw people to rural areas where they will have no guidance?

**Shri Lal Bahadur Shastri:** I think the hon. Member himself fully understands the difficulties. It is true that anyone can be posted in any area or in any place. But, as the hon. Mem-

ber knows, it is mostly done by the State Governments, and they are responsible. They do not have enough hands even now. Even if we keep aside this question of appointing or posting doctors in the rural areas, there is dearth of doctors throughout the country, except in West Bengal, in all the other States, we do not have enough hands to fill all the posts which are needed just at present.

**Shri Priya Gupta:** Will the hon. Minister kindly state whether those doctors who are being sent to the rural areas are fully qualified doctors who can handle patients independently and they are being given the pay for the purpose, or they are those for whom this prerequisite period is compulsory for becoming qualified or full-fledged doctors?

**Shri Lal Bahadur Shastri:** Both will be sent; naturally, they will all be qualified. That is the first point. And experienced doctors will also be sent. There may be a hospital and you may require three doctors there; one of them can be an experienced or senior doctor, and the other two can be those who have qualified recently or have newly passed the medical course.

**Mr. Speaker:** Now, Shri Vishram Prasad.

**Shri Priya Gupta:** My point is this. It is just a small point....

**Mr. Speaker:** Order, order. I have called Shri Vishram Prasad.

**Shri Priya Gupta:** There is the question of seniority and juniority.

**Mr. Speaker:** If he is junior, he would draw the immediate salary.

**श्री विश्राम प्रसाद :** अभी माननीय मंत्री जी ने बतलाया है कि डाक्टर चार साल का काम करने के बाद एक साल देहात में रहेंगे। तो क्या देहात वालों की जिन्दगी शहर वालों के मुकाबले इतनी सस्ती मानी

गई है कि उन्हीं के ऊपर पहले एस्पेरिमेंट किया जायेगा ?

**अध्यक्ष महोदय :** इस का जवाब तो दे दिया गया है ।

**श्री हरिश्चन्द्र माधुर :** जवाब नहीं दिया गया है ।

**अध्यक्ष महोदय :** जवाब दिया गया है कि जो दूसरे क्वालिफाइड डाक्टर होंगे उन के साथ उन्हें लगाया जायेगा । मैं तो यही समझा हूँ, अगर यह नहीं है तो बात दूसरी है ।

**श्री साल बहादुर शास्त्री :** यही जवाब है । और अभी तो हालत यह है कि वहाँ कोई डाक्टर नहीं है और जिन्दगी बिल्कुल सस्ती है । जब क्वालिफाइड डाक्टर जायेंगे तब जिन्दगी इस से कम सस्ती होगी । आज तो जिन्दगी इस तरह से सस्ती हो रही है कि कोई देखने वाला नहीं है । वह चीज स से कहीं बतर है । कम से कम क्वालिफाइड डाक्टर तो वहाँ पर होगा । हम उसे ट्रेनिंग देंगे, उस पर सुपरविजन रखेंगे, सीनिअर डाक्टर जहाँ रख सकेंगे रखेंगे । इस से ज्यादा और क्या हो सकता है ?

#### **Dissolution of Certain Cantonment Boards**

\*1599. **Shri Hem Raj:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that some of the Cantonment Boards which are running under continuous losses will be dissolved;

(b) if so, the names of such Boards, State-wise; and

(c) what decision has been taken about the educational and medical institutions run by them?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):**  
(a) No, Sir.

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

**Shri Hem Raj:** May I know how many Cantonment Boards are running at a loss now?

**Shri D. R. Chavan:** There are no Cantonment Boards running at a loss. They are not a commercial undertaking to run at a loss.

**Shri Daji:** In view of the fact that though these cantonment boards may not be running at a loss but they are having deficit budgets, to put it more correctly, and there is multiplicity and duplication of educational, medical and veterinary facilities, because the State Governments are also providing the same facilities as the cantonment boards, may I know whether Government will see to it that this duplication is removed?

**Shri D. R. Chavan:** Government are giving financial assistance in the shape of grants-in-aid to all the deficit cantonment boards.

**Shri Daji:** My question has not been understood...

**Mr. Speaker:** The hon. Minister has said already that there is no proposal to wind them up.

**Shri Nambiar:** May I know whether in those areas where the cantonments are dissolved, and where the military do not require certain plots of land, those lands will be handed over again to the collectors or the municipalities concerned?

**Mr. Speaker:** That is not relevant to the main question before us.

**Mr. Speaker:** Now, Q. No. 1601.

**Shri Hem Barua:** May I request that Q. 1614 also may be answered along with this?

**Shri Hari Vishnu Kamath:** Both are on the same subject, and may, therefore, be answered together.

**Mr. Speaker:** If the hon. Minister has no objection, both can be taken up together.

**"China Today"**

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\*1601. { Shri D. C. Sharma:  
Shri P. K. Deo:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have proscribed issue No. 16 of magazine "China Today" dated the 21st April for publishing an article prejudicial to the interests of the safety and security of India; and

(b) if so, whether Government have considered the desirability of stopping its publication and circulation in India in view of repeated instances of the same nature?

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

(b) While there is no provision in law under which the publication of a journal can be prevented, it is being considered as to what further action should be taken in this matter.

**"China Today"**

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\*1614. { Shri Hem Barua:  
Shri Hari Vishnu Kamath:  
Shri Ram Harkh Yadav:

Will the Minister of Home Affairs be pleased to state:

(a) the number of issues of "China Today", a journal published by the Chinese Embassy in New Delhi, which have been proscribed since January 1, 1962 together with the date of publication and the date of forfeiture of each;

(b) the name of the printing press where they were printed;

(c) the name of the owner or proprietor of the press;

(d) whether action under the Criminal Law Amendment Act, 1961 has been taken against the press;

(e) if so, the nature of action taken; and

(f) if not, the reasons therefor?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) Notification under the Criminal Law Amendment Act, 1961, declaring issue No. 50 dated the 9th December, 1961, issue No. 18 dated the 5th May, 1962 and issue No. 16 dated the 21st April, 1962 of "China Today" to be forfeited to Government were issued on 8th May, 11th May and 29th May, 1962, respectively.

(b) The New Age Printing Press, New Delhi.

(c) The People's Publishing House, Private, Limited.

(d) to (f). The matter is under consideration.

**Shri D. C. Sharma:** May I know if Government know how many copies of this paper are circulated in Delhi and outside Delhi, all over India?

**Shri Datar:** According to present information, some copies have been forfeited in the States of U.P., Rajasthan and Punjab.

**Shri D. C. Sharma:** May I know whether Government are in a position to know the list of the persons to whom these copies are sent, and if so, have Government got this information?

**Shri Datar:** They have been forfeited by the State Governments. The details are not with us.

**Shri Hem Barua:** May I know whether the attention of Government is drawn to *China Today*, 24th issue, that was distributed in Delhi on 19th June, wherein this statement occurs:

"A lie is after all a lie, a truth a truth; a lie can never be turned into truth, no matter how often the Indian Government repeats it?"

If so, in view of the fact that a statement of this sort naturally enough

lampoons India as a whole, why is it that Government have not decided to take any drastic action against this? We do not want to be called 'liars'.

**The Minister of Home Affairs (Shri Lal Bahadur Shastri):** As the hon. Member is aware, three issues were confiscated. As regards the 24th issue, I have not seen it. Anyhow, if action is needed, the same action will have to be taken against that issue also. However, as he knows, generally under our present rules, we cannot prevent publication of any journal. But action could be taken against statements or articles which are prejudicial to the interests, security and safety of the country. We have looked into this matter as to how to proceed in the matter. There are different ways. But we do want to take some action in this regard.

**Shri Hem Barua:** In view of the fact that certain issues of *China Today* are proscribed, may I know whether Government have taken the trouble to collect those issues that might be lying with the Chinese Embassy here or with the printing press here?

**Shri Lal Bahadur Shastri:** As for the Chinese Embassy, it is, of course, a different matter. But as regards the press, the Delhi authorities did make a number of searches and went to different places. They have not been able to secure any copy.

**Shri Hari Vishnu Kamath:** In view of the fact that there has invariably been a considerable time-lag between the publication and circulation of *China Today* on the one hand and its proscription and forfeiture on the other, is it a fact that the police authorities have reported to Government that it is somewhat difficult to implement the ban order, because copies once circulated cannot be easily seized and forfeited to Government?

**Shri Lal Bahadur Shastri:** That may be so.

**Shri Vidya Charan Shukla:** In reply to (d) and (e) of question No. 1614,

it is stated that the matter is under consideration. May I know the basis and the point on which this consideration is proceeding?

**Mr. Speaker:** Why should he insist on Government disclosing it?

श्री भक्त दर्शन श्रीमन्, क्या इस "चिना टुडे" का कोई हिन्दी संस्करण भी प्रकाशित होता है, और यदि होता है तो क्या उस भी जप्त किया गया है ?

श्री लाल बहादुर शास्त्री : जी हाँ, "आज के चीन" के नाम से निकलता है, और उसे भी जप्त किया गया है ।

**Shri Tyagi:** I heard the hon. Minister say that there was no law which could enable him to check this type of tendencies which are leading towards treason. If that is so, could not the hon. Minister come out with a proposal and get the sanction of Parliament so that he may be fully authorised to stop this treason in the country?

**Shri Lal Bahadur Shastri:** I did not say that we cannot take action in such cases. I merely said that we have got full freedom of speech and writing in our country.

**Shri Tyagi:** For Indians, or for foreigners also?

**Shri Lal Bahadur Shastri:** This, of course, concerns Indians. I said we therefore do not prevent the publication of any paper. However, as I said, if something objectionable is written, which is against the law, we have to take action against the publication.

### Foreign Tourists

\*1602. **Shri P. C. Borooah:** Will the Minister of Finance be pleased to state:

(a) whether there have been complaints from foreign tourists about difficulties experienced by them at the customs; and

(b) if so, what decisions, if any, have been taken by the Government to improve the situation?

**The Deputy Minister of Finance (Shri B. R. Bhagat):** (a) The Government of India have received some complaints from foreign tourists about difficulties said to have been experienced by them in customs clearance.

(b) It is the Government of India's policy to show all courtesy and consideration to all persons passing through customs check and to clear them through the customs expeditiously. Instructions already exist to this effect to all Customs officials. The complaints whenever they are received are looked into promptly and remedial action taken when necessary.

**Shri P. C. Borooah:** May I know whether it is a fact that it takes almost a day for taking customs clearance and a week's time for import clearance of articles carried by tourists and thus they are put to much inconvenience because they are scheduled to stay in a place only for two or three days? What steps are Government taking to remove these difficulties?

**Shri B. R. Bhagat:** We maintain a log book each time the tourists are cleared and we inspect it very carefully. So far as the tourists are concerned, about 95 per cent of them are cleared within 40 minutes, and their personal baggage is also cleared along with them, but if they are importing with them certain articles into which investigations are required, certainly that takes some time.

**Shri P. C. Borooah:** May I know whether it is a fact that the public relations officers posted at different places are not conversant with the import and customs rules and so they cannot give assistance to these people? If so, what steps are Government taking to make the public relations officers conversant with these rules?

**Shri B. R. Bhagat:** Generally the public relations officers are carefully

selected and they are quite adept in dealing with the public in an efficient way, but for the information of the hon. Member may I say that we are creating a special pool of customs and central excise officers who will be selected with an eye on quality as well as their tact and efficiency in handling tourists and other personnel, for being kept at these various airports where the foreign tourists come in large numbers, and we hope with this special selection of men of experience, the complaints of discourtesy or undue delay will be very much minimised.

**Shri Sham Lal Saraf:** May I know whether the facilities that are given at the customs clearance to foreign tourists are given publicity in our Embassies and other offices in foreign lands?

**Shri B. R. Bhagat:** Our Tourist Department and other departments concerned are taking all measures to publicise them.

**Shri Bhagwat Jha Asad:** The hon. Minister said that complaints had been received. May I know whether an enquiry into these complaints has established the genuineness of the complaints or that what was done was according to our customs rules?

**Shri B. R. Bhagat:** In some cases the complaints may be genuine, the other complaints are frivolous.

**Dr. L. M. Singhvi:** Has any analysis been made of these complaints? Is the Government aware that customs clearance takes eight to ten hours usually for the accompanied baggage of the foreigners?

**Shri B. R. Bhagat:** As I said, we have a separate log book for each clearance, the clearance of each plane, and the study shows that 95 per cent of the cases are cleared within 40 minutes. The House may be aware that there are some smugglers among the tourists. When we have some

information or when we have some suspicion, we have to take care. Generally the complaints are in those cases in which we have some suspicion.

**Shri Morarka:** May I know whether the complaints originate from all the airports or any airport in particular?

**Shri B. R. Bhagat:** Some airports.

**Mr. Speaker:** Shri S. M. Banerjee---absent. Next question.

**Shri Iqbal Singh:** May I know whether the taxation proposals of the State Governments can be discussed in this House, and further, whether the reactions on the taxation proposals of the State Governments can be discussed in this House or not? I want your ruling on this point.

**Mr. Speaker:** The question is not before the House. Next question.

#### Bank of China

\*1604. **Shri Hari Vishnu Kamath:** Will the Minister of Finance be pleased to state:

(a) whether the Bank of China continues to operate in India;

(b) if so, what restrictions have been imposed on its functioning;

(c) whether any further measures are contemplated in view of the worsening of India-China relations;

(d) whether some of the employees of the Bank have been ordered to leave India; and

(e) if so, the reasons therefor?

**The Deputy Minister of Finance (Shri B. R. Bhagat):** (a). Yes.

(b). The licence issued to the Bank of China to deal in foreign exchange was withdrawn by the Reserve Bank from the 28th December, 1961.

(c). The question of taking suitable action will arise if any of the provisions of the Banking Companies Act, 1949 are contravened.

1153 (Ai) LS—2.

(d) and (c). Some employees whose activities have been found objectionable have been ordered to leave India under the provisions of the Foreigners Act.

**Shri Hari Vishnu Kamath:** How many Indians are employed in the Bank of China, and as distinct from employees, has the Government got any information as to whether other Indians have got any dealings or transactions with the Bank of China, or does it cater mainly or only to the needs of the Chinese community in India?

**Shri B. R. Bhagat:** At the end of December, 1961, the total staff employed by the bank was 88, of whom 31 were Indians and the rest non-Indians. The Reserve Bank is making efforts to get the bank to increase the number of Indians on the staff.

**Shri Hari Vishnu Kamath:** The other part of the question has not been answered—whether the Government has got information to show whether other Indians have got any dealings with the Bank of China—business dealings—apart from the employees.

**Shri B. R. Bhagat:** I do not have that information.

**Shri Hari Vishnu Kamath:** Has Government received reports from the West Bengal Government or from other sources to the effect that the Bank of China in Calcutta and Bombay has been indulging in subversive and espionage activities or at least in prejudicial and undesirable activities and, if so, in the context of the present India-China relations and the lapse of the 1954 trade agreement....

**Mr. Speaker:** After "if so," he must come to the question.

**Shri Hari Vishnu Kamath:** And if so, with the lapse of the 1954 trade

agreement, in the present context of India-China relations.

**Mr. Speaker:** After "if so", and when he has prefaced the question with "if so", he must put the question straight.

**Shri Hari Vishnu Kamath:** I am putting the question. What are the reasons for not closing down the Bank of China completely?

**Shri B. R. Bhagat:** The bank as such cannot indulge in any activity other than normal banking activities. The inspection of the Reserve Bank does not show any such thing. But certainly some of the employees of the bank were found to be indulging in subversive activities and, as I said, under the Foreigners Act they have been suitably dealt with and most of them have been sent out of the country.

**Shri Nath Pai:** Has any investigation been made into the suspicion as to whether the bank uses its financial resources to help activities particularly of a propagandist nature, helpful to the cause of the Chinese Government?

**Shri B. R. Bhagat:** It is possible for the Reserve Bank to carry out its inspection. We do go into these things, but so far, the banking operation of this bank has not revealed any such activity.

**Shri Vidya Charan Shukla:** May I know the reason why the Reserve Bank withdrew the permission from the bank to deal in foreign exchange?

**Shri B. R. Bhagat:** Because of the closure of trade with Tibet, the foreign trade activities of this bank have dwindled very much and for that reason the licence to deal in foreign exchange was withdrawn.

**Shri Morarka:** May I know the total deposits of the bank and how much is Indian and how much Chinese?

**Shri B. R. Bhagat:** The deposits of the bank have dwindled very much. It has come down from Rs. 3,99,35,200 on 15th September, 1961 to Rs. 1,21,16,000 on 6th April, 1962. I have not got the breakup as to how much is Chinese and how much Indian.

**Shri Hem Barua:** In view of the fact that the Bank of China has of late a honeycomb of anti-Indian activities....

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

**Shri Hem Barua:** I will link it up in one sentence.

**Mr. Speaker:** The sentence must have some limited size.

**Shri Hem Barua:** In view of the fact that the Bank of China is indulging in financing anti-national activities in our country, in spite of the fact that the Reserve Bank has withdrawn the foreign exchange licence, why is it that our Government have not tried to reassess the position of the Bank of China in our national economy?

**Shri B. R. Bhagat:** That the bank as such is indulging in subversive activities is not shown by the inspection of the Reserve Bank. The bank was inspected in November and December, 1961, with reference to its position and before that in September 1961. So, several inspections by the Reserve Bank did not show any such activities. But as I said, some of the employees were indulging in such activities and we have taken suitable action.

**Dr. L. M. Singhvi:** Is it a fact that the West Bengal Government has suggested the closure of this Bank or has asked for any drastic steps to be taken by the Government of India against this bank?

**Shri B. R. Bhagat:** I have not got that information that the West Bengal Government suggested any such thing.



### Oil Royalty

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\*1605. { Shri Hem Barua:  
          { Shri P. C. Borooah:

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

(a) whether the question of oil royalty was discussed recently at Delhi with two Assam Ministers; and

(b) if so, conclusions arrived at?

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

(b) On the suggestion of the Assam Ministers it has been agreed that the matter may be referred to a third party.

**Shri Hem Barua:** May I know whether it is a fact that the State Government propose to approach the Supreme Court for an interpretation of some legal aspects regarding this royalty issue and if so, may I have an idea of the legal aspect involved in this?

**Shri K. D. Malaviya:** It has not been decided yet as to whether the third party which I referred to in my answer should be reference to arbitration or to the Supreme Court. This question will be considered as soon as the formal proposal from the Government of Assam is made. At that time, the legal aspect and the constitutional aspect will also be made quite clear.

**Shri Hem Barua:** May I now whether the losses that the State Government are likely to suffer due to the reduced well-head price are being computed and if so, whether it is a fact that the Central Government have offered a 15 per cent share participation to the Government of Assam? If so, what is the reaction of the State Government to this proposal?

**Shri K. D. Malaviya:** No, Sir; there is no proposal to offer any partnership in the refinery or in any other venture to the Assam Government in

lieu of any reduction in the royalty that might result after these things. But a separate proposal offering the State Government some partnership in the refinery venture is under consideration and steps will be taken to convey the decision of the Government.

**Shri P. C. Borooah:** What is the difference between the royalty demanded by the Assam Government and the royalty that the Central Government propose to pay?

**Shri K. D. Malaviya:** Recently their demand has increased and they say this increase in their demand is due to the fact that they could not collect all the figures. If their latest demand is taken into account the difference will be about Rs. 6 per ton.

**Shri Basumatarij:** May I know the reason why the Assam Government and the Central Government could not arrive at an agreement about the royalty and what is the reason for their seeking the intervention of the Supreme Court?

**Shri K. D. Malaviya:** We are quite convinced that the rate of royalty should be fixed by the Government of India. But they have raised certain constitutional issues which perhaps require elucidation. Because they do not agree with our views there is no alternative left to us than to refer the matter to a third party. Who that third party is has yet to be decided.

### WRITTEN ANSWERS TO QUESTIONS

#### Iron Ore for Steel Plants

\*1600 **Shri Surendranath Dwivedy:** Will the Minister of Steel and Heavy Industries be pleased to state whether Government have made any assessment of the capacity of their Steel Plants to utilise the production of iron ore by private mine-owners in Orissa?

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

Planning of iron ore supplies to the public sector steel plants is on the basis that they would draw their supplies from their own captive mines or from mines in which Government have a majority interest. Thus the supplies for Bhilai have to come from the Dhalli Rajhara mines owned by Hindustan Steel, for Rourkela from Barsua mines also owned by Hindustan Steel and for Durgapur from the Bolani Mines in which Government have a majority holding. Only the short-fall from these mines, which is of a temporary nature, has to be met from the market mines and procurement from these mines is, therefore, restricted to the anticipated temporary deficits from the sources indicated above. Hindustan Steel naturally make an assessment of the deficit from time to time.

#### **Profession Tax Levied by Punjab Government**

**\*1603. Shri S. M. Banerjee** Will the Minister of Home Affairs be pleased to state:

(a) whether various mass organisations and political parties of Punjab have approached the Centre to intervene and ask Punjab Government to withdraw Profession Tax levied recently by them;

(b) whether there is a serious agitation going on in Punjab;

(c) the reaction of the Centre; and

(d) steps taken in the matter?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a). No. But a representation has been received from the Shiromani Akali Dal, Amritsar, suggesting that the President may withhold his assent to the Punjab Temporary Taxation Bill, 1962.

(b). No. Some political parties are reported to have organised public meetings opposing the taxation measures.

(c) and (d). The taxation measures are within the competence of the State Government.

#### **Escape of Hostile Nagas into East Pakistan**

**\*1602-A. Shri Warior:** Will the Minister of Defence be pleased to state:

(a) whether any investigation was conducted into the circumstances leading to the escape of rebel Nagas from Assam into East Pakistan, tracking through the security cordon;

(b) if so, whether the investigation has pinned down the responsibility as to the escape on the civil or military authorities; and

(c) whether any steps are taken to tighten the security cordon?

**The Minister of State in the Ministry of Defence (Shri Raghuramaiah):** (a), (b) and (c). Attention is invited to the Statement made by the Defence Minister on this subject on the floor of the House on the 13th June, 1962.

#### **Honorary Magistrates**

**\*1606. Shri A. V. Raghavan:** Will the Minister of Home Affairs be pleased to state:

(a) whether any representation was received from the Delhi Bar Association demanding the replacement of Honorary Magistrates by stipendary ones;

(b) whether there was any further representation demanding the separation of the judiciary from the executive; and

(c) if so, the action taken thereon?

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

(b). No.

(c). Does not arise.

**Flight College, Indore**

{ Shri Bhanu Prakash Singh:  
\*1607. { Shri Birendra Bahadur  
Singh:

Will the Minister of Defence be pleased to state:

(a) whether there is any proposal to establish a Flight College at Indore and, if so, at what stage the scheme is; and

(b) whether the Maharani of Indore has made any contribution to facilitate the opening of this institution?

**The Minister of State in the Ministry of Defence (Shri Raghu-ramaiah):** (a). No, Sir.

(b). Does not arise.

**'Sports Village' in Delhi**

\*1608. **Shri Birendra Bahadur Singh:** Will the Minister of Education be pleased to state:

(a) whether there is a proposal to establish a 'Sports Village' in Delhi;

(b) if so, what are the details of the scheme; and

(c) the progress made towards that end?

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

(b) and (c). The details have yet to be worked out by a Committee of the All India Council of Sports after a suitable plot has been secured.

**Students' Participation in Politics**

\*1609. **Shri P. R. Chakraverti:** Will the Minister of Education be pleased to state:

(a) whether Government have any decision with regard to students' participation in politics, specially in demonstrations organised by political parties;

(b) whether the opinion of the Vice-Chancellors of the different Universities has been sought;

(c) if so, the nature of their recommendations; and

(d) whether Government convened any meeting of political parties to find out if any workable formula could be devised on an agreed basis?

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

**STATEMENT**

It was decided that it would not be in the fitness of things to impose any kind of ban in this matter though it is certainly not desirable for students to participate in demonstrations. It was felt that the object could be achieved if educational authorities and educators bring home to students the undesirability of such demonstrations and take disciplinary action, if necessary, in really bad cases. It was also considered possible for educational authorities to take parents into their confidence through "Parent-Teacher Associations" so that the guardians/parents could prevent such activities on the part of their wards.

2. The above views were communicated to the State Governments and Union Territories with a request to issue necessary instructions to all educational institutions under their control.

(b) and (c). The opinion of the Vice-Chancellors was sought at the Vice-Chancellors' Conference held in June, 1960 and the Conference recommended that:—

"A convention of political parties be called to agree on a concord that they will desist from interference in the affairs of the Universities, directly or indirectly, in the interest of the future generation".

(d). No, Sir.

### Coal Production Target

**\*1610. Shri Hari Vishnu Kamath:** Will the Minister of Mines and Fuel be pleased to refer to the reply given to Starred Question No. 330 on the 1st May, 1962 and state:

(a) whether the target of coal production during the Third Five Year Plan period has been revised; and

(b) if so, to what extent?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) and (b). It has since been decided that the target of coal production during the Third Five Year Plan should remain at 97 million tons. Physical planning, both for production and transport, is, however, being done on the basis of 101 million tons in the last year and 104 million tons in the last quarter of the plan.

### Bhilai Steel Works

**\*1612. Shri Maheswar Naik:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether the Bhilai Steel Works have launched a scheme with the triple objective of raising technological skill, steel output and reducing production costs; and

(b) if so, what are the details of the scheme?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) and (b). While no special scheme as such has been launched, the Works are constantly engaged in attaining the objectives of raising technological skill and steel output and reducing production costs.

### Manufacture of White Cement

**\*1613. Shri P. C. Borooah:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that a new process for the manufacture of white cement has been developed by the

Regional Research Laboratory at Hyderabad;

(b) if so, whether a scheme has been made to popularise the new process; and

(c) if so, the broad outlines of the scheme?

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

(c) A non-technical note with cost estimates for a 50 tons/day plant has been circulated to interested parties. The National Research Development Corporation will consider offers received and give license for exploitation of the process.

### States' Share in Oil Refineries

**\*1615. Shri D. C. Sharma:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether Governments of Gujarat, Assam and Bihar have been offered 15 per cent share in the public sector oil refineries in these States by his Ministry; and

(b) what is their reaction to the offer?

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

(b) Does not arise.

### Licensing for Manufacture of Diesel Engines

**\*1616. Shri Birendra Bahadur Singh:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that Messrs. Link Machinery Limited of Calcutta have been granted 8 licences in the recent past for the manufacture of diesel engines, etc.;

(b) whether they have commenced production as per specifications; and

(c) if not, action proposed by Government in this regard?

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

(a) to (c). A Statement is laid on the Table of the House. [See Appendix IV, annexure No. 86.]

### Time and Frequency Transmission and Monitoring Station

\*1617. Shri P. C. Borooah: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether a time and frequency transmission and monitoring station of high accuracy is proposed to be set up in India for tracking satellites;

(b) if so, what is the cost of the scheme;

(c) where it is proposed to be set up; and

(d) what steps are being taken in that direction?

Minister of Scientific Research and Cultural Affairs (Prof. Humayun Kabir): (a) No Sir, but the National Physical Laboratory has a small standard Time and Frequency Station and a monitoring station to ensure that the transmissions conform to international standards.

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

### एवरेस्ट अभियान—१९६२

\*१६१८. श्री भक्त वर्शन : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारतीय एवरेस्ट अभियान दल अपनी हाल ही अन्तर्वेष्टा से हताशमहित नहीं हुआ है और आगामी जाड़ों में फिर एवरेस्ट पर चढ़ने का विचार कर रहा है ; और

(ख) यदि हाँ, तो इस बारे में क्या कार्यक्रम बनाया गया है और क्या 'यारियां' की जा रही हैं ?

प्रतिरक्षा मंत्रालय में राज्य-मंत्री (श्री रघुरामैया) : (क) तथा (ख) एवरेस्ट अभियान दल के सदस्यों को अपनी कृति पर निराश होने का कोई कारण नजर नहीं आता,

क्योंकि वह उच्चतम स्तर की रही है, एवरेस्ट पर एक और अभियान के प्रश्न पर दल की दिल्ली में वापसी पर विचार किया जायेगा ।

### Coal Production in Narsinghpur District, M.P.

\*1619. Shri Hari Vishnu Kamath: Will the Minister of Mines and Fuel be pleased to refer to the reply given to Unstarred Question No. 2111 on the 28th May, 1962 and state:

(a) whether the work of coal production at Gotitoria and Mohpani areas of Narsinghpur District, Madhya Pradesh will be resumed in the near future; and

(b) if so, when?

The Minister of Mines and Fuel (Shri K. D. Malaviya): (a) and (b). There is no proposal so far to resume work here during the Third Plan.

### Alleged Violation of Chinese Air Space

\*1620. { Shri D. C. Sharma:  
Shri P. C. Borooah:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Communist China has protested to India against alleged violations of China's air space, through a note addressed to Government on the 30th May, 1962, putting the number of such violations between March 6 and April 30, 1962 at 67; and

(b) if so, what has been Government's reaction thereto?

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

(b) The alleged flights are being investigated by the I.A.F. authorities and a suitable reply will be sent to

the Chinese Government after the investigation has been completed.

### Indian Military Music

**3637. Shri Brij Raj Singh:** Will the Minister of Defence be pleased to state:

(a) whether Government have thought out a plan to make the Indian Military Music more popular;

(b) whether it has been thought on the lines of earning money as well as making the music popular by bringing out an album in long playing records; and

(c) whether Government plan to hold periodical military Torch Light Tattoos on lines similar to the ones held in U.K. at the White City Stadium, whereby funds are also raised for the disabled soldiers, sailors and airmen?

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

(a) and (b). Copies of the printed Military Music are available for sale. If the demand for Military Music is encouraging, additional copies could be printed and the possibility of recording music for public sale can also be considered.

(c) No, Sir. As staging of Tattoos involves considerable expenditure and upsets normal training of troops, as a general rule holding of tattoos is not encouraged.

### Coconut Oil Cake

**3638. Shri M. K. Kumaran:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether research on utilization of coconut oil cake for human consumption has yielded any result; and

(b), if so, the details thereof?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) and (b). Coconut offers a high class vegetable protein but because of fibrous residues may cause digestive disorders. Investigations at the Central Food Technological Research Institute, Mysore have shown that under proper processing conditions, a good edible quality coconut meal free of fibre can be obtained after extraction of oil. When blended with Bengal gram flour and groundnut flour and fortified with vitamins and minerals, it can be used as a supplement to diets poor in protein. Feeding trials on children with 2 ounces daily of the protein food over a period of 8 months brought about a highly significant improvement in the growth and nutritional status of the children.

### Literature for Neo-Literates

**3639. Shri Sarjoo Pandey:** Will the Minister of Education be pleased to state:

(a) the names of the Voluntary Organisations in the field of Social Education Literature and literature for neo-literates which were given assistance during 1960-61 and 1961-62 in the State of U.P.;

(b) the nature of assistance given to each of them; and

(c) the progress achieved?

**The Minister of Education (Dr. K. L. Shrimali):** (a) M/s Hindi Vishwa Bharati, Lucknow.

(b) Rs. 60,000 during 1960-61, being the fourth instalment of Government subsidy for publication of an Hindi Encyclopaedia in 10 volumes. No grant was given during 1961-62.

(c) Eight volumes have been published. Volumes 6 and 7 were brought out in 1960-61 and Volume 8 in 1961-62.

### Grant for Development of Libraries in U.P.

**3640. Shri Sarjoo Pandey:** Will the Minister of Education be pleased to state:

(a) the names of voluntary organisations that have received grant from the Central Government for development of libraries in Uttar Pradesh during 1960-61 and 1961-62;

(b) the amount sanctioned to each of them; and

(c) the conditions under which the amount was sanctioned?

**The Minister of Education (Dr. K. L. Shrimali):** (a) to (c). A statement is laid on the Table. [See Appendix IV, annexure No. 87.]

### Life-time arrears of Military Men

**3641. Shri Hem Raj:** Will the Minister of Defence be pleased to state:

(a) the number of military men whose L.T.A. (life-time arrears) cases are pending till the 30th April, 1962, State-wise;

(b) the main causes of the delay in the finalization and payment of their arrears; and

(c) the steps taken by Government to remove them?

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

(a) 113 claims for payment of pensions to heirs of deceased military pensioners were pending with the Controller of Defence Accounts (Pensions), Allahabad, on 31st May 1962. The State-wise distribution is:—

Punjab	59
Madhya Pradesh	21
Maharashtra	1
Rajasthan	13
Uttar Pradesh	11
Jammu & Kashmir	1
Madras	1
Himachal Pradesh	3
Gujarat	1
Tripura	1
Kerala	1

(It has not been possible to indicate outstandings on 30-4-1962 as separate records are not maintained for this purpose).

Pensions Disbursing Officers who are under the administrative control of State Governments or of the Posts & Telegraphs Department have also been empowered to settle claims of this nature, within certain limits. Thus some claims may be pending in such case offices, but as a large number of offices is involved, it has not been possible to collect information on these claims.

(b) Finalisation of these claims is delayed mainly for want of complete documents, such as Pension certificate, Death Certificate, Legal heir-ship certificate, required to be submitted by the claimants through the Pension disbursing officers. A major reason for delay is that pensioners do not nominate heirs.

(c) Pension Disbursing officers are required, under rules, to encourage pensioners to nominate heirs. As the lack of a nominated heir is a major factor, the Controller of Defence Accounts (Pensions) is being asked again to publicise among pensioners the desirability of nominating their heirs.

The Controller of Defence Accounts (Pensions) brings instances of unusual delay in settlement of claims pending with the pension disbursing officers, to the notice of the appropriate administrative authorities. Nevertheless, he is being asked to consider further action to finalise cases pending both in his office and in the payment disbursing offices and to eliminate, or reduce, such delays in future.

### Pensioners

**3642. Shri Hem Raj:** Will the Minister of Defence be pleased to state:

(a) the number of pensioners whose temporary increment has been enhanced from 1st April, 1958, and who have been paid upto 30th April, 1962, State-wise;

(b) the number of those who await payment, State-wise;

(c) the main causes of delay in the payment of their pensions; and

(d) the steps taken by Government to remove them?

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

(a) and (b). As on the 31st May, 1962, for which information is available, the Controller of Defence Accounts (Pensions), Allahabad had sanctioned the enhancement of temporary increase in pensions in 1,57,714 individual cases. According to the information available, the pension disbursing officers had made payments to 1,34,953 pensioners upto the end of May 1962. The number of pensioners awaiting payment of temporary increases at enhanced rates as on 31st May, 1962, was approximately 1,18,700.

As already indicated in the reply given to Unstarred Question No. 1593 on the 8th December 1961, these statistics are maintained on an All India basis and a State wise break up of the figures is, therefore, not available.

(c) The delay is due primarily to the fact that a large number of pensioners of various categories are involved.

(d) The need for expeditious finalisation of these cases has been kept in view from the beginning. The Controller of Defence Accounts (Pensions) has addressed the Chief Secretaries of all State Governments asking them to issue suitable instructions to the Treasury Officers under their control. All Pension Disbursing Officers have also been addressed individually to be vigilant in this regard. Further, about 60 District Magistrates have been addressed demi-officially by the CDA(P) requesting them to take a personal interest in this work. The Controller of Defence Accounts (Pensions) and his officers are also keeping a vigilant watch so that suitable assistance

is rendered promptly wherever necessary, to ensure that temporary increases are paid as soon as possible by each Pension Disbursing Officer.

**Grants to Universities and Colleges in U.P.**

**3643. Shri Sarjoo Pandey:** Will the Minister of Education be pleased to state:

(a) the total grant given to the different universities and colleges in the State of Uttar Pradesh during 1961-62 by the Universities Grants Commission; and

(b) the earmarked grants to be given during 1962-63 to these institutions?

**The Minister of Education (Dr. K. L. Shrimali):** (a) Rs. 2,78,37,477-11.

(b) No grants have been earmarked for the year 1962-63 by the University Grants Commission.

**Manufacture of Steam Turbine Generators**

**3644. Shri M. K. Kumaran:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether M/s. Birla Brothers have submitted a scheme to Government for the manufacture of steam turbine generators in collaboration with the Westinghouse Corporation of America;

(b) if so, whether Government have considered the scheme;

(c) the total estimated investment in the scheme and the foreign exchange component thereof; and

(d) the proposed location of the plant?

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

(a) Yes, Sir.

(b) to (d). The project is estimated to cost about Rs. 6 crores of which Rs. 4.5 crores will be in foreign exchange. Government have not yet



considered the scheme. The location of the factory is still under consideration.

The manufacture of heavy electrical equipment is reserved for the public sector under the Industrial Policy Resolution, 1956. Government have appointed an ad-hoc technical committee to assess the demand for heavy electrical equipment. The question whether further capacity should be created in the private sector for manufacture of heavy electrical equipment will be decided after examining the committee's report in the light of capacity existing in the public and private sectors and capacity being developed and planned in the public sector.

#### **Stainless Steel Factory in Kerala**

3645. **Shri M. K. Kumaran:** Will the Minister of Steel and Heavy Industries be pleased to state at what stage is the establishment of a stainless steel factory at Attingal in the Kerala State?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** There are no proposals before the Ministry for the establishment of any factory at Attingal in the Kerala State for the manufacture of stainless steel.

There is, however, a proposal for the establishment of a Small Industries Extension Centre at Attingal for training in the production of stainless steel and aluminium utensils at Attingal. The construction of the permanent factory building at Attingal has just been completed. Electric wiring is yet to be done. Pending this, the Extension Centre is temporarily located in the Industrial Estate at Ettumanur and production commenced there on May 21, 1962.

#### **Home Minister's Discretionary Grant**

3646. **Shrimati Laxmi Bai:** Will the Minister of Home Affairs be pleased to state:

(a) the names of private institutions that received aid in Andhra Pradesh from 1957 onwards from the Home Minister's Discretionary Grant;

(b) the number of Political sufferers who received such aid;

(c) total number of applications received and total number considered favourably; and

(d) total number of lady applicants and the number who received such aid?

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

(a) One institution, viz. 'Vinayashram' of Guntur District.

(b) 176.

(c) and (d). Applications for relief from political sufferers are forwarded to the State Governments concerned in the first instance for consideration under their own relief schemes. Assistance is given from the Home Minister's Discretionary Grant only in individual cases of hardship recommended by the State Governments. The information asked for is not, therefore, readily available.

#### **National Fire Service College**

3647. **Shri Ram Harkh Yadav:** Will the Minister of Home Affairs be pleased to state:

(a) whether there is a proposal before Government to start a National Fire Service College for the training of suitable personnel; and

(b) if so, the details of the College establishment and its capacity of admission of candidates and other particulars connected therewith?

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

(a) The National Fire Service College has already been functioning and imparting training since July, 1956.

(b) Besides the Director, there is a Deputy Director, two Asstt. Directors and four Deputy Assistant Directors. In addition there is the Demonstra-

tional staff, Office Staff, Hostel Staff and the Workshop Staff.

The College generally runs two courses at a time and can accommodate 72 trainees depending upon the Hostel Accommodation available.

#### **Scholars sent Abroad for Training**

**3648. Shri Dharmalingam:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the number of scholars selected for training in foreign countries under Schemes under his Ministry during the past three years; and

(b) the State-wise break up of the scholars so selected?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) 1041.

(b) Andhra Pradesh	85
Assam	10
Bihar	51
Delhi	44
Gujarat	26
Jammu & Kashmir	7
Kerala	31
Madhya Pradesh	32
Madras	150
Maharashtra	109
Mysore	80
Orissa	19
Punjab	74
Pondicherry	2
Rajasthan	17
Uttar Pradesh	147
West Bengal	157

#### **Army Assistance during Floods in Madras**

**3649. Shri Dharmalingam:** Will the Minister of Defence be pleased to state:

(a) whether any request was received from Madras Government for assisting the civil authorities during floods in 1960-61 and 1961-62; and

(b) if so, the nature of assistance rendered?

**The Minister of State in the Ministry of Defence (Shri Raghuramaiah):** (a) and (b). No request was received from the Government of Madras for Armed Forces assistance in connection with floods during 1960-61.

During 1961-62, the State Government asked for the assistance of the Army and the Air Force and this was given. The Army assisted the civil authorities in rescuing and evacuating more than 200 marooned persons in Tanjore, South Arcot and Trichinopoly districts, and closed a 300 foot breach in the bund of River Coleroon at Grand Anicut. The Air Force provided aircraft for carrying out aerial reconnaissance flights over flood-affected areas.

#### **Sainik School in Pachmarhi**

**3650. Shri Hari Vishnu Kamath:** Will the Minister of Defence be pleased to state:

(a) whether the Pachmarhi Development Committee has recommended that a Sainik School be set up in Pachmarhi;

(b) if so, whether the suggestion has been considered; and

(c) if so, with what result?

**The Minister of State in the Ministry of Defence (Shri Raghuramaiah):** (a) to (c). The Madhya Pradesh State Government have proposed that Sainik School should be established at Pachmarhi and the proposal is under consideration.

#### **Export of Ferrous Scrap**

**3651. { Shri Narasimha Reddy:  
Shri P. K. Deo:  
Shri Kapur Singh:  
Shri Tan Singh:**

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

(a) the total tonnage of ferrous scrap exported from the country in 1961-62;

(b) the port-wise and grade-wise break-up of the total tonnage exported;

(c) the tonnage of the total exports allowed to be accounted for against the import of finished steel; and

(d) the total quantity of finished steel imported on account of scrap exports in 1961-62?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) to (d). The information is being collected and will be laid on the Table of the House.

#### Export of Scrap

3652. { Shri Narasimha Reddy:  
Shri P. K. Deo:  
Shri Kapur Singh:  
Shri Tan Singh:

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

(a) whether the 1962-63 policy permitting import of finished steel against export of scrap has fixed an export ceiling of scrap at 3,60,000 tons;

(b) if so, what are the objectives of such a ceiling, its basis and advantages; and

(c) whether it has been represented that the ceiling is superfluous and should be lifted in favour of the simple procedure of allowing automatic entitlement against a minimum export of 2,000 tons of scrap?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) to (c). A ceiling of 3,60,000 tons has been fixed for export of scrap against import of steel. Imports are allowed to the value of 23 of the foreign exchange earned on export. Requests have been received for removing the ceiling. It was not, however, considered advisable to do so having regard to the estimated availability of scrap in the country and also as it is better to export and earn some free

foreign exchange rather than utilise the export earnings solely for steel imports. The scrap policy will, however, be reviewed in the light of the report of the Scrap Investigation Committee which is now under the consideration of Government.

#### Scrap Export

3653. { Shri Narasimha Reddy:  
Shri P. K. Deo:  
Shri Kapur Singh:  
Shri Tan Singh:

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

(a) whether scrap export from the country has been steadily declining since January last;

(b) whether Government have ascertained the causes of this serious decline; and

(c) whether any measures have been contemplated to arrest the decline and encourage export?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) and (b). Yes, Sir. Japan, which is our largest market for scrap exports has imposed restrictions on scrap imports into that country.

(c) Export of ferrous scrap is now being allowed, without realising any levy for domestic consumers against such exports as was the case before.

#### Heavy Melting Scrap

3654. { Shri Narasimha Reddy:  
Shri P. K. Deo:  
Shri Kapur Singh:  
Shri Tan Singh:

Will the Minister of Steel and Heavy Industries be pleased to state whether the domestic control price of heavy melting scrap No. 1 sheet cutting scrap and turnings and

borings are much too low as compared to world prices?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** Prices are fixed for scrap with reference to indigenous availability, costs, demand etc. and not with reference to foreign market prices. The Indian prices of scrap are comparatively lower than the world prices.

#### Pleaders in the Courts

**3655. Shri Hem Raj:** Will the Minister of Law be pleased to state:

(a) the number of pleaders of various categories practising in the courts as obtaining at the end of the year 1961, State-wise and High Court-wise; and

(b) the number out of them who have opted to be enrolled as Advocates under the Advocates Act, 1961, State-wise and High Court-wise?

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra):** As already stated on the 5th June, 1962 in answer to his Unstarred Question No. 2600, the information is being collected from the High Courts, State Bar Councils etc. and will be laid on the Table of the House in due course.

#### Archaeological Excavations in Orissa

**3656. Shri Ulaka:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether any archaeological excavation was carried out in Orissa during the First and Second Five Year Plan periods; and

(b) if so, what are the results?

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

(b) The results have been published in "Indian Archaeology—A

Review" for the years 1956-57, 1957-58, 1958-59, 1959-60 and 1960-61. copies of which are available in the Library of Parliament.

#### Accountant General's Office, Orissa

**3657. Shri Ulaka:** Will the Minister of Finance be pleased to state the number of employees belonging to Scheduled Castes and Scheduled Tribes working at present in the Accountant-General's office Bhubaneswar, and the Deputy Accountant General's Office at Puri in Orissa?

**The Minister of Finance (Shri Morarji Desai):** The information is as follows:—

Name of Office	No. of employees of Scheduled Castes	No. of employees of Scheduled Tribes
Office of the Accountant General, Orissa, Bhubaneswar . . . . .	58	4
Branch Office of the Deputy Accountant General, Puri . . . . .	19	2

#### Housing Schemes for S.C. and S.T in Orissa

**3658. Shri Ulaka:** Will the Minister of Home Affairs be pleased to state:

(a) the amounts which were sanctioned for housing schemes for Scheduled Castes and Scheduled Tribes in Orissa during the period from 1958 to 1962 so far; and

(b) the amount spent in each year?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) and (b) The information is given below:—

(Rs. in lakhs)

Years]	Category of Backward Classes			
	Scheduled Castes		Scheduled Tribes	
	Amount Sanctioned	Amount spent	Amount sanctioned	Amount spent
1958-59 . . . . .	3.00	3.00	8.00	8.00
1959-60 . . . . .	3.00	2.79	9.00	8.33
1960-61 . . . . .	10.00	8.76	9.88	11.88
1961-62 . . . . .	2.86	2.86*	1.00	10.00*

\*(Anticipated expenditure as reported by the State Government. The figure of actual expenditure for the year 1961-62 has not yet been furnished by the State Government.)

#### Central Excise Collectorate in Orissa

3659. **Shri Ulaka:** Will the Minister of Finance be pleased to state:

(a) the amount of revenue received from Central Excise from Orissa during 1958 to 1962 so far (circle-wise);

(b) whether the establishment of a separate Collectorate of Central Excise is purely on the basis of revenue aspects;

(c) if so, how much revenue is required for setting up a Collectorate of Central Excise; and

(d) whether Orissa deserves a separate Collectorate of Central Excise considering the conditions above?

**The Minister of Finance (Shri Morarji Desai):** (a) A statement showing the requisite information is placed on the Table of the House.

#### STATEMENT

*Central Excise Revenue realised in respect of Orissa State Circle-wise*

Name of the Circle	1957-58	1958-59	1959-60	1960-61	1961-62
	Rs. (000)	Rs. (000)	Rs. (000)	Rs. (000)	Rs. (000)
1. Cuttack . . . . .	62.87	64.00	68.06	84.03	1,05.27
2. Rayagada . . . . .	13.29	15.45	12.40	12.23	11.70
3. Berhampur . . . . .	10.50	11.45	13.29	13.35	12.51
4. Sambalpur . . . . .	1,49.12	1,92.58	1,97.43	3,70.61	4,79.76
<b>TOTAL</b>	<b>2,35.78</b>	<b>2,83.48</b>	<b>2,91.29</b>	<b>4,80.22</b>	<b>6,09.24</b>

(b) No Sir. The criterion is total quantum of work and other administrative considerations.

(c) Does not arise.

(d) On the present volume of work and other administrative considerations, the answer is in the negative.

#### Grants for Preservation of Ancient Monuments in Orissa

3660. **Shri Ulaka:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether any financial assistance has been given to Orissa Government for preservation of ancient

monuments of historical importance during 1959-60 to 1961-62; and

(b) if so, the amount allotted in each year during the aforesaid period?

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

(b) Does not arise.

### Grants for Cultural Festivals to Utkal University

**3661. Shri Ulaka:** Will the Minister of Education be pleased to state:

(a) the amount of grants given to Utkal University for organising cultural festivals so far since 1957-58 and

(b) how the University has used it?

**The Minister of Education (Dr. K. L. Shrimali):** (a) Grants of

Rs. 3,807 and Rs. 4,000 were given for the years 1957 and 1958 respectively.

(b) These were used for holding Inter-Collegiate Youth Festivals.

### Water Facilities for S.C. and S.T. in Orissa

**3662. Shri Ulaka:** Will the Minister of Home Affairs be pleased to state:

(a) the number of wells that have been sanctioned under the Centrally sponsored schemes during the years 1958-59, 1959-60, 1960-61 and 1961-62 for providing water facilities to Scheduled Castes and Scheduled Tribes in Orissa; and

(b) the amount of expenditure involved therein?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) and (b). The information is given below:

	SCHEDULED No. of wells sanctioned.	CASTES Expendi- ture dur- ing the year. (Rs. Lakhs)	SCHEDULED No. of wells sanctioned.	TRIBES Expenditure during th year (Rs. lakhs)
1958-59	53	0.80	100	1.50
1959-60	53	0.79	266	3.89
1960-61	54	0.90	457	6.15

There is no scheme relating to water-supply in the Centrally Sponsored Programme for the welfare of Scheduled Castes and Scheduled Tribes in Orissa during the Third Five Year Plan. The information regarding the year 1961-62 is therefore nil.

### Agricultural Colonies in Orissa

**3663. Shri Ulaka:** Will the Minister of Home Affairs be pleased to state:

(a) the names of places where agricultural colonies for Scheduled Castes and Scheduled Tribes have been started in Orissa under the Centrally sponsored schemes during 1960-61 and 1961-62; and

(b) the amount of grants utilised during the aforesaid period?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) No agricultural colony was started for Scheduled Castes or Scheduled Tribes in the Centrally sponsored programme in Orissa during the years 1960-61 and 1961-62.

(b) Does not arise.

### Murders in Manipur

**3664. Shri Rishang Keishing:** Will the Minister of Home Affairs be pleased to state:

(a) the number of murders which took place in the valley areas of

**Manipur** between 1st January, 1960 to 31st May, 1962;

(b) the number of persons arrested in connection with the murder cases;

(c) the number of murder cases in which no person has been arrested;

(d) the number of cases disposed of and number pending; and

(e) the efforts made by the Government to apprehend the absconding criminals and to expeditiously dispose of the pending cases?

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

(b) One hundred and fifty-seven.

(c) Five.

(d) Cases disposed of—25.

Cases pending trial—4.

Cases pending investigation—3.

(e) Measures such as searches of possible resorts of absconders, detailing special parties to collect intelligence, contacting other States and sending selected officers in case of inter-state criminals and offering attractive rewards, have been taken. For expeditious disposal of cases, measures taken include supervision by senior officers, expediting expert examination of criminological exhibits, and taking special precaution for timely service of summons and execution of warrants. The Judicial Commissioner also calls for explanation of magistrates for delay of cases which are more than two months old.

#### **Engineering Students from Manipur**

**3665. Shri Rishang Keishing:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the number of engineering (technical colleges where seats are reserved for students from Manipur;

(b) the number of seats available in each of the colleges;

(c) special arrangement, if any, for admission of Tribal students in these colleges; and

(d) efforts made by the administration and Government of India to encourage higher technical education to the Tribal students of Manipur?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) and (b). Five seats are reserved on a long-term basis at the following institutions:

Victoria Jubilee Technical Institute, Bombay—4.

College of Engineering and Technology, Jadavpur University, Calcutta—1.

In addition, depending upon the requests received from the Administration from time to time, extra seats are secured. During 1961-62, seven additional seats were reserved at the Assam Engineering College, Gauhati.

(c) and (d). In addition to reservation of seats, scholarships are awarded to tribal students.

#### **Encounter between Naga Hostiles and Security Forces**

**3666. { Shri Rishang Keishing:  
Shri P. C. Borooah:**

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that an encounter took place between the hostile Nagas and the security forces at Sirahi village near Ukhrul about the middle of May, 1962; and

(b) if so, the number of casualties on both sides?

**The Minister of State in the Ministry of Defence (Shri Raghuramiah):** (a) and (b). An encounter took place between the hostiles Nagas and the security forces at Siruhi village near Ukhrul on the 31st May 1962 and not in the middle of May 1962 as mentioned in the Question. In the

encounter, 3 Naga hostiles were killed and 4 captured including 3 wounded. Our Security Forces suffered no casualties.

### Briquetting Plant in J. & K.

3667. { Shri S. C. Samanta:  
Shri Subodh Hansda:  
Shri M. L. Dwivedi:

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

(a) whether a briquetting plant is going to be set up in Jammu and Kashmir Valley;

(b) if so, what would be the cost of the project;

(c) whether the Central Fuel Research Institute is participating in the scheme; and

(d) if so, the details thereof?

**The Minister of Mines and Fuel (Shri K. D. Malaviya):** (a) to (d). A pilot briquetting plant with a 10 ton/hour capacity is being set up by the Government of Jammu and Kashmir in collaboration with the Central Fuel Research Institute, Dhanbad at a cost of about Rs. 12 lakhs. The Institute will run this plant on a trial basis after which it would be handed over to the Government of Jammu and Kashmir for being run as a commercial concern. The Central Fuel Research Institute will provide the design, technical know-how and supervision for the erection of this plant. The Government of Jammu and Kashmir will carry out all civil works, site preparation etc. The matter of sharing the actual expenditure will be decided by the Council of Scientific and Industrial Research and the Government of Jammu and Kashmir in due course.

### आयकर की बकाया राशि

३६६८. श्री विभूति मिश्र : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या १६ अप्रैल, १९६२ तक आयकर की राशि का बहुत सा अंश बकाया था ; और

(ख) यदि हाँ, तो उसकी वसूली के लिये सरकार ने क्या कार्यवाही की है ?

**वित्त मंत्री (श्री मोरारजी देसाई) :**

(क) आयकर की बकाया रकमों के आंकड़े ३० जून, ३० सितम्बर, ३१ दिसम्बर और ३१ मार्च को समाप्त होने वाली तिमाहों के अन्त में इकट्ठे किये जाते हैं। इसलिए यह बता सकना सम्भव नहीं कि १६ अप्रैल, १९६२ को कितनी रकम बकाया थी। लेकिन ३१ दिसम्बर, १९६१ को १७१.५६ करोड़ रुपये की वसूल की जाने वाली रकम बकाया थी। १ अप्रैल १९६२ को बकाया वसूलियों के आकड़े इकट्ठे किये जा रहे हैं। जितनी जल्दी हो सकेगा, उन्हें सभा की मेज पर पक्ष दिया जायेगा।

(स) कर न चुकाने वाले व्यक्तियों से आयकर वसूल करने के लिये, आयकर अधिनियम, १९६१ में निर्दिष्ट निम्नलिखित कदम उठाये जा रहे हैं :-

(एक) समय पर कर अदा न करने पर, धारा २२१ (१) के अधीन जुर्माना ;

(दो) धारा २२२ (१) अनुसार, कर वसूल करने वाले अधिकारी के नाम प्रमाणपत्र जारी करना। यह अधिकारी प्रमाणपत्र मिलने पर, कर की बकाया रकम वसूल करने के लिये कार्रवाई करता है ;

(तीन) बड़े बड़े शहरों में कर अदा न करने वाले व्यक्ति की चल-सम्पत्ति की कुर्की के लिये कुर्की के वारण्ट जारी करना, यदि उन शहरों में म्युनिसिपल करों की



वसूली के लिये उसी तरह की व्यवस्था है ;

(चार) अधिनियम की धारा २२६(२) के अन्तर्गत लिखित नोटिस जारी करके भुगतान (डिस्बर्सिंग) अफसर से, कर अदा न करने वाले व्यक्ति के वेतन की अदायगी करते समय उसके वेतन से, यदि वह व्यक्ति वेतनभांगी हो, कर की बकाया रकम काटने के लिये कहना ; और

(पांच) धारा २२६(३) के अन्तर्गत लिखित नोटिस जारी करके किसी भी ऐसे व्यक्ति से, जिससे कर अदा न करने वाले व्यक्ति को रकम मिलनी है या मिल सकती है, नोटिस में लिखी कर की बकाया रकम आयकर अफसर के पास अदा करने के लिये कहना ।

**त्रिपुरा प्रशासन के कर्मचारी**

३६६६. { श्री म० ला० द्विवेदी :  
श्री सं० चं० सामन्त :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि त्रिपुरा प्रशासन में हिन्दी और अंग्रेजी का कार्य करने वाले पृथक्-पृथक् कितने अधिकारी, सहायक, आशुलिपिक-टीका अथवा लिपिक आदि हैं ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री बातार) : हिन्दी और अंग्रेजी में काम करने के लिये अलग-अलग अधिकारी, सहायक इत्यादि नहीं रखे गये हैं ।

**दिल्ली के स्कूलों के लिये शिक्षा संहिता**

३६७०. श्री म० ला० द्विवेदी : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि क्या दिल्ली के स्कूलों के लिये शिक्षा संहिता में ऐसा उपबन्ध रखने का विचार है जिसके

अनुसार अकारण नौकरी से अलग किये जाने वाले शिक्षकों के मामले न्यायालय में जा सकेंगे ?

शिक्षा मंत्री (श्री श्रीमाली) : जी, नहीं । लेकिन वर्तमान नियमों के अन्तर्गत, जिनको संहिता में शामिल किया जा रहा है, ऐसे अध्यापकों को अपील-न्यायाधिकरण से अपील करने का अधिकार होगा । यह अपील न्यायाधिकरण सरकारी सहायता-प्राप्त प्राइवेट स्कूल अध्यापकों (अनुशासन, दंड और अपील) नियमों—गवर्नमेंट एंडेड प्राइवेट स्कूल टीचर्स (डिसिप्लिन, पनियमेंट एण्ड अपील) रूल्स, के अन्तर्गत गठित हुआ था, जिनकी रचना सरकार ने १९५६ में की थी ।

#### Class I Non-technical Staff in Railway Services

3671. { Shri Subodh Hansda:  
Shri S. C. Samanta:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Pay Commission's recommendations regarding representation of all Class I non-technical staff in Railway Services in deputation posts in Central Secretariat have been accepted;

(b) if so, how many officers have joined up till now and from which Railways; and

(c) what is the period of their deputation?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) There was no recommendation as such. The Pay Commission only expressed the view (para. 8 of Chapter XI of the Report of the Second Pay Commission) that it would be desirable if the Government of India draw personnel for their headquarters' Organisation from as wide a field as

possible, and that it is in the interest of the efficiency of the Central Organisation that fuller use should be made in it of the abilities, and the diversity of the experience of the officers of class I (non-technical) services.

(b) and (c). There are at present 3 officers of the Indian Railway Accounts Service serving in the Central Secretariat. No fixed period of their deputation has been prescribed.

#### Survey of India Employees on Departmental Leave

3672. **Shri S. M. Banerjee:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the total number of Class III and Class IV employees working in Survey of India sent on Departmental leave during 1960-61 and 1961-62; and

(b) the rates of leave paid to Class III and Class IV employees?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) and (b). A statement is laid on the Table.

#### STATEMENT

	Class III	Class IV
(a)		
1960-61 .	14	675
1961-62 .	10	704
(b)		
upto 13-12-60.	25% of pay	Re. 1.00 p.m. increased by 50 nP. for every year of service upto maximum of Rs. 8.00.
Beyond 13-12-60.	50% of pay	Rs. 10.00 minimum increased by Re. 1.00 for every year of service upto maximum of 50% of pay.

#### पाकिस्तानी तस्कर व्यापारी

३६७३. **श्री प० ला० बाबूपाल :** क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) १९६२ में अब तक केन्द्रीय उत्पादन शुल्क विभाग के अधिकारियों ने राजस्थान में कितने पाकिस्तानी तस्कर व्यापारियों को पकड़ा है और उनके पास कितने मूल्य का सामान पकड़ा गया है ; और

(ख) इस सम्बन्ध में क्या कार्यवाही की गई है ?

**वित्त मंत्री (श्री मोरारजी देसाई) :**

(क) केन्द्रीय उत्पादन शुल्क अधिकारियों द्वारा राजस्थान में १९६२ में (अप्रैल, १९६२ तक) चोरी-छिपे माल लाने वाले ६ पाकिस्तानी पकड़े गये ; और उनके पास १७४० रुपये की कीमत का माल पकड़ा गया ।

(ख) पकड़ा गया सारा माल जब्त कर लिया गया है और चोरी-छिपे माल लाने वालों पर मुकदमा चलाया गया । उसके बाद सबों को अपराधी करार दे दिया गया ।

#### Naga Hostiles in Manipur

3674. **Shri Rishang Keishing:** Will the Minister of Home Affairs be pleased to state:

(a) the number of civilians kidnapped by the hostile Nagas in various parts of Manipur during the period from January, 1961, to April, 1962;

(b) the number of kidnapped persons killed by the hostile Nagas and of those who escaped from the custody of hostiles; and

(c) the measures Government have taken for the security of the civilians?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). During the period January, 1961, to April, 1962, 38 persons are reported to have been kidnapped by the hostile Nagas. Out of these,

four were killed by the hostiles, while seven escaped from their custody.

(c) The Ukhrul, Tamenglong sub-divisions and Mao Maram Circle have been declared as disturbed areas under section 3 of the Armed Forces (Assam and Manipur) Special Powers Act, 1958. The West Bengal Security Act, 1950, has also been extended to Manipur, to enable the Administration to take effective measures against the activities of Naga hostiles. Security forces are carrying out intensive patrolling.

### Murder Cases in Manipur

**3675. Shri Rishang Keishing:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the number of murder cases in Manipur is fast on the increase;

(b) the number of murder cases registered in 1960, 1961 and 1962; and

(c) the main causes which lead to such murders?

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

(b) and (c).

	No. of cases registered		Cause
1960	31	Naga hostile activities and tribal feuds.	18
		Female intrigue and personal grudge.	13
1961	25	Naga hostile activities and tribal feuds.	10
		Cattle Lifting	4
		Family feud	1
		Female intrigue and personal grudge.	10
1962 (upto 30-4-62)	6	Naga hostile activities	3
		Personal grudge	3

### Setting up of Wire Drawing Plant at Burdwan

**3676. Shri Subodh Hansda:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that there is a proposal to set up a Wire Drawing Plant at Burdwan in West Bengal;

(b) if so, whether the plan and estimate of the project have been prepared;

(c) the total estimated cost of the project; and

(d) whether the construction has already started?

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

(a) No such proposal has come to Government's notice, except that one party has mentioned District Burdwan in his application as one of the possible sites of his Wire-drawing Unit, the other possible sites mentioned in the same application being Bihar or Orissa or Howrah.

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

### Tripura Language as Medium of Instruction in Tripura

**3677. Shri Dasaratha Deb:** Will the Minister of Education be pleased to state:

(a) whether any step has so far been taken to introduce Tripura language as medium of instruction up to the primary standard for the students belonging to Tripura Community in Tripura;

(b) if so, the progress made so far; and

(c) if not, the reason for delay?

**The Minister of Education (Dr. K. L. Shrimall):** (a) to (c). Efforts are being made to develop Tripura language; and to begin with, a primer in Tripuri is being brought out for introduction in the primary classes. Its use as medium of instruction will

depend on the availability of suitable books and teaching literature.

### **Fires in the Forest Properties in Tripura**

**3678. Shri Biren Dutta:** Will the Minister of Home Affairs be pleased to state:

(a) what is the number of fires that destroyed the forest properties in Tripura during 1961-62;

(b) what is the amount of loss that these fires have caused to Forest properties; and

(c) what are reasons of these fires?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) 45.

(b) Information is under collection and will be laid on the Table of the House.

(c) Tripura Reserved Forest are interspersed with lands that belong to private persons. There are encroachments and unauthorised jhuming activities also and sometimes mischiefs are responsible for the fires.

### **Sale of Coke by Messrs. S. D. Sethia & Co. Ltd.**

**3679. Shri P. R. Patel:** Will the Minister of Mines and Fuel be pleased to state:

(a) whether the Bombay Small Scale Industries Association, Bombay as well as the Government of Gujarat and Maharashtra complained to the Government that Messrs. S. D. Methia & Co. Ltd., charged Rs. 18.80 per ton more than the notified price for the bye-product Hard Coke;

(b) whether Government replied to the association and others intimating that legal action against Messrs. S. D. Sethia & Co. Ltd., was under the consideration of Government;

(c) whether Messrs. S. D. Sethia & Co. Ltd., have been asked by Government to refund the additional money taken from customers; and

(d) what action has been taken for charging more price than the notified price?

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

(b) Yes.

(c) No.

(d) M/s. S. D. Sethia & Co. Ltd., are the selling agents of the Bararee Coke Co., who are alleged to have charged higher price in the first instance and the selling agents recovered the same from the consumers. Legal action has been taken against M/s. Bararee Coke Co. for violation of the Colliery Control Order. No such action is proposed to be taken against Messrs. Sethia & Co. Ltd., who are their selling agents.

### **Invalid Ballot Papers**

**3680. Shri Hari Vishnu Kamath:** Will the Minister of Law be pleased to refer to the reply given to Unstarred Question No. 79 on the 23rd April 1962 and state:

(a) the number of ballot papers rejected as invalid during the time of counting by Returning Officers at the General Election of 1962:—

(i) in the Legislative Assembly Constituencies of each State separately;

(ii) in the Parliamentary constituencies of each State separately; and

(b) the grounds on which the ballot papers were rejected?

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra):** (a) Two statements are laid on the Table of the House showing the number of rejected votes during the General Elections 1962 in Parliamentary and Legislative Assembly constituencies, State-wise. [See Appendix IV, annexure No. 88].

(b) Ballot papers were rejected for one or the other of the following reasons:—

(i) there was no mark at all, on the front or back; or

- (ii) the mark was in blank area, that is to say, at the back or entirely in the shaded area; or
- (iii) there were marks against two or more candidates; or
- (iv) there was writing or mark by which the voter can be identified; or
- (v) the ballot paper was mutilated beyond recognition; or
- (vi) the ballot paper was not genuine.

**Cement Factory in Maharashtra**

81. { Shri Shivaji Rao S. Deshmukh:  
Shri S. C. Samanta:  
Shri M. L. Dwivedi:

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

(a) whether a licence has been granted for the establishment of a cement factory to exploit the limestone deposit in Vidarbha area of the Maharashtra State;

(b) if so, what would be the capacity of production of this plant; and

(c) the proposed site for the location of this plant?

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

(a) Yes, Sir.

(b) 243,810 tonnes per year.

(c) Ghugus in Chanda district.

**Model Library Act**

3682. Shri M. K. Kumaran: Will the Minister of Education be pleased to state:

(a) what are the main recommendations of the Sen Committee Report on Model Library Act;

(b) whether Government have examined the report; and

(c) what action Government have taken on the recommendations of the Committee?

**The Minister of Education (Dr. K. L. Shrimall):** (a) A statement is attached. [See Appendix IV, annexure No. 89].

(b) The Report along with the Model Library Act is under examination in consultation with the Ministry of Law.

(c) Does not arise.

**Heavy Engineering Plant, Ranchi**

3683. { Shri P. C. Borooah:  
Shri Bhagwat Jha Azad:

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

(a) the progress made in regard to the erection of the following three projects under the Heavy Engineering Corporation Limited, Ranchi:

(i) Heavy Machine Building Project;

(ii) Foundry Forge Project; and

(iii) Heavy Machine Tools Building Plant; and

(b) when the requisite machinery is expected to be received from the Soviet Union and Czechoslovakia?

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

(a) and (b). A statement is placed on the Table of the Sabha. [See Appendix IV, annexure No. 90].

**Manufacture of Heavy Electrical Equipment in Private Sector**

3684. Shri P. C. Borooah: Will the Minister of Steel and Heavy Industries be pleased to refer to the reply given to Starred Question No. 959 on the 23rd May, 1962 and state:

(a) whether a decision has since been taken to sanction additional capacity for manufacture in private sector of various types of heavy electrical equipment; and

(b) if so, the decision taken?

**The Minister of State and Heavy Industries (Shri C. Subramaniam):** (a) and (b). The matter is still under consideration.

#### Roads in Scheduled Areas and NEFA

3685. { Shri D. J. Naik:  
Shri C. M. Kedaria:

Will the Minister of Home Affairs be pleased to state:

(a) mileage of roads of various categories constructed during the Second Five Year Plan period in Scheduled areas and in NEFA; and

(b) the steps envisaged to bring those areas in line with other neighbouring areas in respect of road development?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) and (b). The information is being collected from the State Governments and the NEFA Administration. A statement giving the particulars will be laid on the Table of the House as early as possible.

#### Foreign Exchange for Delegations sent Abroad

3686. **Shri Maheswar Naik:** Will the Minister of Finance be pleased to state:

(a) the number of delegations both official and non-official, sent abroad during 1961-62; and

(b) the foreign exchange expended on each of these delegations?

**The Minister of Finance (Shri Morarji Desai):** The requisite information is being collected from the various Ministries/Departments and will be laid on the Table of the House when ready.

#### हरिद्वार (उत्तर प्रदेश) में ढलाई का कारखाना

३६८७. श्री भक्त दर्शन : क्या इस्पात और भारी उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हरिद्वार (उत्तर प्रदेश) में ढलाई का एक कारखाना स्थापित करने का निश्चय किया गया है ;

(ख) यदि हां, तो क्या उसकी लागत, उत्पादन क्षमता आदि पर प्रकाश डालने वाला एक विवरण सभा-पटल पर रखा जायेगा; और

(ग) इस बारे में अब तक क्या प्रगति हुई है ?

**इस्पात और भारी उद्योग मंत्री (श्री चि० सुब्रमण्यम) :** (क) में (ग) सरकार सरकारी क्षेत्र में दूसरा ढलाई का कारखाना स्थापित करने के प्रश्न पर विचार कर रही है। अभी तक विस्तृत योजना तैयार नहीं हुई है।

#### Retired Government Employees Employed in Business Houses

3688. **Shri G. Basu:** Will the Minister of Home Minister be pleased to state:

(a) the number of class I Government officers who on retirement from Government service joined business houses during 1959-60, 1960-61 and 1961-62;

(b) whether any such Government officer has joined any business house with which he as Government officer had dealings directly or indirectly; and

(c) whether permission from Government was obtained in each case covered by part (b) above?

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

the Table of the House as early as possible.

### Elections in Orissa

3689. { Shri P. K. Deo:  
Shri Kohor:  
Smt. Shashank Manjari:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Government of Orissa had written to the Supreme Court to lend the services of a judge to serve in a high power commission of the Orissa Government to probe into the various malpractices alleged to have been resorted to during last election;

(b) the reaction of the Supreme Court to this request; and

(c) whether Supreme Court has sought the permission of Government of India to give any such Supreme Court Judge on loan service to the Government of Orissa?

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

(a) and (b). The Chief Minister, Orissa, had requested the Chief Justice of India to lend the services of a Supreme Court for this purpose but the latter regretted his inability to do so.

(c) No.

### आग सलाहकार समिति

३६६०. श्री सरजू पाण्डेय : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उनके मंत्रालय ने एक आग सलाहकार समिति बनाई है ; और

(ख) यदि हाँ, तो उक्त समिति का कार्य क्या और उसके निर्माण को क्यों आवश्यकता पड़ी ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) जी हाँ ।

(ख) भारत में अग्निशमन सेवाओं के सुधार के तरीकों पर विचार करने के लिये समिति का निर्माण किया गया था । इसके मुख्य कार्य अग्निशमन सेवाओं से सम्बन्धित तकनीकी समस्याओं की देखभाल करना तथा भारत सरकार को इस सम्बन्ध में सिफारिशें देना, और भारतीय मानक संस्थान के द्वारा अग्निशमन उपस्कर का मानकीकरण कराना है ।

### Central Government Industrial Projects

3692. { Dr. L. M. Singhvi:  
Smt. Sarojini Mahishi:

Will the Minister of Finance be pleased to state:

(a) what is the total quantum of loans advanced to the Central Government industrial projects to date;

(b) what are the different sources of these loans;

(c) what is the rate of interest on these loans;

(d) what are the total arrears of unrealised interest on such loans; and

(e) whether a statement would be laid on the Table?

The Minister of Finance (Shri Morarji Desai): (a) to (e). The information is being collected and will be laid on the Table of the House in due course.

### State Awards

3693. Dr. L. M. Singhvi: Will the Minister of Home Affairs be pleased to state:

(a) whether Government have examined the constitutional validity and propriety of giving various awards annually such as Bharat Ratna, Padmabhushan, etc.; and

(b) whether Government in this connection have consulted any expert legal opinion?

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

(a) and (b). Yes; Government are advised that these awards could not be deemed to be titles and as such their conferment would not violate the provisions of the Constitution.

#### **Royalty to States for Mining Leases**

**3694. Dr. L. M. Singhvi:** Will the Minister of Mines and Fuel be pleased to state:

(a) what are the rates of royalty paid to the State Governments for different mining leases;

(b) what is the basis for determination of these rates;

(c) whether any disputes regarding the rates have arisen during the last five years; and

(d) if so, the details thereof?

**The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajar-navis):**

(a) and (b). The rates of royalty on various minerals (other than minor minerals) are prescribed in Schedule II to the Mines and Minerals (Regulation and Development) Act 1957, and these rates are applicable to all States uniformly.

(c) The rates being statutory, there can be no dispute about the rates.

(d) Does not arise.

#### **New Colleges during Third Plan**

**3695. Shri Harish Chandra Mathur:** Will the Minister of Education be pleased to state:

(a) what is the number of new colleges opened during 1961-62 and proposed to be opened in 1962-63 and the subsequent 3 years of the third Five Year Plan;

(b) what Central assistance, direct and through University Grants Commission, has been given;

(c) whether each States requirement in this respect has been determined; and

(d) what total outlay on new colleges during the Third Five Year Plan is visualised and provided for?

**The Minister of Education (Dr. K. L. Shrimali):** (a) It is estimated that 70 to 80 colleges will be added every year during the Third Five Year Plan.

(b) Nil, Sir. The U.G.C. assistance is available only for developmental purposes to well-established colleges.

(c) and (d). There is no specific provision for the opening of new colleges in the Third Five-Year Plan.

#### **Post-Matric Scholarships to Wards of School Teachers**

**3696. Shri G. Mohanty:** Will the Minister of Education be pleased to state:

(a) whether all the amount was spent that was provided for scholarships to wards of primary and secondary school teachers for post-Matric studies in 1960-61 and 1961-62; and

(b) the number of students awarded scholarships in 1960-61 and 1961-62, State-wise?

**The Minister of Education (Dr. K. L. Shrimali):** (a) The Scheme was started in 1961-62 only.

Funds for the Scheme are placed at the disposal of State Governments by book-adjustment in reimbursement of the expenditure incurred by them. The actual amount spent has not yet been intimated.

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

#### **STATEMENT**

Under the Scheme of Merit Scholarships for the children of Primary and Secondary School Teachers, the following scholarships have so far been awarded from the quota of scholarships for 1961-62:



Name of the State	No. of Scholarships
Andhra Pradesh	42
Assam	15
Bihar	35
Gujarat	25
Maharashtra	51
Jammu & Kashmir	3
Kerala	33
Madhya Pradesh	31
Madras	47
Mysore	32
Orissa	16
Punjab	23
Rajasthan	12
Uttar Pradesh	56
West Bengal	44
A & N Islands	1
Delhi	5
L & M. Islands	—
Himachal Pradesh	5
Manipur	2
Tripura	—
Pondicherry	4

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### स्त्रियों का अनैतिक पण्य

३६६७. श्री भक्त दर्शन : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि २६ मई, १९६२ को भारतीय नैतिक तथा सामाजिक स्वास्थ्य संस्था को मद्रास शाखा द्वारा आयोजित सभा में भाषण देने हुए उन्होंने कहा था कि स्त्रियों से अनैतिक कार्य करवाना स्वतंत्र भारत के माथे पर एक कलंक है और इस बुराई का शीघ्रातिशीघ्र अन्त किया जाना चाहिये ;

(ख) यदि हां, तो इस कलंक को मिटाने के लिये अब तक क्या कार्यवाही की गई है ; और

(ग) इस सम्बन्ध में भविष्य के लिये क्या कार्यक्रम बनाया गया है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्रीमती चन्द्रशेखर) : (क) हां ।

(ख) और (ग) जो लोग स्त्रियों तथा लड़कियों से व्यभिचार कराने के पेश में लगे हैं उनके खिलाफ कार्यवाही करने के लिये स्त्रियों तथा लड़कियों में व्यभिचार निरोधक अधिनियम, १९५६ पारित किया गया है । १-५-१९५८ से यह अधिनियम सारे देश में लागू किया गया । इस अधिनियम के अधीन राज्य सरकारों ने बहुत से सुरक्षा-गृह (Protective Homes) उन स्त्रियों तथा लड़कियों को रखने और समाज में पुनः बसाने की दृष्टि से उन्हें व्यवसायिक प्रशिक्षण प्रदान करने के लिये स्थापित किये हैं जिनके बारे में अदालतों ने निरोध के आदेश जारी किये हों । इस प्रकार सरकार स्त्रियों तथा लड़कियों में व्यभिचार के कलंक को मिटाने के लिये सभी सम्भव उपाय कर रही है ।

### Untouchability in Tripura

3698. Shri Biren Dutta: Will the Minister of Home Affairs be pleased to state:

(a) whether any amount has been given to any organisation to fight untouchability in Tripura during 1960-61 and 1961-62;

(b) if so, what is the amount and which are the organisations that received the amount;

(c) whether there was any enquiry about the manner in which the sums have been spent; and

(d) if so, the findings thereof?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) No, Sir.

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

### Displaced Persons in Tripura

3699. Shri Biren Dutta: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that during the process of survey of Tripura, displaced persons are not given 'parchas';

(b) if so, the reason therefor;

(c) whether it will be given before the "Attestation" according to the rule; and

(d) when the "Attestation" in some areas is going to take place?

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

(a) to (c). Lands have been allotted to the displaced persons under the Rehabilitation Schemes. Their particulars are entered in the Khatian of the Rehabilitation Department. Those who execute bonds for the loans advanced to them are recorded as 'raiyyat' in the survey and settlement record and are given 'parchas'.

(d) Attestation is scheduled to be taken in Kamalpur, Khawai and Sonamura Sub-division from September, 1962.

**Scheduled Castes Candidates Selected in I.A.S., I.P.S. and I.F.S.**

**3700. Shri Ram Sewak:** Will the Minister of Home Affairs be pleased to state:

(a) the total number of candidates selected in I.A.S., I.P.S. and I.F.S. during last ten years and the number of Scheduled castes among them; and

(b) what steps Government are going to adopt to fill up the quota reserved for scheduled castes?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) A statement is laid on the Table [See Appendix IV, annexure No. 91].

(b) To ensure that the vacancies reserved for the scheduled castes in I.A.S./I.P.S. etc. are adequately filled by them, a pre-examination training centre is being run by the Government of India at the University of Allahabad for such candidates. Another Centre on the lines of the Allahabad Centre is also proposed to be opened in the

South and it is likely to start functioning in October, 1962.

### **Rourkela Steel Plant**

**3701. Shri P. K. Deo:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that the stock of raw materials and stores and other articles missing at Rourkela Steel Plant belonging to Hindustan Steel Ltd., during the year 1960-61 exceeded worth one crore of rupees; and

(b) what steps have been or are being taken to prevent such losses?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) No, Sir. The total loss incurred by Rourkela Steel Plant during 1960-61 on account of shortage of raw materials works out to Rs. 15,68,403 and that on account of other items to Rs. 7,08,330. This loss arises from the difference in weights of materials recorded at the supplying and receiving ends.

(b) Steps which have been taken to prevent such losses include regular measurement of raw materials at raw materials yard and the weighing of maximum number of wagons.

### **Facilities to Workers in Steel Works**

**3702. Shri S. N. Chaturvedi:** Will the Minister of Steel and Heavy Industries be pleased to lay on the Table a statement of the benefits and other facilities available to labour in Government Steel Works at Durgapur and Bhilai?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** A statement is laid on the Table of the House. [See Appendix IV, annexure No. 92].

### **Women Sent Abroad for Education**

**3703. Shrimati Laxmi Bai:** Will the Minister of Education be pleased to state:

(a) the total number of women sent abroad for higher education since 1959; and

(b) the total number of among them who married foreign nationals?

**The Minister of Education (Dr. K. L. Shrimati):** (a) Forty-one under the various Schemes administered by the Education Ministry.

(b) None as far as the Government is aware.

#### Licences for Cement Manufacture

**3704. Shri Jashvant Mehta:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) the number of licences issued during 1961-62 for starting Cement manufacture;

(b) number of those who have not started the preliminary work; and

(c) steps taken by Government to fulfil the target if the private enterprise does not achieve the same?

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

(a) Nil.

(c) This does not arise at present. Government are taking necessary steps to see that the target is achieved. They are hopeful that this will be done.

#### लखनऊ में अन्तर्विश्वविद्यालय खेलें

३७०५. श्री भक्त दर्शन : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अन्तर्विश्व-विद्यालय खेल-कूद के जो कार्यक्रम लखनऊ विश्वविद्यालय में किये जाने निश्चित हुए थे, वे अब वहां नहीं होंगे ;

(ख) यदि हां, तो किन कारणों से ऐसा किया गया ; और

(ग) उस कार्यक्रम को लखनऊ या किसी अन्य विश्वविद्यालय में करने के बारे में क्या कार्रवाई की जा रही है ?

**शिक्षा मंत्री (डा० श्रीमाली):** (क) से (ग). आवश्यक सूचना अन्तर्विश्व-विद्यालय बोर्ड से एकत्र की जा रही है और यथा-समय सभा-पटल पर रख दी जावेगी ।

#### Memorial to 'Azad Hindu Fauj'

**3706. Shri Hari Vishnu Kamath:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government propose to build a memorial on the spot not far from Imphal, where in 1944 the 'Azad Hind Fauj' of Netaji Subhas Chandra Bose hoisted free India's flag after expelling the occupation troops; and

(b) if not, the reasons therefor?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). Manipur Administration have no such proposal under consideration. A Memorial Committee set up by the Manipur Congress Committee is stated to be considering the matter.

#### High School at Bhusundpur in Orissa

**3707. Shri Mallick:** Will the Minister of Education be pleased to state:

(a) whether it has been decided by Government to construct a new High School at Bhusundpur in Orissa especially for the displaced students; and

(b) if so, when the work is expected to be started?

**The Minister of Education (Dr. K. L. Shrimati):** (a) Yes, Sir. The State Government has decided to do so.

(b) In October, 1962.

#### "Manavi" Language Script

**3708. Dr. L. M. Singhvi:** Will the Minister of Education be pleased to state:

(a) whether the attention of Government has been drawn to a langu-

age script called "Manavi", based on the numeral pattern and evolved by one Shri Motilal Gurtu;

(b) whether Government have referred the script and the language to experts;

(c) if so, the opinions of the experts, and

(d) if not, reasons therefor?

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

#### STATEMENT

(a) & (b) Yes, Sir.

(c) The "Manavi" language script was examined by linguistic experts in the Ministry of Education in consultation with Shri Motilal Gurtu himself as far back as August, 1959. In their opinion it could never be applied to the speakers of the whole world.

(d) Does not arise

#### Production of Milk in Military Farms

**3709. Shri U. M. Trivedi:** Will the Minister of Defence be pleased to state:

(a) the total quantity of milk produced in military farms during 1961-62;

(b) how it was disposed of; and

(c) the net profit earned?

**The Minister of State in the Ministry of Defence (Shri Raghuramaiah):** (a) to (c). Audited figures regarding the production of milk in Military Farms, the profit earned, etc. during the year 1961-62 are not yet available. It has been estimated that a quantity about 126 lakhs litres of milk was produced in Military Farms during the year. This milk was mainly issued to troops as part of their rations and a small portion of it issued on payment. A portion of the milk was also fed to calves in the Military Farms and the balance converted into cream and butter and then disposed of. The profit made during the

year has been assessed at about Rs. 15 lakhs.

#### Unauthorised Constructions in Delhi

**3710. Shri Rameshwar Tanti:** Will the Minister of Home Affairs be pleased to state:

(a) the provisions made by the Building Committee of Delhi Municipal Corporation regarding the unauthorised constructions;

(b) whether it is a fact that the recent demolition order has been kept in abeyance for some time; and

(c) if so, the steps proposed for checking unauthorised constructions in future?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) (b) & (c). The entire matter is under the consideration of the appropriate authorities under the Delhi Municipal Corporation Act, 1957.

#### Purchase of New Trucks by Tripura Town out-Agency

**3711. Shri Sarkar Murmu:** Will the Minister of Home Affairs be pleased to state:

(a) whether any licence has been given to Tripura Town Out-agency Agartala, for the purchase of new 'Tata Mercedes Benz' trucks at fair price and when such licence was given;

(b) if so, the number of trucks for which licenses were given and the number of them which were actually purchased; and

(c) whether the agency has sold any of these trucks in the meantime?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) & (b). No licence is required for the purchase of Tata Mercedes Benz Trucks and their purchase is open to all.

(c) The Tripura Out-agency were recommended by the Administration for the supply of some Tata Merce-

des Benz Trucks. A complaint has recently been made that some of the trucks so supplied, have been sold by the said agency.

### Grant for Uplift of Tribals in West Bengal

**3712. Shri Sarkar Murmu:** Will the Minister of Home Affairs be pleased to state:

(a) whether any amount was granted to Government of West Bengal for the uplift of the tribal people in 1961-62;

(b) if so, the amount granted; and

(c) the major items for which the sum was allocated?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandra-sekhar):** (a) Yes, Sir. Grants were given in respect of schemes for Scheduled Tribes.

(b) Rs. 7.75 lakhs in the Centrally sponsored programme and Rs. 14.60 lakhs in respect of State Plan schemes.

#### (c) I. Education

(i) Payment of tuition fees, book grants, stipends and boarding grants.

(ii) Construction of hostels and primary Schools.

#### II. Economic Uplift.

(i) Agriculture

(ii) Animal Husbandry

(iii) Co-operation

(iv) Commerce and Industry.

#### III. Health, Housing & other schemes

(i) Medical & Public Health

(ii) Irrigation

(iii) Roads

(iv) Forests

(v) Institute for Research, Planning, Evaluation & Cultural Development.

(vi) Social Workers' Training Institute.

### Deaths by Electrocution in Durgapur Steel Plant

**3714. Shri Dinen Bhattacharya:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that on the 24th May, 1962 a worker died by electrocution at Durgapur project;

(b) whether it is a fact that within the last three months at the same project, a number of workers died by electrocution; and

(c) if so, the details thereof?

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

(c) Question does not arise.

**दहेज निषेध अधिनियम के अधीन मामले**

३७१५. श्री राम सेवक यादव : क्या विधि मंत्री यह बताने की कृपा करेंगे कि :

(क) दहेज निषेध अधिनियम, १९६१ के लागू होने से अब तक विभिन्न राज्यों में कितने मामले उसके अधीन दर्ज किये गये,

(ख) उनमें से कितनों का फैसला हो गया और उन पर क्या फैसले दिये गये ; और

(ग) कितने मामले अभी विचाराधीन हैं और उन पर अब तक निर्णय न लिखे जाने के क्या कारण हैं ?

**विधि मंत्रालय में उपमंत्री (श्री विभुषेन्द्र मिश्र) :** (क), (ख) और (ग) : समवर्ती क्षेत्र में होने के कारण, दहेज प्रतिषेध अधिनियम, १९६१ का प्रशासन राज्य सरकारों और संघ राज्यक्षेत्र-प्रशासनों के अधीन है। इन से यह अपेक्षा नहीं की जाती कि वे इन मामलों इत्यादि से सम्बन्ध रखने वाले आंकड़े केन्द्रीय सरकार को भेजें। आंध्र प्रदेश, केरल, मध्य प्रदेश, महाराष्ट्र, मैसूर, उड़ीसा, राजस्थान उत्तर प्रदेश और पश्चिमी बंगाल की राज्य सरकारों तथा अण्डमान और निकोबार द्वीप, दिल्ली, हिमाचल प्रदेश,

लक्का द्वीप, मिनिकोय और अमीनदीवी द्वीपों एवं मनिपुर और त्रिपुरा के संघ राज्य-क्षेत्र प्रशासनों ने सूचित किया है कि क्रमशः इन राज्यों और संघ राज्य क्षेत्रों में दहेज प्रतिषेध अधिनियम, १९६१ के अधीन कोई मामला नहीं चलाया गया है।

जहां तक बिहार राज्य का सम्बन्ध है, चम्पारन जिले की सदर तहसील में ऐसा कोई मामला दर्ज नहीं किया गया है। इस राज्य के अन्य भागों के बारे में कोई जानकारी नहीं है।

गुजरात के विषय में, राजकोट जिले में सम्भवतः कई एक मामले दर्ज किये गये हैं किन्तु उनकी कोई निश्चित जानकारी उपलब्ध नहीं है। इस राज्य के अन्य भागों में कोई मामला दर्ज नहीं किया गया है।

मद्रास में भी रामनाथपुरम जिले को छोड़ कर जिसके बारे में कोई जानकारी उपलब्ध नहीं है, कोई मामला दर्ज नहीं किया गया है।

बिहार राज्य और गुजरात के राजकोट जिले तथा मद्रास के रामनाथपुरम जिले के सम्बन्ध में जानकारी एकत्रित की जा रही है और यथासमय सदन के पटल पर रख दी जायेगी।

#### Loans and Savings from Public

**3716. Shrimati Sarojini Mahishi:** Will the Minister of Finance be pleased to state:

(a) detailed account of the loan and savings raised from the public during the Second Five Year Plan including that accruing from small savings; and

(b) how much of the loan so raised has been used for building up of assets which will yield returns on a continuous basis?

**The Minister of Finance (Shri Morarji Desai):** (a) A statement is laid on the Table.

#### STATEMENT

(In crores of Rupees)

Year	Market Loans	Small Savings (net)
1956-57 .	157.54	59.01
1957-58 .	136.17	69.45
1958-59 .	201.91	78.21
1959-60 .	378.97	82.87
1960-61 .	246.34	103.76
<b>TOTAL</b>	<b>1121.13</b>	<b>393.30</b>

(b) Market loans of the Government including small savings, are not raised for financing any specific projects but merge with the balances of the government and are available for meeting its over-all requirements.

#### "Chandigarh Allowance" for Central Government Employees

**3717. Shri S. M. Banerjee:** Will the Minister of Finance be pleased to state:

(a) whether Central Government employees at Chandigarh are entitled to any special allowance known as "Chandigarh allowance";

(b) if so, the quantum of such allowance;

(c) whether this allowance has been reduced;

(d) if so, to what extent;

(e) whether various Unions have protested against this;

(f) whether the cost of living at Chandigarh does not justify any reduction; and

(g) action taken by Government in the matter?

**The Minister of Finance (Shri Morarji Desai):** (a) Yes, Sir.

(b) to (d). The allowance has been reduced from 1st January, 1962. The rates of allowance admissible before and after reduction are shown in the Statement.

STATEMENT

Pay in the revised Scales	Rate of allowance	
	1-8-1961 to 31-12-1961	1-1-1962 to 31-7-1962
Rs.	Rs.	Rs.
Upto 370	12½% of pay	8% of pay
Above 370	Amount by which pay falls short of 416·25.	Amount by which pay falls short of 399·60.

(e) Yes, Sir.

(f) The allowance granted at Chandigarh was in the nature of a project allowance in the Capital city while under construction. It was not in the nature of allowance granted to meet high cost of living in the city as in the various 'A', 'B' or 'C' class cities.

(g) In view of reply to (f) above, Government did not consider it necessary to revise their decision regarding reduction in the allowance which was in keeping with the general policy followed as regards project allowance.

**Compensatory Allowance to Central Government Employees at Simla**

**3718. Shri S. M. Banerjee:** Will the Minister of Finance be pleased to state:

(a) whether Central Government employees in Simla were drawing compensatory allowance according to the Simla Allowance Code previous to implementation of Pay Commission Report;

(b) whether they have lost financially after the implementation of Pay Commission Report;

(c) if so, to what extent;

(d) whether various trade union organisations and staff councils have protested against this discrimination; and

(e) if so, action taken by Government?

**The Minister of Finance (Shri Morarji Desai):** (a) Prior to the fixation of the revised rates of compensatory allowance admissible at Simla with effect from 1st November, 1960, on the recommendation of the Pay Commission, 1957, some Central Government employees were drawing allowances under the Simla Allowances Code and some were drawing all-inclusive allowances on an *ad hoc* basis.

(b) and (c) A statement showing the rates of allowances admissible on 1st November, 1960 under the Simla Allowances Code, under the *ad hoc* scheme, and under the revised orders is laid on the Table [See Appendix IV annexure No. 93]. The employees working in Simla on 1st November, 1960 were given an option to draw the allowances at the revised rates or to retain a fixed amount equivalent to the allowances admissible to them on 1st November, 1960 on the basis of pre-revised pay scales plus dearness pay.

(d) No, Sir.

(e) Does not arise.

**House Rent Paid by Class IV Employees of L.I.C.**

**3719. Shri S. M. Banerjee:** Will the Minister of Finance be pleased to state:

(a) whether a Class IV employee of Life Insurance Corporation in Chandigarh has to pay Rs. 22/- p.m. as house rent;

(b) if so, under what rules;

(c) whether the employees association have protested against this; and

(d) if so, action taken by Government in this matter?

**The Minister of Finance (Shri Morarji Desai):** (a) to (d): The material is being collected and will be laid on the Table of the House as soon as available.

**International Students' House in South**

**3720. Shri Dharmalingam:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Government have proposed construction of an International Students' House in the South;

(b) if so, when and where;

(c) whether any request for construction of an International Students' House at Madras has been received; and

(d) if so, action taken thereon?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) to (d). A request was received to construct an International Students' House at Madras, but on examination it was found that the demand at present does not justify it. If there is a change in position, the matter can be reviewed.

**Manufacture of Renault Car**

**3721. { Shri Warior:  
Shri M. K. Kumaran:**

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

(a) whether it is a fact that the French offer of collaboration for the manufacture of Renault car will lapse at the end of June, 1962; and

(b) if so, steps Government intend to take to get the period extended?

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** (a) and (b): The French firm, Regie Renault, have agreed to keep their proposal for collaboration in the setting up of a low cost car project in public sector valid upto the end of June, 1962. Government will endeavour to take a decision on the implementation of the low-cost car project by then. If no clear decision has been possible by the end of June, Government will endeavour to secure a brief extension of the validity of the offer of Regie Renault until a decision can be taken.

**Heavy Electrical Factory in U.P.**

**3722. Shri Ram Sewak:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that Government had proposed to install the Heavy Electrical Factory near Mata Tila which has now been installed in Ranipur, Uttar Pradesh;

(b) whether Government are thinking to install some other heavy industry in that area; and

(c) if so, by what time?

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

(b) No, Sir.

(c) Does not arise.

**Corrugated Iron Sheets for Maharashtra**

**3723. Shri Kajrolkar:** Will the Minister of Steel and Heavy Industries be pleased to state:

(a) whether it is a fact that Maharashtra State is getting less allocations of corrugated iron sheets against its requirements; and

(b) if so, the reasons therefor?

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

(a) Yes, Sir. This is so in respect of other States also.

(b) Insufficient production. The quantity available is equitably distributed. Efforts are being made to import G. C. sheets within the limited foreign exchange available as well as under barter.

**Claims of Political Sufferers in H.P.**

**3725. Shri Pratap Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether recommendations on claims of political sufferers in Himachal Pradesh have been received by Government;



(b) if so, whether payments thereof have since been made; and

(c) what is the total amount proposed to be distributed among such sufferers?

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

(a) to (c). Recommendations for grant of financial assistance to some political sufferers were received from the Himachal Pradesh Administration in March, 1962. They were returned to the Administration for clarification of some points and supplying full particulars in respect of the persons recommended. Their reply is awaited.

#### Fire in some Government Offices in H.P.

**3726. Shri Pratap Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is within the knowledge of Government that the P.W.D. Godown and other Government Offices were destroyed by fire in Mandi District (Himachal Pradesh) in the middle of May, 1962;

(b) whether the cause of fire has been investigated; and

(c) what is the approximate loss?

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

(a) Yes.

(b) The cause of fire is under investigation.

(c) The approximate loss is Rupees 1,72,700.

#### Rural University in Andhra

**3727. Shri Kolla Venkaiah:** Will the Minister of Education be pleased to state:

(a) whether any suggestion has been made to Government of Andhra Pradesh for starting a Rural University in that State by the Deputy Minister of Education;

(b) whether any discussion has taken place on this question between the Deputy Minister during her visit to Andhra Pradesh this month and the State Government; and

(c) what is the help that the Centre can extend to the State Government in this matter?

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

(b) The Education Minister of Andhra Pradesh enquired from the Deputy Minister whether it was possible to start a Rural Institute in the private sector. He was informed that it would be possible only during the Fourth Plan period.

(c) The Central Government meets 75 per cent of the non-recurring and 50 per cent of the recurring approved expenditure leaving the rest to be met by the parent body or State Government.

#### Amendment of Delimitation of Legislative Council Constituency Order, Andhra Pradesh

**3728. Shri Kolla Venkaiah:** Will the Minister of Law be pleased to state:

(a) whether the Election Commission sought the opinion of the State Legislature and mainly the State Legislative Council before issue of orders in 1961 amending the Delimitation of Legislative Council Constituency Order (Andhra Pradesh);

(b) if not, the reasons therefor;

(c) whether the Election Commission had consulted the State Government; and

(d) if so, what is their opinion?

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra):** (a) to (d). Although under sections 12 and 13 of the Representation of the People Act, 1950, the Election Commission is not required to seek the opinion of the State Legislature or the State Government or any other body or authority before

making its proposals to the President for amending any order of delimitation of council constituencies, the Commission in 1961 formulated its proposals for amendment of the Delimitation of Council Constituencies (Andhra Pradesh) Order, in consultation with the State Government.

### Eviction of Tenants in Delhi

3729. { Shri Upadhyaya:  
Shri J. P. Jyotishi:

Will the Minister of Home Affairs be pleased to state:

(a) the number of applications pending on June 1, 1962 with the Rent Controller, Delhi, for eviction of tenants under the Delhi Rent Control Act;

(b) the number on grounds of non-payment of rent;

(c) the number on grounds of misuse and causing damage to property;

(d) the number on grounds of repairs;

(e) the number on grounds of making additions and alterations; and

(f) the total number of houses and commercial units in value in Delhi which are subject to the provisions of the Rent Control Act?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) 2534.

(b) 1721.

(c) 201

(d) 85

(e) 105

(f) The information is not available and the amount of time and labour involved in collecting it will not be commensurate with the result achieved

गवर्नमेंट हायर सैकेंडरी स्कूल, मालवीयनगर' नई दिल्ली

३७३०. श्री प्रकाशवीर शास्त्री : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गवर्नमेंट हायर सैकेंडरी स्कूल, मालवीयनगर, नई दिल्ली की इमारत जो वर्ष १९५१ में बनाई गई थी, उसमें केवल दसवीं और ग्यारहवीं कक्षाएँ (५ सेक्शन) ही बैठते हैं और बाकी २५ सेक्शन तम्बुओं में बैठते हैं ;

(ख) क्या यह भी सच है कि स्कूल में पानी और बिजली का कोई प्रबंध नहीं है ;

(ग) यदि भाग (क) और (ख) का उत्तर स्वीकारात्मक हो, तो तम्बुओं में बैठने के बजाये कमरों में बैठने के लिये और दैनिक आवश्यकताओं जैसे बिजली और पानी की अनुविधा को दूर करने के लिये सरकार ने क्या कार्यवाही की है ; और

(घ) जब स्कूल की इमारत बनने के लिये स्वीकृति प्रदान की जा चुकी थी, तो स्कूल के निर्माण कार्य में क्यों विलम्ब हुआ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) से (घ). अपेक्षित सूचना एकत्रित की जा रही है और यथा-समय सभा पटल पर रख दी जायेगी ।

### Excise Duty on Virginia Tobacco

3731. Shri Kolla Venkaiah: Will the Minister of Finance be pleased to state:

(a) the total excise levy collected on different varieties of virginia tobacco and their quantities in 1959-60, 1960-61 and 1961-62;

(b) the number of persons or concerns from whom levy has been received in different years, referred to in part (a) above; and

(c) the agencies that collect the levy?

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

Year	Total Quantity of virginia tobacco cleared on payment of duty (all varieties).	Central Excise (basic and additional) collected thereon.	Ex-duty and
	(000 kgs.)		(Rs. in lakhs)
1959-60	20,540		502.17
1960-61	23,688		570.50
1961-62	24,215		590.49

(b) Each payment of duty is made on a D.D. 1 Form or A.R. 1 Form and separate records showing the total payments made by each person or concern during any particular year are not maintained.

(c) Central Excise Department.

#### **Basic Teachers Training Schools in Rajasthan and Maharashtra**

**3732. Shri Jedhe:** Will the Minister of Education be pleased to state:

(a) the names with locations of Basic Teachers Training Schools for boys and girls (separately) in Rajasthan and in Maharashtra states;

(b) whether it is a fact that the training period in Rajasthan is of one year's duration;

(c) what is the training period in Delhi; and

(d) the reasons for difference in training periods, if any?

**The Minister of Education (Dr. K. L. Shrimall):** (a) A State wise list is available in Parliament Library.

(b) Yes, Sir.

(c) Two years.

(d) The principle that the duration of the training period should ultimately be two years is accepted by

all States. But some of them are not yet able to implement it owing to shortage of funds and the urgent need to increase the number of trained teachers.

#### **Trained Teachers in Delhi Schools**

**3733. Shri Jedhe:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that trained graduates and post-graduates have been appointed in Government and Government-aided schools in Delhi in lower grades than prescribed for them;

(b) if so, what is the number of such teachers working at present (school-wise); and

(c) the reasons therefor?

**The Minister of Education (Dr. K. L. Shrimall):** (a) and (c). Yes, Sir. Teachers are remunerated according to the scales of pay prescribed for the posts that they hold. Government have prescribed certain minimum qualifications for the various categories of posts. If a person, holding higher qualifications, offers himself for a post for which the minimum qualifications prescribed are lower, and he is appointed, he will draw the scale of the post.

(b) The information is being collected and will be laid on the Table of the Lok Sabha in due course.

#### **Untrained Teachers in Delhi Schools**

**3734. Shri Jedhe:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that in many schools in Delhi untrained teachers have been taking high-classes for over ten years;

(b) if so, the number of such teachers (school-wise);

(c) whether any of the above teachers have recently been declared as 'non-category teachers';

(d) whether this long experience of teaching for over ten years in the recognised schools is not sufficient to put them at par with trained teachers; and

(e) if the reply to part (d) above be in negative, the reasons therefor?

**The Minister of Education (Dr. K. L. Shrimali):** (a) to (e). The required information is being collected and will be laid on the Table of the Lok Sabha in due course.

#### **Untrained Teachers in Delhi Schools**

**3735. Shri Jedhe:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that in many Government aided schools in Delhi, untrained Arts-graduates are being recruited as teachers;

(b) if so, the number of such untrained teachers recruited since 1-1-61 to 30-5-62 (schools-wise) and the reasons for such recruitment; and

(c) whether Government propose to put a ban over recruitment of such teachers by the managing committees of the aided schools;

**The Minister of Education (Dr. K. L. Shrimali):** (a) No instance of such recruitment have come to the notice of Government.

(b) Does not arise.

(c) The ban already exists. The managements of government aided schools are required to appoint only such teachers as possess the minimum qualifications prescribed by government for corresponding categories of teachers in government schools. No government grant is admissible on the salaries of the teachers who do not fulfil the prescribed qualifications.

#### **Child Allowance in Banks**

**3736. Shri Jedhe:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that "child

allowance" is not being granted by any Indian or Foreign Bank or any other statutory body in India other than the Reserve Bank of India;

(b) if so, the criteria for continuing this child allowance specially in the Reserve Bank alone;

(c) whether Government propose to extend the grant of this "child allowance" to the employees of the State Bank of India; and

(d) if so, the date of starting this allowance and if not, the reasons therefor?

**The Minister of Finance (Shri Morarji Desai):** (a) No such allowance is granted by any foreign or Indian bank operating in India, or so far as the Central Government are aware, by any statutory body.

(b) The family allowance was originally sanctioned by the Reserve Bank of India in order to compensate class IV, class III and class II employees of the bank for the increase in prices and the cost of living.

(c) No.

(d) Does not arise.

#### **Allowances to Reserve Bank and State Bank Employees**

**3737. Shri Jedhe:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that there are differences in grant of allowances to the employees of the Reserve Bank and the State Bank of India;

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

(c) whether Government contemplate to remove this anomaly?

**The Minister of Finance (Shri Morarji Desai):** (a) Yes.

(b) There are differences in the rates at which dearness, local house rent, overtime, and other special allowances are admissible. These differences are due to the fact that the duties of the various posts and

the basic scales of pay and other conditions of service in the two banks are not uniform.

(c) As the existing position is not considered to be anomalous and as the scales of pay and allowances in the two banks have to be determined in accordance with the provisions of the awards of national industrial tribunal, no action on the part of the Central Government seems to be called for.

#### One anna Coin

**3738. Shri Jedhe:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that old one anna coin is still treated as legal tender and is in circulation;

(b) if so, the reasons for continuing the circulation of this old coin;

(c) whether it has come to the notice of Government that in the past there have been serious disputes in conversion of this one anna into naya paisas;

(d) if so, whether Government propose to stop the circulation of one anna coin from the market immediately; and

(e) if the reply to part (d) above be in the negative, the reasons therefor?

**The Minister of Finance (Shri Morarji Desai):** (a) and (b). Cupronickel one anna coins are still legal tender and in circulation, but the present stock position of decimal coins does not permit of their immediate demonetisation.

(c) to (e). While no serious disputes over the conversion of annas into naya paise have come to the notice of the Government, they are aware of the inconvenience caused by the continued circulation of these coins. Withdrawal of these coins will, however, start as soon as adequate stocks of requisite denominations in the decimal series have been built up. It is, however, not possible at this stage

to indicate with any degree of certainty when these coins will be completely withdrawn.

#### Heavy Melting Scrap

**3739.** { **Shri Narasimha Reddy:**  
**Shri P. K. Deo:**  
**Shri Kapur Singh:**  
**Shri Tan Singh:**

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

(a) the quantity of heavy melting scrap melted by domestic users during each of the years, 1959, 1960 and 1961;

(b) the quantity of heavy melting scrap exported during each of the year 1959 and 1960; and

(c) whether it is a fact that heavy melting scrap exported during 1961 was very much lower than in either of the years 1959 and 1960; and

(d) if so, reasons therefor?

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

(a) to (c). Figures of heavy melting scrap melted by domestic furnace owners are not available. However, the figures of exports during 1959 to 1961 are as follows:

1959—47,960 tons.

1960—43,450 tons.

1961—22,050 tons.

(d) The lower export of heavy melting scrap in 1961 as compared to previous years, is due to the complete ban on exports of heavy melting scrap imposed in the latter half of 1961.

#### Export of Scrap

**3740.** { **Shri Narasimha Reddy:**  
**Shri P. K. Deo:**  
**Shri Kapur Singh:**  
**Shri Tan Singh:**

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

(a) the annual arising and domestic use of No. 1 Sheet Cutting Scrap;

(b) whether it has been brought to the attention of Government that due to the existing ban on the export of No. 1 Sheet Cutting Scrap, it is now exported, when rusty, as No. 2 Sheet Cutting scrap involving the country in the loss of valuable foreign exchange; and

(c) steps taken to avoid this situation?

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

(a) The information is not readily available.

(b) and (c). As No. 1 Sheet Cuttings are in great demand within the country, it is considered unlikely that they will be allowed to become rusty for export as No. 2 sheet cuttings.

#### **Fertilizer Plant in Madhya Pradesh**

**3741. Shri Birendra Bahadur Singh:** Will the Minister of Steel and Heavy Industries be pleased to refer to the reply given to Unstarred Question No. 2563 on the 5th June, 1962 and state:

(a) whether alternative arrangements are being made for the establishment of a fertiliser plant in Madhya Pradesh; and

(b) if so, by which time a final decision is likely to be taken?

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

(a) Alternative arrangements are under consideration.

(b) In the near future.

#### **Shares of Public Companies**

**3742. { Shri Morarka:  
Shri Bhagwat Jha Azad:**

Will the Minister of Finance be pleased to state:

(a) which public companies were allowed to increase their capital by the issue of further equity shares to their shareholders since 1st April, 1959;

(b) in respect of each of these public companies separately—

(i) what was the premium that was allowed to be charged over and above the par value of the share for the issue of further shares to the Indian shareholders;

(ii) what was the ratio of the premium to the face value of the share; and

(iii) what was the dividend on equity shares declared by these companies for the three years before that in which the issue of further share was made?

**The Minister of Finance (Shri Morarji Desai):** (a) A list showing the names of the public companies which were allowed to increase their capital by the issue of further equity shares to their shareholders from 1st April 1959 to 31st March 1962 is laid on the Table. [See Appendix IV annexure No 94].

(b) (i) and (ii) A list showing the names of the public companies which were allowed to issue further shares at a premium, the amount of premium per share to be charged over the par value and the percentage of premium to the face value is laid on the Table. [See Appendix IV annexure No. 95].

(b) (iii) Information is being collected and a statement showing the percentages of dividend on equity shares declared, by the companies listed in reply to part (b) (i) and (ii) above, for the three years before that in which the consent for further increase in capital was given, will be laid on the Table of the House as soon as it is ready.

#### **Acquisition of Land for Kalpa Township in H.P.**

**3744. Shri Virbhadra Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is proposed to acquire the agricultural land of peasants in

village Chin, (District Kinnaur), Himachal Pradesh for the establishment of the new township of Kalpa; and

(b) if so, whether it is not possible to construct the township of Kalpa outside the agricultural lands of the peasants?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). The question of selecting a suitable site for the location of the headquarters of Kinnaur district (Himachal Pradesh is under consideration and it will take some time to arrive at a decision.

#### **Border Districts of Punjab**

**3745. Shri Hem Raj:** Will the Minister of Home Affairs be pleased to state:

(a) the amount of money that has been allocated for the different development projects in the border districts of Punjab i.e. Lahaul and Spiti during 1962-63; and

(b) the amount that is specially meant for the construction of roads?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). A statement indicating the outlay so far approved for different development projects for the border districts of Lahaul for 1962-63 is placed on the Table of the House. [See Appendix IV, annexure No. 96].

#### **Development of Border Districts etc.**

**3746. Shri Hem Raj:** Will the Minister of Home Affairs be pleased to state:

(a) the money kept for the improvement of communications, roads and bridges during the Third Five Year Plan for the border districts and the Tribal and Scheduled Areas, State-wise; and

(b) the agency through which it is spent?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) and (b). The information has been called for from the

State Governments. A statement will be laid on the Table of the House as soon as the information becomes available.

#### **Amount for Welfare of Scheduled Tribes Etc.**

**3747. Shri Hem Raj:** Will the Minister of Home Affairs be pleased to state the amount sanctioned for the welfare of the Scheduled Tribes, Scheduled Areas and Backward Classes during 1961-62 and proposed to be spent during 1962-63. State-wise?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** Two statements giving the required information are laid on the Table of the House. [Placed in Library. See L.T. No. 222/62].

#### **State Bar Councils**

**3748. Shri Hem Raj:** Will the Minister of Law be pleased to state:

(a) the names of the High Courts where Bar Councils have been constituted under the Advocates Act;

(b) whether they have framed their rules and if so, which of them; and

(c) whether any draft rules have been framed by the Supreme Court Bar Council for their guidance?

**The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra):** (a) Bar Councils have been constituted in all the States under the Advocates Act, 1961.

(b) Sections 15 and 28 of the Act provide for framing of rules by the State Bar Councils. The Central Government is not aware of any rules having been framed by any of the State Bar Councils under any of these sections.

(c) There is no provision in the Advocates Act, for a Supreme Court

Bar Council. Presumably the reference is to the Bar Council of India which has not yet been constituted. Hence the question of rules being framed by that Council does not arise at present.

### Cultural Grants

**3749. Shri Ram Sewak:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) what are the names of the various cultural institutions and organisations in the country to whom grants have been given for promotion of their activities and the amount paid to each during 1961-62; and

(b) which theatre groups are recipients of grants sanctioned in 1961-62 for production of Tagore plays?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) Grants were given to more than 150 institutions during 1961-62, and the compilation of the information will require time and labour incommensurate with the results.

(b) (1) T.K.S. Natak Sabha, Madras.

(2) Little Theatre Group, Calcutta.

(3) Himachal Theatres, Simla.

(4) Rupa-Vaswar, Calcutta.

(5) Shouvanik, Calcutta.

(6) Rupkar, Calcutta.

(7) Sri Vizalkshmi Natya Mandali (Regd.) Anakapalle.

(8) Kalaviharam, Thycaud, Travancore.

(9) Shri Uday Shankar, Calcutta.

(10) Honorary Secretary, Rabindra Satbāshiki Utsab Samiti, Dakshin Naya Delhi.

### Mahil's Gurz at Orai (U.P.)

**3750. Shri Ram Sewak:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Government are aware that there is "Mahil's" Gurz and a tunnel leading to Mahoba at Orai (Uttar Pradesh) a monument of historical value related to the great diplomat Mahil, King of Orai during Twelfth Century A.D. and a contemporary of Prithviraj Chauhan of Delhi;

(b) whether Government propose to declare it a monument of national importance;

(c) if not, the reasons therefor; and

(d) what steps Government are planning to preserve this monument?

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

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

### Complaints against Gazetted Officers

**3751. Shri S. N. Chaturvedi:** Will the Minister of Home Affairs be pleased to state:

(a) the number of complaints and source informations received during the last three years against different categories of Gazetted Officers as given in Section B (cases involving public servants) of annual reports of the Special Police Establishment;

(b) the number investigated or developed in each category;

(c) the result of such investigations or development (category-wise); and

(d) the action taken thereon (category-wise)?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) to (d). The information is being collected. A statement will be laid on the House after full information is received.



### Unauthorised Colonies in Delhi

**3752. Shri N. Sreekantan Nair:** Will the Minister of Home Affairs be pleased to state:

(a) the names of unauthorised colonies and areas of Delhi, the lay-out plans of which:

(i) have not been prepared so far;

(ii) have been rejected; and

(iii) are still under consideration;

(b) number of families likely to be displaced as a result of non-regularisation of colonies and areas referred to in part (a) above;

(c) number of plot holders who will lose their plots as a result of non-regularisation of colonies and areas; and

(d) what steps Government propose to take to rehabilitate the families and provide alternative plots of land?

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

(a) The required information is as follows:—

- (i) 1. Basant Puri
2. Gauri Shanker Scheme
3. Burges Park
4. Har Lal Scheme
5. Shanker Basti
6. Mahesh Nagar
7. Sant Nagar (near Bhuteshwar temple)
8. Gautam Nagar
9. Masjid Moth
10. Garhi Jharla Marya
11. Tihar Village
12. Gupta Colony
13. Malakpur Chaoni
14. Rampura Village (built up portion west of Lawrence Road)

- (ii) 1. Pandev Nagar
2. Prem Nagar D.L.F.
3. R. R. Block
4. Mansrover Park
5. Suraj Bhan Block
6. Amrit Park
7. Prem Nagar
8. Acharya Niketan
9. New Layaipur

10. Gobindpuri
11. Sri Nagar
12. Chawla Park
13. Netaji Park
14. Shad Nagar
15. Jai Hind Colony
16. Preet Nagar & Nirankari Vatika
17. Khazanbasti
18. Subhash Park
19. Modern Shahdra
20. MS & MSA Block
21. Inderpuri Extension
22. Laxmi Garden
23. Arjan Nagar.

- (iii) 1. Shibpura
2. Prithvi Park
3. Guru Nanak Nagar
4. Sant Garh
5. Dwarka Puri
6. Jagat Puri
7. Krishan Nagar (near Tilak Nagar)
8. Dilshad Garden
9. Rameshwar Nagar Extension
10. Shardapuri
11. Baljit Nagar
12. Arjun Nagar
13. Krishan Nagar.

(b) No figures in this regard are available as no census of the number of families which will be affected by the non-regularisation of unauthorised has so far been taken;

(c) and (d). Exact number of plot holders who will lose their plots as a result of non-regularisation of unauthorised colonies and areas is not available but individual plot-holders owning land in unauthorised colonies the lay-out plans of which have been rejected and which constitute part of the main scheme of 'large-scale acquisition, development and disposal of land in Delhi' will be entitled for allotment of developed alternative plots at pre-determined price provided the individual does not own any other residential plot or house in Delhi either in his own name or in the name of his wife or dependent children.

### Text Books for Delhi Schools

**3754. Shri D. C. Sharma:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the text books for primary and middle school students in Delhi and New Delhi are very frequently changed;

(b) whether it is a fact that in certain schools books are changed every year or every alternative year;

(c) if so, the reasons therefor; and

(d) the steps taken or proposed to be taken to put a stop to such changes at least to safeguard the interests of the children of the low income group who go in for the purchase of second-hand books?

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

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

### Indo-Commercial Bank

**3755. Shri Muthiah:** Will the Minister of Finance be pleased to state:

(a) what action have Government taken in the case of Indo-Commercial Bank which was amalgamated with the Punjab National Bank to repay the depositors fully;

(b) what percentage of the deposit amounts has so far been repaid to the depositors of the Indo-Commercial Bank; and

(c) what steps are proposed to be taken by Government against the Directors of the Indo-Commercial Bank to collect large amounts lent by them on their security and for which those Directors of the said Bank are answerable?

**The Minister of Finance (Shri Morarji Desai):** (a) Payments to the depositors of the Indo-Commer-

cial Bank are to be made in accordance with the provisions of the scheme of amalgamation as sanctioned by the Central Government in February, 1961.

(b) Approximately 53 per cent of the amount due to the depositors has been paid, and further payments, if any, will be made, as and when the frozen assets of the Indo-Commercial Bank are realised by the transferee bank.

(c) The question whether any misfeasance proceedings can be instituted against the directors of the Indo-Commercial Bank is still under consideration.

### Children of Ex-Political Sufferers

**3756. Shri Sarkar Murmu:** Will the Minister of Home Affairs be pleased to state:

(a) whether any aid is being given to the children of ex-political sufferers;

(b) if so, whether such aid is also given to the children of those ex-political sufferers who are at present not unemployed; and

(c) the criteria of the eligible candidates?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) to (c). Relief and rehabilitation of political sufferers is the concern of the State Governments who have formulated their own schemes for the purpose. In individual cases of hardship, assistance is also given to political sufferers from the Home Minister's Discretionary Grant. There is no provision for making direct financial grants to the children of political sufferers separately. The Government of India have, however, initiated a scheme for grant of educational concessions to the children of political sufferers in the States and the Union Territories. According to the scheme, the Centre will bear the entire cost of concessions in respect

of Union Territories and 50 per cent of the cost in respect of the States. The scheme covers all political sufferers whose income does not exceed Rs. 300 per mensem.

#### Staff Welfare Review Committee

**3757. Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Staff Welfare Review Committee has submitted its report;

(b) if so, what are the main recommendations and the additional financial impact of those recommendations;

(c) whether it is a fact that the Committee has suggested appointment of more Junior Welfare Officers and if so, how many such officers are likely to be appointed; and

(d) the source from which those Junior Welfare Officers are proposed to be drawn?

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

(b) to (d). The recommendations of the Staff Welfare Review Committee cover all matters concerning the welfare of Central Government employees. These recommendations are under examination.

#### Thefts in Sarojini Nagar, New Delhi

**3758. Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) the number of thefts which took place in the houses in Sarojini Nagar during the last two months period;

(b) how many thefts took place during the day;

(c) how many such thefts have been traced;

(d) whether it is a fact that either the police security is inadequate or

unhelpful as timely help is not rendered as and when wanted; and

(e) if so, what steps are proposed to be taken to tighten security measures in areas which are exposed to thefts in cases where the houses are not surrounded by other buildings e.g. houses on the ring road or near the railway track?

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

(a) Seven (April-May 1962).

(b) Three

(c) Traced	3
Under investigation	3
Untraced	1

(d) No.

(e) The policing of isolated areas and newly developed colonies is kept under review by the Police authorities and necessary measures are taken wherever required

#### U.P.S.C. Examination for Income-tax Inspectors

**3759. Shri D. C. Sharma:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that a Union Public Service Commission examination has been or is proposed to be held to fill up the vacancies of Income-tax Inspectors;

(b) the number of vacancies to be so filled;

(c) the number of applications received;

(d) whether it is a fact that Third Division Graduates have not been allowed to take the examination whereas Intermediates have been allowed;

(e) whether there are any similar restrictions for I.A.S. recruitment;

(f) if not, what are the reasons for imposing such restrictions in the case of Income-tax Inspectors; and

(g) whether the candidates whose applications have not been entertained for the examination are being refunded the admission fee?

**The Minister of Finance (Shri Morarji Desai):** (a) The Union Public Service Commission does not hold any competitive examination for the recruitment of Income-tax Inspectors. The Directorate of Inspection (Income-tax) had, however, held an open competitive examination in February, 1962 for filling up the posts of Income-tax Inspectors.

(b) about 100.

(c) 13,479.

(d) Intermediates with at least high second class were eligible for the examination. Third class graduates who did not secure at least high second class in the Intermediate Higher Secondary/Senior Cambridge or equivalent examination were not eligible.

(e) Intermediates are not eligible for the I.A.S. examination.

(f) To fix minimum standard of calibre.

(g) No.

#### **Establishment of Cantonment Boards in Madhya Pradesh**

**3760. Shri Birendra Bahadur Singh:** Will the Minister of Defence be pleased to state:

(a) whether it is proposed to establish one or two more Cantonment Boards in Madhya Pradesh;

(b) if so, what are the places being considered for this purpose;

(c) what is the number of Cantonments in Madhya Pradesh at present; and

(d) what is their strength and character?

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

(a) No, Sir.

(b) Does not arise.

(c) Five.

(d) 3 are Class I cantonments with population of over 10,000 and 2 are Class II cantonments with population between 2,500 and 10,000.

#### **Prevention of Smuggling in M.P. Maharashtra Boarder**

**3761. Shri Birendra Bahadur Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that there is a proposal to create a five-mile wide 'restriction belt' along the borders of Maharashtra and Madhya Pradesh for checking smuggling of intoxicants;

(b) if so, who has initiated the scheme and what are its details;

(c) whether approval of Government of India has also been sought in this regard; and

(d) if so, with what results?

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

(a) The Government of Madhya Pradesh have created a three-mile belt along the border of Maharashtra State. That is, they are not having any liquor shop in this area since the 1st April, 1962.

(b) to (d). This has been done in pursuance of the recommendation of the Central Prohibition Committee which, however, required that 10 miles dry belts should be created adjoining dry areas of other States.

#### **Smuggling of Opium**

**3762. Shri Birendra Bahadur Singh:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that smuggling of opium is on the increase in the country;

(b) if so, what measures are being taken to prevent this smuggling; and

(c) in which States this trade is on the increase?

**The Minister of Finance (Shri Morarji Desai):** (a) There has been an increase in the number of cases detected and the quantity of opium seized but this is no indication of an increase in the volume of smuggling.

(b) The anti-smuggling measures taken are, *inter alia*, limiting the cultivation of poppy to contiguous areas in traditional poppy growing tracts, laying down of qualifying standards of output to determine the eligibility of cultivators for licensing, preventive checks at strategic points, co-ordination of the activities of the officers of the State Excise, Prohibition, Police and Narcotics Department etc. The larger seizures indicate perhaps the growing efficacy of these measures.

(c) The quantity seized has increased in Madhya Pradesh.

#### Stolen Cars

**3763. Shri Birendra Bahadur Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government know that there is an organised gang in Delhi which converts the stolen cars into taxis overnight;

(b) if so, what measures are being taken to check the activities of that gang;

(c) who and how many people are involved in this work; and

(d) how many such cases had been detected during the last two years?

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

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

#### Teachers in N.C.C.

**3764. Shri Birendra Bahadur Singh:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the National Cadet Corps Act provides for payments of ranks pay to teachers of colleges and Universities serving as officers in the NCC;

(b) if so, whether these teachers are paid rank's pay in all States in India;

(c) if not, the reasons therefor and the States in which teachers are not paid rank's pay; and

(d) whether Government will consider the question of payment of arrears of officers of NCC who have been paid less than rank's pay as a result of misinterpretation of the relevant provision of the NCC Act?

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

(a) Teachers of colleges and universities serving as Officers in the NCC are entitled under the N.C.C. Rules to minimum pay of rank, as for corresponding ranks of the Armed Forces while in camp or on authorised courses of instruction except the six| nine months' Course at NCC Academy, Purandhar.

(b) These teachers are paid their rank pay, here admissible.

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

#### All India Board for Backward Classes

**3765. Shri P. C. Borooah:** Will the Minister of Home Affairs be pleased to state:

(a) whether an All-India Board to promote social and economic welfare of the Backward Classes in India is proposed to be set up;

(b) if so, what are its proposed constitution and functions; and

(c) how these functions had hitherto been performed?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** (a) It is not proposed to set up an All-India Board to promote social and economic welfare

of the Backward Classes in India. A Gujjar Welfare Board has, however, been recently set up.

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

#### **Credit from Denmark**

**3766. Shri P. C. Borooah:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Denmark has offered to give India a credit for Rs. 10 million;

(b) if so, on what terms; and

(c) for what specific projects it is to be appropriated?

**The Minister of Finance (Shri Morarji Desai):** (a) to (c). There have been some preliminary discussions with the Danish authorities on the subject of a loan to India and it is expected that a loan may be offered in the near future. The terms of the loan and the projects for which it will be used will be negotiated after the loan has been extended.

#### **Black-marketing in bricks in Delhi**

**3767. Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that there is lot of black-marketing in bricks in Delhi; and

(b) if so, the steps proposed to be taken to check the same?

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

(b) Does not arise.

#### **Central Drug Research Institute, Lucknow**

**3767A. Shri C. K. Bhattacharyya:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the Central Drug Research Institute, Lucknow has carried on investigations on the extract from

the seeds of *Psoralea Corylifolia* (Lata Kasturi);

(b) whether the Institute has made preparations from the extract, when given orally or topically, may be beneficial in leucoderma cases; and

(c) whether such preparation has been made available to the public?

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

(b) Yes, Sir.

(c) No, Sir. Before this is done, large scale clinical trials will have to be carried out and the properties of the preparations firmly established.

#### **Posts for S.C. and S.T. Candidates**

**3767B. Shri Balkrishna Wasnik:** Will the Minister of Home Affairs be pleased to state the number of reserved posts treated as unreserved in various Ministries, category-wise, due to non-availability of suitable Scheduled Castes and Scheduled Tribes candidates or otherwise during the last five years?

**The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar):** The information is being collected. As soon as it is available it will be laid on the Table of the House.

#### **Air Bookings**

**3767C. { Shri P. C. Borooah:  
Shri Ram Ratan Gupta:**

Will the Minister of Finance be pleased to state:

(a) whether the attention of Government has been drawn to the news item in the *Times of India* of 10th June, 1962 reporting that air-bookings by international airlines touched a new peak on Saturday, the 9th June, 1962 in an effort to circumvent the Reserve Bank's directive restricting overseas travel; and

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

**The Minister of Finance (Shri Morarji Desai):** (a) Yes, Sir.

(b) The matter is under investigation.

दिनांक २५ मई १९६२ के अतारंकित  
प्रश्न संख्या २०४६ के उत्तर में शुद्धि

वैज्ञानिक अनुसंधान और सांस्कृतिक-  
कार्य मंत्री (श्री हुमायून् कबिर) : "पूर्व  
जर्मनी : फ्री यूनिवर्सिटी, बर्लिन", की जगह  
पर "पश्चिम जर्मनी : फ्री यूनिवर्सिटी, बर्लिन,"  
पढ़िये ।

#### अतिरिक्त जानकारी

पश्चिम जर्मनी में हैम्बर्ग, मैम्बर्ग, बीन,  
म्युनिक, ट्यूरिंगेन और गोटिंगेन के विश्व-  
विद्यालयों में भी हिन्दी पढ़ाने का इंतजाम  
है ।

12 hrs.

#### CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

(i) TALKS WITH SECRETARY OF STATE  
FOR COMMONWEALTH RELATIONS FOR  
U.K. REGARDING E.C.M.

**Shri Yallamanda Reddy (Markapur):** Sir, under Rule 197, I call the attention of the Minister of Finance to the following matter of urgent public importance and I request that he may make a statement thereon:

"The recent talks held by him with the Secretary of State for Commonwealth Relations for U.K. regarding European Common Market."

**The Minister of Finance (Shri Morarji Desai):** Mr. Speaker, Sir, my colleague, the Minister of International Trade, made a statement in the Lok Sabha on 12th June, 1962 about the progress of negotiations relating to the European Common

Market. There is not much that I can add to what my colleague had already said except to indicate what particular significance and purpose the recent visit of the Secretary of State for Commonwealth Relations from the United Kingdom had in this context.

2. As the House is aware, the negotiations which are now in progress in Brussels relate to the United Kingdom's entry into the Common Market. We are concerned in the matter because of the possible repercussions which U.K.'s accession might have on our trade. Quite independently of U.K.'s entry, however, we have anyhow to face the problem of expanding our trade into the European Economic Community.

3. While it is undoubtedly difficult to draw a hard and fast line between these two aspects of the matter, it will be readily appreciated that while the former is primarily a matter to be settled during the negotiations, in which the United Kingdom is now engaged, the latter is mainly a matter to be discussed with the enlarged Economic Community, although current talks in Brussels will have an important bearing on the future.

4. The purpose of Mr. Duncan Sandys' visit to India was to review with us the latest trends in the negotiations in progress in Brussels and to consult with us about the lines on which they should proceed from our point of view. Mr. Sandys referred to the recommendations, which had been formulated by the Deputies for the consideration of the Council of Ministers, a fairly full account of which has already appeared in the Press.

5. What Mr. Sandys told us and what our own Ambassador to the European Economic Community has told us go to indicate that there is now in the European Economic Community recognition of the special nature of problems which India has, and thought is being given to the possibility of a special agreement bet-

[Shri Morarji Desai]

ween us and the European Economic Community with the prime object of improving our export prospects and opportunities.

6. Mr. Sandys went on to suggest that it might be advisable for me to proceed almost immediately to Europe in order to present our own case and thinking to the Member-Governments of the Six. Having regard to my commitments here and particularly the fact that the Rajya Sabha will be in Session, I indicated my inability to leave India earlier than the 1st of July and conveyed to Mr. Sandys the points and items in our export trade to which we attached special importance. The House will appreciate that while these delicate negotiations are in progress, it would not be in the public interest to make public the details of our proposals and add to what has been set out in our memorandum, a copy of which has already been placed on the Table of the House earlier.

7. It is my intention to take advantage of my visit to Europe in connection with the Economic and Social Council's Session to visit London and the other European capitals and to convey to the Governments concerned personally the vital importance which we attach to an increase in our export trade with the objective of narrowing the wide trade gap which exists in our external trade, particularly with the Members of the European Economic Community. It is my expectation that while some conclusions favourable to us as far as they go will have been reached at the meeting of the Council of Ministers scheduled to be held next week in Brussels, final decisions on all the outstanding points will not be taken until the meeting at the end of next month.

8. I might add here that the whole question is likely to be discussed at a meeting of Commonwealth Prime Ministers scheduled to be held in September. A final view from the point of view of the Commonwealth

as a whole is not likely to emerge earlier than that and it is our understanding that the United Kingdom will not be making any final commitments prior to that meeting.

**Shri Yallamanda Reddy:** May I know whether our Finance Minister is satisfied that the important aspects of our memorandum have been agreed upon by the Commonwealth Relations Secretary?

**Shri Morarji Desai:** It is difficult to say that they have been agreed to because this again is a matter of negotiations between them, us and the six. Therefore, I would not say that they have been agreed to or not agreed to. But there is general agreement with us that our case should be presented as strongly as possible.

**Shri Nath Pai (Rajapur):** Was that the impression of the Finance Minister during his long negotiations with Mr. Duncan Sandys that the ultimate stand which the United Kingdom Government is likely to take regarding safeguards we are asking for is likely to be in any way influenced by our own stand vis-a-vis purchase of MIGs?

**Shri Morarji Desai:** It is difficult to say, because that did not form part of my discussion.

**Shri Nath Pai:** I asked for his impression.

**Shri A. P. Jain (Tumkur):** What effect has the creation of the ECM on India's balance of payment position with the six ECM countries? To what extent have our purchases from these countries gone up and to what extent our exports have gone down as a result of this?

**Shri Morarji Desai:** Nothing has happened as yet. It will happen if England joins ECM and there are no sufficient safeguards for India.

**Shri A. P. Jain:** I am not referring to England; I am referring to the six ECM countries.



**Shri Morarji Desai:** There is no change as a result of this.

(ii) **HEAVY FLOODS IN KAMALPUR AND OTHER PARTS OF TRIPURA**

**Shri Dasaratha Deb (Tripura East):** Under Rule 197, I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:

"The situation arising out of the recent heavy floods in Kamalpur sub-division and other parts of Tripura."

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** Heavy rains in the middle of this month flooded some areas of Tripura causing interference in traffic and breaches of roads. Rains have since stopped and more or less communications on the main roads have been restored.

In Khowai Sub Division, Khowai town and two villages on the bank of river Khowai were inundated. In Kailashahar six villages were affected and Kumarghat bridge was washed away. In Amarapur seven villages were affected and some houses were washed away. Five children of Rambhadracherra are reported to have died. Some inundation took place in Dharmanagar and Kamalpur sub-divisions.

Necessary measures to afford immediate relief to the affected person have been taken. A sum of Rs. 8,090 has been placed at the disposal of Revenue authorities in the Sub-divisions for distribution as gratuitous relief.

Distribution of rice, chira and gur to affected persons has been started in the Khowai and Amarapur Sub-divisions. Four cases of milk powder have been sent to the villages affected in Khowai for distribution. Affected families in this Sub-division have

been given temporary shelter in the school and other available buildings.

**Shri Dasaratha Deb:** In view of the heavy loss suffered by the people due to damages, may I know whether Government have any proposal to allocate some fund so that it could be given as loans to the affected people?

**Shri Datar:** That matter is receiving further consideration by the administration. If proposals are received by us, they will receive proper consideration.

**Mr. Speaker:** Now papers to be laid on the Table.

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12.10 hrs.

**POINT OF INFORMATION**

**Shri Hem Barua (Gauhati):** On a point of information, Sir. During the last week I tabled a 'Calling attention notice' on the floods in Manipur. That is a Union territory. I gave that notice after hearing the news broadcast over the All India Radio and before it came out in the papers here. That was disallowed. When the news came out in the papers, again I tabled it; but it was disallowed. Then I tabled a short notice question about the floods in Manipur. That also was disallowed. But now something about Tripura, which is another Union territory and which is as much a Union territory as Manipur is, has been allowed.

**Mr. Speaker:** I may only say that he has not been fair to me. He ought to have come to me. I would have called for the papers and then only could have told him what the reasons were for which they were disallowed. Even now I would advise him to come to me. Without the papers how can I say what the reasons were?

**Shri Hem Barua:** I do not want to be unfair to you. With all humility

[Shri Hem Barua]

I submit that. I only wanted your guidance.

**Mr. Speaker:** He might not have had that intention, but that has happened. He has been unfair to me. That should not have happened. That is exactly what I want to say.

**Shri Hem Barua:** I am sorry.

12:11 hrs.

# PAPERS LAID ON THE TABLE

NOTIFICATION UNDER THE SEA CUSTOMS ACT, THE CENTRAL EXCISES AND SALT ACT AND THE MEDICINAL AND TOILET PREPARATIONS (EXCISE DUTIES) ACT.

**The Deputy Minister in the Ministry of Finance (Shri B. R. Bhagat):** Sir, I beg to lay on the Table—

(i) a copy each of the following Notifications under sub-section (4) of Section 43B of the Sea Customs Act, 1878 and section 38 of the Central Excises and Salt Act, 1944 making certain further amendments to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960:—

- (a) G. S. R. No. 1257, dated the 14th October, 1961.
- (b) G. S. R. No. 1327, the 4th November, 1961.
- (c) G. S. R. No. 1367, dated the 18th November, 1961.
- (d) G. S. R. No. 1392, dated the 25th November, 1961.
- (e) G. S. R. No. 1493, dated the 23rd December, 1961.
- (f) G. S. R. No. 1494, dated the 23rd December, 1961.
- (g) G. S. R. No. 1495, dated the 23rd December, 1961.
- (h) G. S. R. No. 1523, dated the 30th December, 1961.

- (i) G. S. R. No. 1524, dated the 30th December, 1961.  
as corrected by G.S.R. No. 53, dated the 13th January, 1962.
  - (j) G. S. R. No. 22, dated the 6th January, 1962.
  - (k) G. S. R. No. 23, dated the 6th January, 1962.
  - (l) G. S. R. No. 24, dated the 6th January, 1962.
  - (m) G. S. R. No. 129, dated the 3rd February, 1962.
  - (n) G. S. R. No. 237, dated the 24th February, 1962.
  - (o) G. S. R. No. 268, dated the 3rd March, 1962.
  - (p) G. S. R. No. 269, dated the 3rd March, 1962.
  - (q) G. S. R. No. 287, dated the 10th March, 1962.
  - (r) G. S. R. No. 288, dated the 10th March, 1962.
  - (s) G. S. R. No. 289, dated the 10th March, 1962.
- [Placed in Library. See No. LT-215/62.]

(ii) a copy each of the following notifications under sub-section (4) of section 43B of the Sea Customs Act, 1878 and section 38 of the Central Excises and Salt Act, 1944:—

- (a) G. S. R. No. 1394, dated the 25th November, 1961 containing corrigendum to Notification No. G. S. R. 695, dated the 20th May, 1961.
- (b) G. S. R. No. 85, dated the 20th January, 1962 containing erratum to Notification No. G. S. R. 1394, dated the 25th November, 1961.
- (c) G. S. R. No. 88, dated the 20th January, 1962 containing corrigendum to Notification No. G. S. R. 1191, dated the 30th September, 1961.

[Placed in Library, See No. LT-216/62.]

[Shri B. R. Bhagat].

(iii) a copy each of the following Notifications under section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Central Excise Rules, 1944:—

- (a) G. S. R. No. 1150, dated the 23rd September, 1961.
- (b) G. S. R. No. 1258, dated the 14th October, 1961.
- (c) G. S. R. No. 1328, dated the 4th November, 1961.
- (d) G. S. R. No. 1421, dated the 2nd December, 1961.
- (e) G. S. R. No. 1445, dated the 9th December, 1961.
- (f) G. S. R. No. 232, dated the 24th February, 1962.
- (g) G. S. R. No. 266, dated the 3rd March, 1962.
- (h) G. S. R. No. 286, dated the 10th March, 1962.
- (i) G. S. R. No. 732, dated the 2nd June, 1962.

[Placed in Library, See No. LT-217/62].

(iv) a copy each of the following Notifications under section 38 of the Central Excises and Salt Act, 1944:—

- (a) G. S. R. No. 1123, dated the 12th September, 1961.
- (b) G. S. R. No. 1319, dated the 1st November, 1961.
- (c) G. S. R. No. 1434, dated the 1st December, 1961.
- (d) G. S. R. No. 1435, dated the 1st December, 1961.
- (e) G. S. R. No. 1436, dated the 1st December, 1961.
- (f) G. S. R. No. 1437, dated the 1st December, 1961.

(g) G. S. R. No. 267, dated the 3rd March, 1962.

[Placed in Library, See No. LT-218/62.]

(v) a copy of the Medical and Toilet Preparations (Excise Duties) Fourth Amendment Rules, 1961 published in Notification No. G. S. R. 1398, dated the 25th November, 1961, under sub-section (4) of section 19 of the Medical and Toilet Preparations (Excise Duties) Act, 1955. [Placed in Library, See No. LT-219/62].

#### MINERAL CONCESSION (SECOND AMENDMENT) RULES, 1962

**The Deputy Minister in the Ministry of Mines and Fuel (Shri Hajarnavis):** Sir, I beg to lay on the Table a copy of the Mineral Concession (Second Amendment) Rules, 1962, published in Notification No. G. S. R. 718, dated the 26th May, 1962, under sub-section (2) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957. [Placed in Library, See No. LT-220/62.]

12-13 hrs.

#### COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

##### MINUTES

**Shri Krishnamoorthy Rao (Shimoga):** Sir, I beg to lay on the Table the Minutes of the sittings (First to Third) of the Committee on Private Members' Bills and Resolutions held during the First Session.

12.13½ hrs.

#### COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE

##### MINUTES

**Shri Man Singh P. Patel (Mehsana):** Sir, I beg to lay on the Table the

[Shri Man Singh P. Patel]

Minutes of the First sitting of the Committee on Absence of Members from the Sittings of the House held during the First Session.

12:13½ hrs.

CORRECTION OF ANSWER TO S. Q.  
No. 1363

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** Sir, I regret that the answer given by me to the supplementary question by Shri Ansar Harvani is likely to create the impression that the Police searched the premises of some allied institutions of the Central Jute Mills Company Limited also. The correct position is that only the premises of the Central Jute Mills Company were searched and no premises of any allied institution were searched by the Police.

12:14½ hrs.

STATEMENT RE. REPORT OF  
SOLVEEN DELEGATION

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** Sir, I must first apologise for not having been present on the 13th of this month to answer the Questions in the Lok Sabha. I had made my programme on the basis of 13th being a holiday. Intimation that Parliament was sitting on the 13th was received by me too late for me to cancel my tour programme at Rourkela and return to Delhi.

2. While answering the Supplementaries on Starred Question No. 1440 in the Lok Sabha, my colleague, Shri P. C. Sethi, stated that the formal Report of the Solveen Mission had not yet been received by Government. The Speaker has desired that I should make a Statement on this, in view of my earlier replies to the effect that I had received a copy. During my re-

ply to the Debate on Demands for Grants for the Ministry of Steel and Heavy Industries, I mentioned that I had received a copy of the Solveen Report. That was an advance copy of the report given to the Secretary, Department of Iron and Steel, Shri Wanchoo, when he was at Bonn and that was transmitted to Delhi.

3. What is important in Reports of this kind is the nature of recommendations made and the action taken thereon. The formality of a signed report does not seem to be very relevant except for the purpose of publication. Therefore, the Government, on the basis of the advance copy of the Report, have already initiated action to remedy the defects pointed out in the Report.

4. The formal copy of the Report also has since been received on the 15th June 1962. Steps will be taken to place it on the Table of the House in due course.

**Shri Vidya Charan Shukla (Mahasamund):** Is there any difference in the formal copy of the Report and the advance copy that was received? Are there any changes that have been made in these two reports?

**Shri C. Subramaniam:** Not that I know of.

**Shri Morarka (Jhunjhunu):** By what time does the hon. Minister hope to place this Report on the Table of the House?

**Shri C. Subramaniam:** During the course of the next sitting, perhaps.

**Mr. Speaker:** Next sitting or next Session?

**Shri C. Subramaniam:** Next Session, Sir.

**Shri Daji (Indore):** The hon. Minister was pleased to promise to us that after the Report has been received and Government has taken a decision thereon, he will acquaint

the House with the decision. Now he has just now stated that without waiting for the formal report certain steps on the basis of the recommendations contained in the advance copy have already been initiated. So, will he enlighten us as to what steps have already been initiated?

**Shri C. Subramaniam:** They are to get the necessary spare parts and to get certain other equipments which are necessary for the purpose of the working of the three blast furnaces.

12.16 hrs.

**MOTION RE: INDIAN ADMINISTRATIVE SERVICE (PAY) RULES**

**Shri Harish Chandra Mathur** (Jalore): Sir, I beg to move:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All India Services Act, 1951, the following amendment be made in Notification No. G.S.R. 101 dated the 27th January, 1962, making amendment in Schedule III to the Indian Administrative Service (Pay) Rules, 1954, laid on the Table on the 26th April, 1962, namely:—

For 300, substitute 200.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution."

This is in respect of a notification laid on the Table of the House by the hon. Home Minister. By my amendment I have asked that the Special Pay, instead of being raised from Rs. 250 to Rs. 300, should be brought down to Rs. 200 in the first instance.

I would not have ventured to take the time of this august House if it was only a question of a few rupees here or a few rupees there. But I have considered it advisable to come to this House and to focus the attention of the hon. Minister and of this

House on this because I feel that it is a step in the wrong direction and that it affects the integrity and the efficiency of the services. We do not grudge a small allowance to the best of our services when it is necessary, but from the little that I have studied the subject, I find that we are going just in the wrong direction. Now, under this notification what is proposed to be done is that the special pay of those officers who are at almost the highest slab in the pay structure is proposed to be raised from Rs. 250 to Rs. 300. I see no justification whatsoever for this.

In the first place, I would like to refer and invite the attention of the hon. the Home Minister to the Fundamental Rules under which the special pay is sanctioned. Now Fundamental Rule 9(25) makes it clear that it is only in consideration of (a), (b) and (c) stipulated there that a special pay should be sanctioned. What are those considerations in lieu of which this special pay is sanctioned? They are: (a) specially arduous nature of the duties; (b) specific addition to the work or responsibilities; (c) unhealthiness of the locality in which the work is performed. Now, if you look at the list which gives the special pay sanction, you will find that at least 90 per cent of the posts are those where the officers are stationed either at the State headquarters or at the Central Government headquarters. Now everybody who belongs to the cadre of IAS and who comes to the Secretariat in Delhi is entitled to get Rs. 200 if he is posted as Under Secretary; or Rs. 300 if he is posted as Deputy Secretary. Now, let us examine this in the context of these rules.

These rules mention specially arduous nature of the duties. Nobody will venture to say that the duties of an Under Secretary or Deputy Secretary are specially arduous. I do not think consideration one is fulfilled. Nor is consideration No. 2 fulfilled. There is no specific addition to the

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work or responsibilities of an officer posted to these posts. In regard to the third consideration—un-healthiness of the locality in which the work is performed—I do not think that the Secretariat here in Delhi is situated in very unhealthy climate. There may be unhealthy climate there in other respects, but not from the consideration of payment of special pay. So, none of these three considerations apply to these posts.

In this connection I wish to draw the attention of the hon. the Home Minister that we are now giving these special pays under completely changed circumstances, and they are out of date. It was in those days when an ICS officer would never like to come to the Secretariat, when he was a *chhota Lat Sahib* (lord) in the district, when he used to value his shikar and big game visiting one zamindari after another that the system of special pay was instituted to attract him to the Secretariat either here or at the State headquarters. I cannot for a moment understand the significance of it in the present context of things, and that is why I have tabled my motion.

I do not want to give a rude shock to the services straightway. I have therefore suggested that it should be cut down, in the first instance. There are various other reasons which I would like to mention here on the floor of the House for the attention of the hon. the Home Minister, as to how the system of special pay has a very corroding effect on the integrity of the services. Everybody is running the race for the special pay. Nobody wants to take up a job in the districts. You will find there are hardly any posts at the district level which carries a special pay. I am referring particularly to the senior posts of the IAS cadre. All these posts either at the State headquarters or at Delhi carry a special pay. Now what is the effect of it? Everybody wants to be at the State headquarters and everybody wants to be in Delhi. Nobody

wants to go to the districts. This has a demoralising effect. There is no dispersal of the services. The right type of men do not wish to go there and they only think of jumping from one post to another post which carries a special pay. After every three years there should be a transfer. All the time the officer is thinking of getting himself transferred to some other job where a special pay could be secured. It has also got another demoralising effect. It opens the flood-gates of favouritism. An officer has got into the grade of 800-1,800. A vacancy of a post with a special pay arises at the headquarters. Everybody wants to get into that post. This is not conducive to the efficiency and integrity of the services. That 90 per cent of the posts which carry a special pay is not at all warranted in the changed circumstances of today.

I do not mean to say that no post should carry a special pay. There may be a certain number of posts where special pay may be justified. But I do not see the justification for grant of special pay to every IAS officer who is posted here as an Under Secretary or Deputy Secretary. Now what they want to do under this notification is that they want to make increasing use of the special grade for the IAS. Generally, so far as my State is concerned I can say with confidence that a man is either in the grade of Rs. 800—Rs. 1,800 or he is in the super-scale of Rs. 2,250. Those people who are in the super-scale do not get any special pay. Now increasing use is made of the special selection grade posts. This is Rs. 1,800 to Rs. 2,000. And when the man reaches Rs. 1,200 he gets into the grade of Rs. 1,800 to Rs. 2,000. Now they want a special further jump of about Rs. 50. They are not satisfied that he goes from Rs. 1,200—his present grade being Rs. 1,200 to Rs. 1,800—that he gets into the grade of Rs. 1,800 to Rs. 2,000. Those people to whom this grade of Rs. 1,800 to Rs. 2,000 has been given—at least in my State I know—were getting Rs. 1,200 or Rs. 1,300.

So they get a big jump of Rs. 500. In addition to this Rs. 500 jump, they get this Rs. 300 as special pay.

If there was any justification for eliminating dearness allowance after Rs. 1,000, there should be the same philosophy, the same principle should be pursued here that the higher you go there should be no special pay, and if there is any special pay it should be in a sliding scale to the lower side, as I have suggested.

Upon that principle is also based the fact that the super-scale IAS officers do not get the special pay. Those people who get Rs. 2,250 do not get special pay. But now a man who is getting Rs. 2,000 will get the special pay of Rs. 300. If it is raised from Rs. 250 to Rs. 300, he will get Rs. 300. This means that a man who has yet to go to the super scale can receive Rs. 2,000 plus Rs. 300 special pay, that is Rs. 2,300, while his boss who is in the super scale gets only Rs. 2,250. This creates another administrative absurdity also. I think those officers who are in the grade of Rs. 1800 to 2000 should not get any special pay. There is no justification for that. As a matter of fact, my hon. friend will bear me out, I had pleaded for a better start to our I.A.S. officers. I do not want to give them a raw deal. Let them start on Rs. 600 instead of Rs. 350 or 400. I can understand that. But, when they reach Rs. 1500 why do you want to give another Rs. 300? I know, the other day, the Prime Minister talked about a pantless society. I am not one who believes in a pantless society. I do not know whether it is in keeping with our philosophy. But, as you reach a higher stage in emoluments, what justification is there for the special pay? Even the highest man in the civil service, the I.A.S. officer, gets Rs. 2250. What justification is there for giving Rs. 2000 plus Rs. 300? One must be satisfied. After Rs. 1500, at least, we should carry a halt. I want to give them a better scale of salary. Even the head of a department, a Chief Engineer, does not go beyond Rs. 1600 to 2000. I say this

very much in the interests of the I.A.S. officers themselves. I wish to tell the hon. Home Minister that there is a seething discontent in the minds of the other services that the most powerful entrenched interested power bloc is that of the civil services. They take the best advantage for themselves. They do not think of the other services. In the matter of civil services, it is expected that the I.A.S. officers who are at the top in the civil side will give some leadership to the services. Instead of giving that leadership to the services, the present fact is,—it is better that that is taken note of by the hon. Home Minister as well as by the services—that they have created a hatred and resentment against themselves by the engineering and technical services on the one hand and by the subordinate services on the other hand. Instead of taking care of the subordinate services, instead of creating an atmosphere that they are the captains, they are the people who are looking after the best interests of their subordinates, rather they are trying to do everything to promote their own interests. The general feeling is that they take the cream of everything to themselves. There is a general feeling all over that not only in the matter of conditions of service, but whenever there is any case of corruption, this and that, the other officers are treated differently and they are treated differently. Who are the people who take all things into account and who are responsible for administration at the highest level? It is these officers—the I.A.S. officers: the Chief Secretary, Home Secretary and the others. If they create a feeling in the minds of the subordinate officers that there is discrimination and that they claim the best for themselves, that they do not think of others, I think it creates a wrong climate. It is not in keeping with a socialistic pattern of society. There is no justification for the allowances going up, for the special pay.

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I would, therefore, strongly recommend to the Home Minister to get the entire question of special pay reviewed. He must appoint a committee. Here again, I want to tell him that the committee should not be of the civil services, because they are the persons interested. He should appoint an independent minded committee who will go into the entire question of special pay, which are the posts where special pay is warranted, what should be the scale of pay and how we should manage to see that the special pay is commensurate with the circumstances. They should also see that the special pay does not give rise to corruption or favouritism. They should take into consideration that only a man of such and such a seniority can be posted to an office and that it is only after one gives a good account of himself as such and such an officer that he could be posted to a certain office. I see no justification for the Notification. There is a case for bringing down the special pay. I definitely plead with the Home Minister that he should appoint a committee to review the entire question of special pay and to rationalise the whole scheme.

**Mr. Speaker:** Motion moved:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All India Services Act, 1951, the following amendment be made in Notification No. GSR. 101 dated the 27th January, 1962, making amendment in Schedule III to the Indian Administrative Service (Pay) Rules, 1954, laid on the Table on the 26th April, 1962, namely:—

For 300, substitute 200.

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution."

**Shri Vasudevan Nair** (Ambalazhazha): I rise to support the motion moved by my hon. friend Shri Harish Chandra Mathur. Actually, there is not much to be said after his speech, for supporting this motion. As he has said, this is not a very big affair in the sense that large amounts are

involved or that a large number of people are involved. In that sense, it may be a small matter. But as he has said, this is a question of a principle involved as to how we approach this particular problem.

I was surprised some time back when I saw a notification of the Government revising the entire salary scales of the IPS and perhaps also of the IAS. I think the argument put forward by Government is that in order to attract the best men, we have to go on increasing the salary of the officers. I think that this is a very wrong approach, especially in our country today, when we are trying to build up a new society, which Government call as the socialist pattern of society, and when we are exhorting the people to tighten their belts and to make sacrifices, day in and day out, and when we hear our leaders, the Ministers and others asking the people to make sacrifices and asking to make sacrifices and not ask for more and more. When the workers or the people in the lower rungs of Government service organise themselves and put forward some demands, then we know that a lot of arguments are hurled at them, and they are told that they should not raise those demands. And even for petty things, we have seen that there is a lot of trouble.

I am reminded of the recent trouble in the Andaman Islands. Actually, when the hon. Minister made a statement he said that all that trouble started on the question of a demand made by the PWD workers for an increase in the salary by Rs. 5, and it developed and developed until it ended in a big tragedy. All the time when Government and the leaders of the country are asking the people in the lower positions to make sacrifices, we find that this tendency persists among the people in the higher services of their taking the initiative themselves to raise their pay. I think this increase is not the result of any particular demand or any pressure from the officers or anything like that, but I think that this



is a case of their taking the initiative themselves to increase the pay more and more. An officer who gets Rs. 2000 is given Rs. 500 more just by the stroke of a pen in one instalment. That happened in one of the States in India a few months back. Actually, the officers themselves are taken aback when such a thing is done. Actually, they did not expect so much. Certain of them were getting just Rs. 600 or Rs. 700 or Rs. 800 as increase per month, whereas the NGO's and others who were clamouring for a long time for increase in pay were told all the time that they should keep quiet, because the country was passing through a serious crisis and so on and so forth; in this manner, all sorts of arguments were put forward to ask them to keep quiet.

The straight question that I want to ask of the hon. Minister is this: Are we going to get the best men to the services only on the basis of giving fat salaries? Or are we in a position to attract the best men to the services on the basis of something else also? Can they also not be told that they are doing a very important service in the building up of the country, and that they should not look so much to comforts and salaries and scales and allowances etc., but they should also be inspired by some other ideals and some other aims as every citizen in this country is, to undertake heavy responsibilities and to carry out their work? That approach is lacking as far as the Government are concerned. Otherwise, I am sure they would not have taken this particular step and they would not have taken the other step of revising the entire salary scales of IPS and IAS officers.

Compared to the old officers in the service, actually the IPS and IAS cadre gets much more. My information is that there is even an unhealthy rivalry, a kind of bad relationship in many places between these two categories because of the deep gulf in emoluments between the previous officers, the old officers, who came up

by seniority, and the new recruits. I do not at all say that the new recruits, most brilliant people who are coming up, should get the same as the old people who have come up by promotion.

**Mr. Speaker:** The question here so far as the amendment of this particular rule is concerned, is very limited. He should not go into the general question of the salaries and all that. Here the amendment is about the special allowance, that instead of 300 it should be 200.

**Shri Vasudevan Nair:** I agree with you. I was trying to find fault with Government when I referred to this because this is not an isolated instance.

**Mr. Speaker:** Today we are concerned with a limited question.

**Shri Vasudevan Nair:** I will confine myself to that.

I agree with Shri Harish Chandra Mathur when he says that a few officers are getting Rs. 2000 and Rs. 2,500 etc. and over and above that they are getting a special pay and actually, there is no valid reason now to increase the special salary. He has said it is now time to reconsider the question of special pay itself. So at such a time, it is all the more surprising that Government have gone in for increasing the special salaries. So I agree with him that the entire question of special salaries should be reconsidered, and at least this provision for increasing the special salaries should be dropped.

**Dr. L. M. Singhvi (Jodhpur):** My submissions are very brief because of the limited framework of the question raised by Shri Harish Chandra Mathur. While I am unable to support the Resolution as it stands at present, I would like to endorse the move for an investigation and inquiry into this provision for special pay, how it operates, how many employees

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are awarded the special pay and what special pay and under what different categories it is being given to various employees in the country. Then alone we could come to a definite conclusion. It would be wrong to arrive at an arbitrary reduction in the amount of the proposed special pay under the amendment in the Notification without proper scrutiny.

It is true that conditions have greatly changed. Secretariat jobs are today considered far more attractive, partly because of the provision for special pay as also because of a vantage position for wire pulling. The provision for special pay is often being used as an excuse and as a spring-board for patronage whenever politicians or high-ups in the official hierarchy decide to extend such patronage. Special pay is often justified as a compensation. I would like to pose the question: compensation for what? Is it a compensation to the administrative official for having an excursion in the administrative jungles of Delhi or some such place? Or is it a compensation for arduous work and unhealthy climate? The facts, as we know them now, do indicate that this purpose of providing compensation is not being fulfilled by the provision for special pay today.

Therefore, instead of supporting the Resolution as it stands, I would like to submit that an inquiry is called for into the whole question of this provision for special pay. We would like the Minister to tell us how many employees are being given special pay today, what are the total financial implications of the provision for special pay as it operates, and then only to arrive at what would be a rational approach to this whole problem. For this, I would like to support the move for the constitution of a committee, not of administrative officials, but of non-officials who have experience and who can probe into the matter with greater impartiality than is possible to expect among the officials themselves who are directly affected.

With these words, I support the move for the constitution of a committee of enquiry into this matter.

**Mr. Speaker:** Dr. Melkote. Shri Sinhasan Singh seems to be half-hearted as to whether he should stand or not.

**Shri Sinhasan Singh** (Gorakhpur): Yes, I wanted, Sir, not half-hearted.

**Dr. Melkote** (Hyderabad): I stand to support the motion made by Shri Mathur.

The fact is this that looking back—and when I say looking back I am referring to the times before independence—there was a time when many of the Secretaries did not like to go and work in the secretariat offices. They felt they were more like *badshahs* in the districts as Collectors, and a kind of inducement was offered them to come over to the cities where they were asked to work. In many of the small places they felt the cost of living was not great, and therefore if they came over to the cities they had to be paid a little to come and work in the secretariat.

When I looked into the matter, when, I asked the secretariat staff about these matters, I was given to understand that *vis-a-vis* the Collector the position of the secretariat staff was also the same, and therefore many of these people wanted to stay away in the districts instead of coming to the towns. So, in order to induce them, such a kind of allowance was given of about Rs. 200 to the lower cadre and about Rs. 300 to the higher.

When this allowance was given, people wanted to stick on to the cities because they made a little money, and by the time they became senior they had a number of children to educate, and when they got them fixed up, they found it to be most convenient to stick on to the cities and the secretariat rather than go back to the districts.

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This seems to be history of this allowance. Now it is being perpetuated. We do not understand why this should happen for the simple reason that once these people come to the cities, they do not want to go back, though the status of the Collector and the officer in the secretariat are almost equated. This perpetuation has gone on for long. People do not want to go back as heads of districts any longer, and they stick on here and they manoeuvre. This is a thing which has got to be looked into.

Added to this, now many of these Secretaries in the States are expected to come and serve in the headquarters in Delhi. So, there are three tiers—District Collectors, Secretaries in many of the States and the secretariat staff at Delhi in the Centre. Now, the position *vis-a-vis* each of these, so far as emoluments are concerned, is just about the same, but this extra allowance in the States as well as in the Centre here is what is causing concern to many of us. People who once come to the cities now do not want to go back as Collectors. The reverse was the case in ancient times, that people wanted to stay on in the districts and did not want to come back to the cities and to Delhi. But now, on account of this extra emolument, they are feeling secure, and they do not want to go back. This is a position which is causing a lot of heartburning, because many of the people in the districts who would like to come to the secretariat have been deprived of that chance. The posts in the districts are increasing in number and that in the cities is getting smaller. This extra allowance and facilities that are given has been the main cause.

We would like to plead that in the districts also new colleges are being started and educational facilities are there. In view of this, whether we should do away with this allowance is a matter which we have got to look into. There is a plea that a committee should be appointed which can go into the whole question and examine it. That is all that I have to say.

**Shri Sinhasan Singh:** The amendment in question refers to the pay-scale and it seeks to add to the emoluments but not on a uniform scale. Those who draw a special pay of Rs. 250 will benefit as it is sought to be increased to Rs. 300. Those who are given Rs. 200 are not given any increase. Those who are getting Rs. 250 are given Rs. 50 more. The argument given is that this special pay is given for certain considerations. That may be in the old days. It is to be seen whether those considerations apply today or not. I think you will agree that city life has become cheaper, *minus* the houses, than the village life. Delhi is cheaper in every matter. Milk is cheaper here, other things are also cheap here. Everything is available. When you go to the village everything is dear. At subsidised rates we get milk cheap at the cost of the public. I challenge anybody. I say that city life is far cheaper than the village life except for housing.

Delhi city has now been upgraded to class A status along with Bombay and Calcutta and the allowances that a person draws had been increased on that account. Now, what is the justification for increasing this amount from Rs. 250 to Rs. 300? There must be some justification. Then again it is given only to persons who are drawing higher scales of pay. For instance, if an Under Secretary gets Rs. 200, his allowance is not to be increased but if somebody else gets Rs. 250, it is to be increased to Rs. 300. The poorer men are not getting more; those who are getting more will get more. The general accusation has been that the rich are getting richer and poor are getting poorer. The poor may not be getting poorer but the rich are still getting richer and it is so in the services also. Why is this thing? This question of special pay and allowances should be examined at greater length. Hon. Members have suggested that a committee should be appointed. It was not known whether Class I, I.A.S. and I.P.S. officers belong to the Central Government or whether they belong to the provincial services. The Pay

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Commission has given a finding. When the questions were raised whether I.P.S., I.A.S. and I.C.S. scales of pay should be considered along with the higher scales of pay, the reply was that they were neither Central Services nor provincial Services and so they should be exempted from those pay scales and so they were exempted. These classes of services are above any considerations. They are higher services and they get higher pay everywhere. They are the best engineers, they are the best mechanics, they are the best in all fields.... (Interruptions).

**An Hon. Member:** Engineers are not paid that scale.

**Shri Sinhasan Singh:** That is what I say; the I.C.S. men go and displace engineers also; where engineers or managers are required, they go; they are politicians also; they are everywhere. I think somebody must have suggested this to the Government. They are not chary about spending money because we get cheap money; we spend money like anything..... (Interruptions.)

**Mr. Speaker:** Is he helping the Government to get more?

**Shri Sinhasan Singh:** I am saying this with a heavy heart. We must be chary of spending money like this. Even Ministers do like that in furnishing their houses; that has increased from 22,800 to 32,000 or something like that. This increase is everywhere. Why is money so cheap? We are taking money from outside; we should be a little miserly in doing things like this. This should not be increased. Government should consider this from the point of view of the country's poverty. Should these allowances be increased like this? Should we be liberal in everything? I wholeheartedly support the motion of Shri Harish Chandra Mathur. Government should consider it. Such rules are, I think, made without consideration of Parliament and thus it goes on increasing. It has come before this House as incidentally. Shri

Harish Chandra Mathur has called our attention to this. Otherwise, they will be getting these allowances already. My submission is that this should be considered in a calm way and we should see whether there is justification for such increases. If there is any justification, why should not the allowances of people getting Rs. 200 be increased? Why would not the allowances of people getting Rs. 100 be increased? Why should it apply to people who get a higher pay? I think the hon. Minister will consider it in that spirit and accept the motion of Shri Mathur.

**Shri D. C. Sharma (Gurdaspur):** Sir, I want to represent one or two points. We Members of Parliament receive deputations occasionally of lower division clerks and upper division clerks and assistants and all those persons. Their contention is that the Second Pay Commission has been very generous to the officers in the higher salary brackets; it has not been so good to the persons who are drawing very low salaries. In fact there are some persons who say that the Second Pay Commission has in a way lowered the salaries that they were getting before. That is the criticism that is levelled against the Second Pay Commission by persons who belong to the lower ranks of the services.

At the same time they suggest that the persons who are holding superior posts have got much more from the Second Pay Commission perhaps than was their due. There may be some justification for this; there may not be any justification for saying this. But the fact of the matter is that the Second Pay Commission has added to the inequalities of salaries and allowances in certain ways. It has not done so all along the line but in certain ways it has increased the disparity that existed between one grade and the other grades of services.

As if this was not enough our Government makes use of the rule

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making-power to provide that kind of—if I can use that word inequity again. I do not see the reason why Government is so keen to give more to these persons who are already drawing fat salaries. Why is the Government keen on keeping those persons contented and not keen on keeping those persons contented who are drawing paltry salaries? Bentham said that democracy is the happiness of the greatest number. Here our Home Ministry sometimes, not always, practises a kind of democracy which makes for the happiness of a few and for the discontent of the many. I need not go very far to prove it. Here is this rule.

Here is a case in point. What are they going to do? In the first place, they are going to make the migration to Delhi very, very attractive for people. I find that people who are holding very good jobs in the States want to come to Delhi. When I was elected Member of Parliament for the first time they thought that I was going to do something very big. Of course they know now what I am, but at that time, some very big person holding a very high job said to me, "For God's sake, take me to Delhi." Why do they want to come to Delhi? Because Delhi means salaries, allowances and amenities and so many things. It means also a good social life. That is why people want to come to Delhi.

Here is the Home Ministry making the passage of those persons from the mofussil towns to Delhi more comfortable and more paying. Do they want that the State Governments should be deprived of the talent that they have already? If such rules are brought into vogue, what happens is this, that every man who is holding a high job in the States will be praying to God, "Oh God, send me to Delhi so that I can earn more". Shri Datar does not understand my logic. Of course he would not. Why is it that the special pay is increased to Rs. 300? It is mandatory. The rule says, "it shall be...." Of course all rules perhaps have that mandatory

power, but here Rs. 300 is being given to those persons who are already getting Rs. 250.

Now, if the rule-making power implies any kind of charity, it should imply charity for the greatest number, and not charity for the few. We are in the midst of a very big movement for urbanisation in this country. Not only sociologists are worried about this, but our Planning Commission has also drawn attention to this. If urbanisation is taking place in the field of industry and in other fields, our Home Ministry is trying to make it possible for our civil servants also to come to Delhi to add to the stream of those who want to share in the urbanisation of this country. I thank Shri Harish Chandra Mathur for drawing our attention to this problem.

I think we had a discussion the other day on some measure and the whole House opposed it. Unfortunately, only the Deputy Minister was present at that time and I said, "What is the good of saying all these things because the Deputy Minister is not in a position to withdraw it." That is what happened. When we said that votes should be taken, they said, "We will wait and take votes at 5 O'clock." Then the Law Minister arrived and said, "we have postponed taking a vote because we should consider the matter again." A similar situation has arisen today. I thank you, Sir, for giving us this chance to voice our feeling against this inflated salary being given to these persons. I wish the Home Minister himself had been here to reply to this debate and say something. I think it is his responsibility to tell us why this rule has been framed, and it is his responsibility to tell us that this rule should be withdrawn. I do not think that the Minister of State—whom of course I respect—is in a position to say it.

I say this rule should be withdrawn and withdrawn in the name of social justice, withdrawn in the name of efficiency of the administrative services and withdrawn in the

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name of the States which also want to have good personnel to man their services. This rule will affect the interests of the States very badly, and I think it should be withdrawn. We should not go out of our way to make the Central services the golden-edged services in this country. We should not do that. So, there is a good case made out for withdrawing this rule.

**Shri U. M. Trivedi (Mandsaur):** Shri D. C. Sharma just now said that the rule should be withdrawn. There is no amendment by him to the motion that has been moved by Shri Harish Chandra Mathur. You do not care to look into your papers.

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

**Shri D. C. Sharma:** You look into your papers. I know you are irritating because you are the leader of the party..... (Interruptions).

13 hrs.

**Shri U. M. Trivedi:** I know you are in the habit of abusing.....

**Mr. Speaker:** Order, order. The hon. Member should address me.

**Shri U. M. Trivedi:** I am sorry.

**Shri Bade (Khargone):** He says, he is so much irritated because he is the leader of the party. That is the allegation he is making.

**Mr. Speaker:** Here inside the House, we ought to use moderate language. We should show accommodation to each other.

**Shri U. M. Trivedi:** I never wished to irritate him, but I wanted to draw his attention that he is an experienced Member of 10 years.....

**Mr. Speaker:** The hon. Member has got his attention now. He wanted to draw his attention, but that has been done too much now.

**Shri U. M. Trivedi:** We must be thankful to the mover that he has

been able to focus the attention of the House on this question. Really the attention of the whole House must be focussed on other matters also. There are provisions in the various Acts that rules must be placed on the Table of the House. They practically go unnoticed. There is no method by which Members come to know them, unless they are very alert and want to find out what particular rules are made.

I will make the complaint before you, Sir, that somehow when these rules are made and published in the gazette, we, Members of Parliament do not get copies in time, with the result that they remain unnoticed and we are not able to lay our hands on them or to get these matters discussed in this House. Some of us are not even getting our gazette uptodate. I do not know why this mistake has crept in.

I would like to say that it is a very moderate substitution that is sought to be made. Already we are counting every little pie and we are having a national savings scheme. So far as the Parliament is concerned, the Minister for Parliamentary Affairs wants us to sit till 6 or 6.45 in order to save money. We were scheduled to sit till the 29th of this month, but in order to save the allowances for 7 days, we are adjourning on the 22nd. But when this question of paying to the services is concerned, the rule is made without any consideration to the pockets of the Government. Why this munificence is being shown at the cost of the country, I cannot understand. Already we have clamoured that the emoluments of certain higher officers are very disproportionate to the emoluments that are paid in the lower cadres. Therefore, the emoluments must not be increased to such an extent as to create a greater gulf. Therefore, it is very meet and proper that this amendment must be looked into by Government.

The Minister should not merely try to repeat the rule that is there.

*Rules*

The notes must have been prepared by the office and he may be ready with the reply that what Government has done is quite right. But this position must be studied, whether it is in the country's interest that these rules should remain as they are or at least this reasonable amendment should be made. It is not unreasonable and from all sections of the House, the feelings have been voiced that this amendment must be accepted.

With these words, I submit that this amendment may be accepted.

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** Sir, the motion that has been brought forward by my hon. friend requires to be read in order to understand the limited nature of the debate. All that has been laid down in the notification is that for the figure Rs. 250, the figure Rs. 300 should be substituted, under the heading "C-Posts carrying pay above the time-scale..." I would point out presently how it concerns mainly two posts. It is not proper under these circumstances, to cover a wide range of subjects dealing with enhancement of pay in general or with the super-time scale and the special pay, as a number of hon. Members did. In the earlier part of his speech, the mover confined himself more or less to this motion, but subsequently towards the end of his speech, he also could not resist the temptation of going into the general question of the tenure of IAS officers in the States and so on. He made a complaint that there has been considerable dissatisfaction amongst the members of certain classes of officers over what he called the giving of unwarranted benefits to those who came over recently.

So far as the general question is concerned, though it might not be relevant, I would like to deal with it, with a view to remove the misapprehensions. The All India Ser-  
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vices Act was passed in 1951, under which it was open to the Government to make rules, to notify them and place them on the Table of the House. Accordingly, the first set of rules were made in 1954 and they were all placed on the Table of the House. Whenever there have been any changes after 1954, up to now, all the changes in the rules have been invariably placed on the Table of the House. Therefore, my hon. friend's complaint that rules are merely published in the Government Gazette is not correct. I was very happy to find in this House and in the other House there were occasions when the rules notified by the Government were fully debated upon. Therefore it would not be proper to say that the rules are made and the attention of Parliament is not drawn to them.

A suggestion of a general nature was made that a committee or commission should be appointed. May I point out that only some years ago, the second Central Pay Commission had been appointed and amongst other things, they went into the question of the super-time scale of pay and also special pay. They have dealt with this question very exhaustively and pointed out how under certain circumstances, it is essential to give super-time scale of pay or special pay. They have also mentioned the various categories of Government servants who have been given special pay.

The total number of Government servants and the number of posts that carry special pay have also been mentioned by the Central Pay Commission. That would show that Government have no partiality for any particular category of Government servants. It depends upon the type of work that they do and the extent of responsibility they have to carry. It would be found that at lower levels also special pays have been given. I am quoting them here. This is from the Central Pay Commission's report. In Class I, the total number of posts is 10,391. As against this, the number

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of posts that carried special pay was only 888. So far as Class II posts were concerned, as against 19270 posts there were only 721 posts that carried special pay.

**Shri Harish Chandra Mathur:** My hon. friend is unnecessarily wasting time over this. I myself quoted these figures when we discussed it last time.

**Shri Datar:** I am pointing this out to remove the misapprehension that a number of hon. Members have. The speech of Shri Sinhasan Singh and also the speech of another hon. Member lent support to the view that the Government were trying to give more to the highly paid servants and they were not looking after the lower services. That was the charge levelled.

**Shri Harish Chandra Mathur:** Even these figures will substantiate it.

**Shri Datar:** Let the hon. Member wait. So far as Class III posts were concerned, as against 5,53,163 posts there were 12,217 posts which carried special pay. In respect of Class IV posts also there were special pays in the case of 730 posts out of a total of 6,93,318 posts.

In these circumstances, Sir, it would be entirely wrong to say that super time-scales and special pays were being given only to certain classes of government servants who had been already receiving fat salaries. May I, in this connection, invite the attention of the hon. House to the report of the Second Pay Commission where they have dealt with both these classes of pays—super time-scale of pay and special pay. There they say:

“The central idea of a special pay is that it is the most satisfactory way of compensating such addition to work or responsibilities or such greater arduousness of duties as is recognisable enough to merit additional remuneration, but not so considerable or in some

cases of such a permanent nature as to justify placing the post in question in a higher grade. In other words, it is, broadly speaking, a flexible system of differentiated remuneration between two grades. In some cases however, other factors also come in. For instance, in the case of officers of All India Services appointed to posts of Deputy Secretary or Under Secretary the grant of special pay is connected partly with the system of special pays in the States (from where the officers are drawn for limited periods)...

....In a considerable proportion of cases in which a special pay is now allowed its withdrawal might necessitate putting the post in question on a higher scale of pay—which may not be less expensive, but which may have the effect of putting premium on seniority at the cost of merit or of causing heart-burning among the senior employees”.

Under these circumstances, you will find that the case for a special pay has been examined by the Central Pay Commission. As the House is aware, there were a number of non-official members on this Committee including my colleague. They went into the whole question only two or three years ago and they came to the conclusion.....

**Shri Harish Chandra Mathur:** They have said that it must be gone into.

**Shri Datar:** They came to the conclusion that special pays will have to be given in certain cases where there were additional duties or responsibilities. These are the factors which ought to be taken into account.

So far as this case is concerned, it is only the small quantum of increase from Rs. 250 to Rs. 300 that is under consideration. In 1954, when the general rules were framed so far as the IAS and IPS officers were concerned they



**Rules**

were laid on the Table of the House. Under these circumstances, a question arises as to whether there is any need for any special committee or commission to go into this question. My submission to this hon. House is that the problem that we have before us is of a limited nature. Even the general problem so far as the payment of special pays is concerned has been considered by no less a body than the Second Central Pay Commission and they have set their seal of approval upon it. May I, therefore, point out to you, Sir, that there is no case for the appointment of a commission to consider this question in all its aspects.

Coming back to the very limited question that we have before us, I would like to invite the attention of this House to the IAS Pay Rules. Schedule III of those Rules mentions the special pays and the present position. It is now further limited to only two posts. In respect of two posts the special pay that is allowed is Rs. 250. Those two posts are: (i) the Director of Administration, Civil Aviation Directorate; and (ii) the Director of Administration, D.G.S.&D. These are the only two posts in respect of which it was considered that it would be proper that the special pay should be enhanced from Rs. 250 to Rs. 300. May I also point out that if these posts are held by a member of the Central Government the scale of pay that attaches to these two posts is Rs. 1300-1600, and if these posts are held by an IAS officer that IAS officer would be in the senior time scale of Rs. 900-1800. That means a senior time scale officer would rise only with Rs. 900 even though ultimately he may come to hold one of these two posts. You will find that the senior time-scale starts from Rs. 900 so far as IAS officers are concerned, whereas the time-scale for a Central Government officer holding one of these two posts starts with Rs. 1300. So it was considered that if an IAS officer were to come over to the Centre, naturally

he would come over to a post recognisable in equality or parity with that of a Deputy Secretary—Under Secretary at an earlier stage, but Deputy Secretary at the highest stage. Deputy Secretary's special pay is Rs.300. Therefore, a question arises as to whether when these two posts of Directors to which I have already made a reference are held by IAS officers the special pay of Rs. 250 should be attached or it should be Rs. 300.

I have already informed the House on a number of occasions that the number of reversions on tenure basis to the State Governments has been rising considerably. It is not that all the officers who come here are kept here. They have to go back, and a large number of officers are now going than used to be the case formerly. You will kindly also note that we have no IAS or IPS cadre for the Centre. We have not been maintaining any separate cadre at all. All that we do is to borrow officers on tenure or deputation basis from the States. There ought to be some attraction for them. We have to take that also into account. Even now occasions arise where we do not get a sufficient number of officers from the States to come over to Delhi. Coming over to Delhi is not necessarily a matter full of amenities. There are certain inconveniences and hardships as well. Therefore, there was a time we found it very difficult to induce such all-India services officers to come over to Delhi.

**Shri Khadihar (Khed):** Are there no allurements?

**Shri Datar:** That is what I am trying to point out. In spite of the alleged allurements there were a number of cases where we could not get officers at all to come over to Delhi. That is the reason why Government considered that the whole position should be rationalised. Let us assume that two such officers come over to Delhi out of whom one is appointed as a Deputy Secretary and the other as

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Director of Administration in the Civil Aviation Directorate or the D.G.S. & D. You will find that if some officer with the requisite qualification and experience comes over to Delhi and he has taken over the post of a Deputy Secretary in the Government of India, he draws an amount of Rs. 300 as special pay, but were he to get one of these two posts, then he would be drawing only Rs. 250. It was considered that these two posts were generally comparable to the post of Deputy Secretary and, therefore, the quantum of special pay ought to be the same, so far as these two officers and those who were working as Deputy Secretaries were concerned. That is the only reason for bringing in this rule. I would be very happy if the hon. House understands the limited nature of the rule that we have made. There are two posts which are more or less equivalent to the post of Deputy Secretary but, on account of certain circumstances, the special pay that was attached to them was less by Rs. 50 compared to that drawn by a corresponding officer, namely, a Deputy Secretary. So, all that has been done by the present rule is to enhance the amount of special pay from Rs. 250 to 300, because it is only fair to confer the same benefits in respect of these two officers also. It has been stated in the present Schedule III of our rules that they would be entitled only for Rs. 250. Now I will give an analogy which is likely to happen. Suppose two IAS officers of the same experience were to come to Delhi. If by accident one of them is appointed to one of these two posts, he would be getting a special pay of Rs. 250 whereas the other officer would be getting a special pay of Rs. 300 as Deputy Secretary. Government have tried to remove this anomaly. Under the circumstances, and especially in view of the fact that general questions are not involved in it, I would request hon. Members not to press this. Here I would respectfully submit again that general questions about enhancement

of pay, payment of special pay etc. are not involved here at all.

**Mr. Speaker:** If this amendment of Shri Mathur is accepted, it would affect only two officers?

**Shri Datar:** Virtually so, because it has been stated so. There are only two cases where a special pay of Rs. 250 is offered. All that we have done is this. If any of these two posts is occupied by an IAS officer, then he should be entitled to a special pay of Rs. 300 instead of Rs. 250.

**Shri Harish Chandra Mathur:** May I invite his attention to the fundamental rules, to which I referred to, under which a special pay can be given only under those three conditions.

**Mr. Speaker:** That is a different thing. Shri Mathur should realise that, according to what the hon. Home Minister has stated, it is intended to give this facility only to the incumbents of these two posts who would otherwise be getting only Rs. 250. It is with a view to remove an anomaly this rule has been brought into force. Otherwise, if an officer with some qualification is brought here as Deputy Secretary, he would be drawing a special pay of Rs. 300 whereas the same officer, if he is appointed in any of these two posts, he would be getting only Rs. 250. It has been brought on par, so far as these two posts are concerned.

**Shri Harish Chandra Mathur:** My amendment was that, in the first place, it should be brought down to Rs. 200, not even Rs. 250, because special pay is not warranted at all.

**Mr. Speaker:** The rule that he has referred to and which he wants to amend would affect only these two posts.

**Shri Harish Chandra Mathur:** We do not want anybody to get it.

**Mr. Speaker:** That is a different thing. Now may I put it to the vote?

**Shri Harish Chandra Mathur:** Have I not a chance to say a few words?

**Mr. Speaker:** Yes, if he wants.

**Shri Harish Chandra Mathur:** The hon. Home Minister did not at all refer to the fundamental rules to which I referred to. My first point has been that they are not entitled not only to Rs. 250 or 300 but even for a single pie. Then I said that special pay can be granted only under fundamental rule 9(25), wherein some conditions have been laid down—No. 1, No. 2, No. 3 and so on. These two posts do not fulfil any of those conditions. So, the incumbents of these posts are not entitled to any special pay. My hon. friend has not answered that point.

Then, a question of principle is involved in it. It is not a question of one post or two posts. I started my speech by saying that I would not have wasted the time of the House for a paltry sum of Rs. 50 or 100. I have come before this House because they are going in a wrong direction.

My hon. friend, the Home Minister, has quoted copiously from the report of the Pay Commission. But I do not think he has quoted the relevant portions. He said that the Pay Commission has stated:

"We should suggest that there should be a periodical review of the special pays."

He says that they have examined the whole thing. Their very last sentence says:

"But, on the evidence before us, it has not been possible to examine all cases with a view to determining whether one or the other arrangement would be more satisfactory and whether the rate of special pay in some cases require revision."

He says they have gone thoroughly into it and they have come to a particular conclusion. What is their conclusion? Their conclusion is that these matters must be reviewed periodically. They had no time, no evidence to go into this matter and so they said that it should be examined later on.

My hon. friend then quoted at the outset from the report of the Pay Commission to say that it is not the higher slabs that are benefited. I raised the same discussion a year earlier and I quoted these very figures to show that the percentage is more at the higher slabs. That was the whole trend of my argument. I never said that in no case there is justification for a special pay. I said that in certain cases a special pay may be required. But where is the justification for a special pay in the Secretariat? Further, none of the conditions mentioned in the fundamental rules have been fulfilled. This question should not be reviewed or re-examined only by those who have vested interests, who are affected by it. Who has examined it? Who is going to examine it next? That is the review which has been held periodically? No review at all.

**Mr. Speaker:** It is a general question.

**Shri Harish Chandra Mathur:** I do not think there is any justification for the Government to perpetuate a wrong which they have made. I will not permit them to be a party to the increasing disparities which are there. There is no reason for it; there is no justification for it. I do not want it. It is only a symbolic amendment. I know it will create difficulties, but I want to create difficulties for the Government and force their hands to go into the entire matter again.

**Shri Datar:** May I point out one correction? He has made a reference to the fundamental rules. So far as those rules are concerned, they do not apply *ipso facto* to the IAS officers

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because the IAS and IPS officers have got a special body of rules. They are governed only by those rules.

**Mr. Speaker:** But he says he wants to create difficulties for the Government. Then how can I help? May I put it to the vote now? I hope a voice vote is sufficient at this stage.

**Shri Tyagi (Dehra Dun):** It is enough. They know they have not got a majority.

**Shri Prabhat Kar:** It is not our motion. Further, all those who have spoken have supported it, including his party men.

**Mr. Speaker:** He can make an appeal to them, but I cannot say anything. The question is:

"This House resolves that in pursuance of sub-section (2) of section 3 of the All India Services Act, 1951, the following amendment be made in Notification No. GSR 101, dated the 27th January, 1962, making amendment in Schedule III to the Indian Administrative Service (Pay) Rules, 1954, laid on the Table on the 26th April, 1962, namely:

*For 300, substitute 200.*

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution."

*The motion was negatived.*

13.29 hrs.

# DRUGS (AMENDMENT) BILL

**Mr. Speaker:** The House will now take up consideration of the Drugs (Amendment) Bill.

**Shri Khadilkar (Khed):** On a point of order, Sir. Generally, a copy of the Bill is circulated to Members before its introduction and it contains a statement of Objects and Reasons. In this particular case, it so happens

that no Statement of Objects and Reasons is attached to the Bill.

**Shri U. M. Trivedi (Mandsaur):** In the Bill as introduced in the Rajya Sabha it is there, but the Bill as introduced has not been circulated to us. The Bill as passed by Rajya Sabha has been circulated to us. Therefore we do not know the objects and reasons of the Bill.

**Mr. Speaker:** That must have been circulated earlier.

**Shri U. M. Trivedi:** Not to this Lok Sabha.

**Mr. Speaker:** It has been circulated, I am told.

**Shri U. M. Trivedi:** Not in the Third Lok Sabha. It must have been circulated before.

**Shri Hari Vishnu Kamath (Hosangabad):** No, it is not here.

**The Deputy Minister in the Ministry of Health (Dr. D. S. Raju):** Sir, it is the intention of the Government to bring the import, sale and manufacture of cosmetics under the purview of the Drugs Control Act of 1940.

**Shri U. M. Trivedi:** Sir, this Bill is Bill No. XXII of 1961. So, it must have been introduced in the Rajya Sabha when the previous Lok Sabha was there. This was taken up in the Rajya Sabha and we have got this Bill only as passed by the Rajya Sabha in which the statement of objects and reasons is not there.

**Mr. Speaker:** At this moment it can only come in this form.

**Shri Tyagi (Dehra Dun):** Since this question has arisen, may I request you that in future in cases where Bills come from the other House you might attach a page wherein the objects and reasons might be given. I think in

future that could be repeated in one page.

**Shri Bade (Khargone):** May I submit that in the Bill the statement of objects and reasons is given on page 7. So, I do not know what the objection of my learned friend is.

**Mr. Speaker:** He may kindly just satisfy his hon. colleagues then. This difficulty has arisen only because the dissolution of Parliament came in between, otherwise the Bill as introduced would have been here and every hon. Member would have been given a copy of it. But because the new Parliament was elected in between, some hon. Members are feeling that difficulty, namely, that they have no knowledge of it and they have not received a copy of it. But nothing irregular has happened. That is the normal course. But it could be considered that if such a situation arises, perhaps the old copies might also be circulated.

**Dr. D. S. Raju:** Mr. Speaker, Sir, it is the intention of the Government....

**Shri U. M. Trivedi:** Should we proceed with the Bill in that case?

**Mr. Speaker:** Why should we not? There is nothing irregular in it.

**Shri U. M. Trivedi:** We have not studied the objects and reasons.

**Mr. Speaker:** That is not my fault.

**Shri U. M. Trivedi:** Whose is it then?

**Mr. Speaker:** The Bill had been put before the two Houses. It had been introduced and circulated also to hon. Members. What can I do after that? Now it must come in the form in which it has come. It cannot come in any other manner.

**Shri U. M. Trivedi:** The point is...

**Mr. Speaker:** That is a different thing. Even when it has been passed by one House a new suggestion is being made that it should also contain

the statement of objects and reasons. This is what is being wanted now.

**Shri U. M. Trivedi:** No, Sir; that is not my submission. My submission is that this is the Third Lok Sabha which is an entirely new Lok Sabha, although many of the old hon. Members have been re-elected. That is another thing. Now I do not say that Bills can never be introduced in the Rajya Sabha. Bills can be introduced in the Rajya Sabha, but when they are brought before the Third Lok Sabha, the Third Lok Sabha must be apprised of what the Bill is. That is why it is necessary that the statement of objects and reasons ought to be supplied. Either both the copies ought to have been supplied.....

**Mr. Speaker:** Shri Bade said that there is a reference to that also.

**Shri Tyagi:** Objects and reasons are not the main part of the Bill.

**Mr. Speaker:** That is a different thing altogether.

**Shri Tyagi:** The Bill itself is explanatory enough. It is only for the facility of hon. Members to enable them to see it at a glance that the objects and reasons are given; otherwise, the whole thing can be studied from the clauses.

**Mr. Speaker:** That is not the point. Normally it is a settled fact that with the Bill there is always the statement of objects and reasons. We are not discussing here whether the statement of objects and reasons is necessary or not. We concede that it is necessary. It has been done always. That is there. The Bill may have been introduced in the Rajya Sabha but in that case also it is placed here also. The difficulty that hon. Members are experiencing is that. Normally, when it is introduced there, even if it be courtesy, a copy is placed here and hon. Members do get copies from the counter because that facilitates their understanding the clauses of that Bill and what the objectives are. Because that helps them, they are wanting it.

[Mr. Speaker]

But there is nothing irregular now. Therefore I said that we can proceed with it, though I will see that in future that might be done.

**Dr. D. S. Raju:** Mr. Speaker, Sir, I beg to move:

"That the Bill further to amend the Drugs Act, 1940, as passed by Rajya Sabha, be taken into consideration."

If you like, I will make a statement now or I will reply comprehensively in the end.

**Mr. Speaker:** Some statement is to be made now as to what the clauses are and what is sought to be done.

**Dr. D. S. Raju:** It is the intention of the Government to bring under the provisions of the Drugs Act, 1940....

**Shri Prabhat Kar (Hooghly):** In the case of sections which are sought to be amended, the original sections ought to have been given. While dealing with the amendments now we have to go to the Library, get the copy of the original Act and see how the words have been changed. It is not only the question of the statement of objects and reasons but also of the clauses, namely, what amendments to the original sections are given.

**Shri Hari Vishnu Kamath:** The Bill, as introduced in the Rajya Sabha, does contain the sections of the principal Act to which the amending Bill refers. But in the absence of that Bill as introduced in the other House, we are handicapped. To that extent the discussion will be rather ineffective.

**Shri Prabhat Kar:** So many sections are sought to be amended.

**Shri Khadilkar:** It can be rectified if the hon. Minister makes a general statement giving the background.

**Mr. Speaker:** That is exactly what I have asked him to do. He should

give us the background and what the changes to the sections are that have been brought about. He will explain that.

**Shri U. M. Trivedi:** There is one thing more. In clause 6 and other clauses we find that the words used are "standard as may be prescribed"; that means, standard prescribed under the rules which means that provision for delegated legislation is there. I do not know how it is indicated and under what section this delegated legislation comes. What is the memorandum about this delegated legislation? It is entirely missing from this. That will create another difficulty.

**Mr. Speaker:** I do not think there would be any difficulty, if we just allow him to give us the information that is needed here. After that we shall consider whether there is any real difficulty with us or not.

**Dr. D. S. Raju:** It is the intention of the Government to bring the import, sale, and manufacture of cosmetics under the purview of the Drug Act of 1940. This industry of cosmetics has been making very rapid strides and since the difficulty of the foreign exchange also came in, the industry has received a further impetus. In this country of ours we have been receiving complaints from various sources that cosmetics are producing deleterious effects. It has been known that colours are used in cosmetics. Some toxic drugs, such as, alkalis, acids and some coal-tar derivatives are also used in cosmetics.

When this question was gone into further we received complaints from so many States. From Calcutta, the Jabalpur hospital, Gujarat and even from the Irwin Hospital here we had complaints that there were cases of dermatitis and ulcers of the lips and allergic manifestations. So, this question was again referred to the Central Council of Health which met last year. They discussed this ques-

tion of cosmetics and they also came to the conclusion that provisions of the Cosmetics Act should be incorporated in the Drugs Act.

This question was referred to the States also. Almost all the State Governments have accepted the proposition that this question of cosmetics should be brought under the purview of the Drugs Act of 1940. So, I am sure that hon. Members will agree that there is sufficient justification for including cosmetics in the Drug Act.

Hon. Members know that cosmetics cover so many varieties, for instance, hair dyes, nail polish, lipsticks, rouge and depilators. All these come under the purview of cosmetics. So, this is the background.

If hon. Members raise any objections or suggest any amendments, I will reply later.

**Shri Hari Vishnu Kamath rose—**

**Mr. Speaker:** Were there any changes made by the Rajya Sabha in the Bill that was introduced in the beginning there? Now we have only the Bill that has been passed by the Rajya Sabha. The hon. Minister should also refer to that and say what has happened there because we do not know what happened there.

**Dr. D. S. Raju:** The amendment is only to add the word "cosmetics" after the word "drugs" in all the sections.

**Shri Hari Vishnu Kamath:** There are other amendments also.

**Mr. Speaker:** So no changes were made by the Rajya Sabha? The Bill has come out as it was introduced there?

**Dr. D. S. Raju:** Yes Sir, no changes have been made.

**Shri Hari Vishnu Kamath:** I can understand the Deputy Minister's difficulty, because he was not in the other House at that time. He is labouring under some difficulty—I can

appreciate it. This House would certainly be thankful if the Senior Minister were to enlighten it on this matter.

**Mr. Speaker:** Has any hon. Member any information whether any change has been made in any of the clauses by the Rajya Sabha?

**Shri Bade:** I have got the Bill as introduced in Rajya Sabha.

**Mr. Speaker:** I have also got it with me. I only wanted to know whether any change has been made in it.

**Shri Khadilkar:** There was one amendment—I do not remember.

**Mr. Speaker:** It must be the amendment changing the year 1961 to 1962!

**Shri Tyagi:** May I make a submission? In cases where Bills come from Rajya Sabha, and there are amendments accepted by Rajya Sabha, I would suggest to your Secretariat to see to it that those words which have been added or deleted may be underlined as is being done in the case of reports of Select Committees. That would enable us to see at a glance what amendments have been made in the Bill by Rajya Sabha.

**Mr. Speaker:** Even then what the original was cannot be known.

**Shri Prabhat Kar:** There is one difficulty. We do not know whether any amendments have been accepted by Rajya Sabha. An enquiry will have to be made.

**Mr. Speaker:** There is no difficulty; the only difficulty is that Members are not prepared to sit and the House has no other business.

**Shri Prabhat Kar:** We are prepared to sit. There are several Members who want to speak.

**Mr. Speaker:** Then we can continue.

**Shri Bade:** Sir, on a point of order. While the Statement of Objects and Reasons appended to the Bill as

[Shri Bade]

introduced in the Rajya Sabha contains a reference to the resolution of the Central Council of Health held at Jaipur, it is missing in the copy of the Bill as passed by Rajya Sabha. There are so many members who have not studied the original Bill. Therefore they cannot effectively criticise this Bill.

**Mr. Speaker:** The Jaipur Resolution is not very material. We have to consider the Bill as it has been brought before the House.

**Shri U. M. Trivedi:** I would like to draw your attention to one fact. Sections 10 and 22 of the original Drugs Act refers to certain notifications, which involves delegated legislation. Therefore a memorandum regarding delegated legislation must accompany the Bill.

**Mr. Speaker:** All that this Bill seeks to do is to add the word "cosmetics".

**Shri U. M. Trivedi:** Sir, the point is this. "From such date as may be fixed by the Central Government by notification, in the official gazette, no person shall import drugs which are not of standard quality". We would now be adding the word "cosmetics" after the word "drugs". When this definition is changed, some delegated power is bound to be taken. I am in your hands; I only wish to point this out. Somehow or other the drafting of this Bill is so bad that I do not see the purpose of such drafting.

**Mr. Speaker:** That is a different matter. He may help in making the draft better.

**Shri Tridib Kumar Chaudhuri** (Berhampur): May I point out that this is not merely a minor amendment. I looked up the proceedings of the other House where the Senior Minister said that it is not really a minor amendment. It is really a new Act.

**Mr. Speaker:** I am not saying it is a minor amendment.

**Shri Tridib Kumar Chaudhuri:** I would refer you to clause 6 of the proposed Bill. Here in relation to cosmetics it is said that the standard would have to be prescribed, and prescribed under the Act means "prescribed according to the rules". That means we are delegating power of making rules in relation to an entirely new subject which was outside the purview of the Bill.

**Shri Khadilkar:** May I make a submission? From the Bill that is before us it appears that the only amendment is the inclusion of cosmetics. Whatever delegation or rule-making power was necessary was taken by the original or the parent Act.

**Shri Tridib Kumar Chaudhuri:** That was for the drugs. But now you are taking the same powers in relation to cosmetics. Cosmetics and drugs are not the same.

**Shri Khadilkar:** In case some new rules are to be framed and there has to be a delegation of powers, which is very doubtful—because I have seen the proceedings relating to the original Act—it appears that under the original Act the rule-making powers were taken already. No new rule-making powers are necessary to implement the Act, at least as it appears from the Bill. And there were no arguments to this effect in the other House also.

**Mr. Speaker:** That is a different thing if no arguments were made. But hon. Members want some time, because they know that we are adjourning tomorrow. And there is an agenda fixed for tomorrow. So, if hon. Members want, I will take it up at three o'clock. We may adjourn till then and in the meanwhile those hon. Members who want may have copies of the Bill as it was introduced and look into it.

**Shri U. M. Trivedi:** I suggest, Sir, that we may proceed with this instead of breaking off. We may continue to



sit up to five o'clock and we may in the mean time look into the Bill.

**Mr. Speaker:** It is all right then.

Motion moved:

"That the Bill further to amend the Drugs Act, 1940, as passed by Rajya Sabha, be taken into consideration."

**Shri Tridib Kumar Chaudhuri:** Sir, I have an amendment.

**Mr. Speaker:** He may move it.

**Shri Tridib Kumar Chaudhuri:** Sir, I beg to move:

"That the Bill further to amend the Drugs Act, 1940, as passed by Rajya Sabha, be referred to a Select Committee consisting of 11 Members, namely, Dr. R. Banerji, Shri Priya Gupta, Shri Jaipal Singh, Shri Hari Vishnu Kamath, Shri Harish Chandra Mathur, Shri N. Sreekantan Nair, Dr. Saradish Roy, Pandit K. C. Sharma, Shri Sinhasan Singh, Shri K. K. Warior, and the Mover with instructions to report by the last day of the first week of the next Session."

**An Hon. Member:** No ladies?

**Mr. Speaker:** Has he got the permission of all the Members whose names he has read out?

**Shri Tridib Kumar Chaudhuri:** Yes, Sir.

**Mr. Speaker:** All of them have given their consent?

**Shri Tridib Kumar Chaudhuri:** Yes, Sir.

**Mr. Speaker:** Amendment moved:

"That the Bill further to amend the Drugs Act, 1940, as passed by Rajya Sabha, be referred to a Select Committee consisting of 11 Members, namely Dr. R. Banerji, Shri Priya Gupta, Shri Jaipal Singh, Shri Hari Vishnu Kamath, Shri Harish Chandra

Mathur, Shri N. Sreekantan Nair, Dr. Saradish Roy, Pandit K. C. Sharma, Shri Sinhasan Singh, Shri K. K. Warior and Shri Tridib Kumar Chaudhuri with instructions to report by the last day of the first week of the next Session."

The original motion as well as this amendment are now before the House. I will call the hon. Member later. Shri Prabhat Kar.

**Shri Prabhat Kar:** Mr. Speaker, Sir, so far as the amendment of the Drugs Act is concerned, in this amending Bill, along with the drugs, in every clause, cosmetics has been put in. As the hon. Minister has stated, because there are adulterations in the manufacture of these cosmetics which are being widely used, it has become necessary to have a machinery for this purpose, so that those who use cosmetics may not suffer from various diseases as has been found from the various authorities in different parts of the country.

So, far as the Bill is concerned and the amendment is concerned, it is no doubt welcome, in the sense that with respect to all these adulterants resulting in various diseases an attempt is being made by the Health Ministry to check the same.

I was wondering first what was the necessity of bringing the cosmetics. Thereafter I realised that today cosmetics are being used so widely. I do not know, but there is perhaps a competition to look prettier, and with a view to that we find today that all sorts of cosmetics are being used by the ladies.

**Shrimati Yashoda Reddy (Kurnool):** By men also.

**Shri Prabhat Kar:** It is not only in big cities but it has even gone to the villages also.

**Mr. Speaker:** The statement is challenged. It is said that cosmetics are being used by males also.

**Shri Prabhat Kar:** May be so.

**Mr. Speaker:** Mr. Prabhat Kar does not use them.

**Shrimati Yashoda Reddy:** Nor do I.

**Shri Prabhat Kar:** I am not saying simply that men do not use them. We would like that the women folk in our country use cosmetics. We do not like them to look drab, we want them to look quite fair. So there is no question of saying that the ladies should not use cosmetics. Because it is not only a question of today. Even in the olden days cosmetics have been used. Cosmetics and the fairer sex go together. I do not want to quote the poems, but in the days of Kalidasa and from Tagore's poems you will find that cosmetics were used. But in those days they used the cosmetics from nature. It was either the flower or other things that were used.

**Shri Khadilkar:** *Pan*, betelnut.

**Shri Tyagi:** Perfumes.

**Shri Prabhat Kar:** It helped them. Today it is the lipstick, rouge and snow and cream. And so many companies have started manufacturing these things.

I was just wondering how simply by amending this Act the hon. Minister and his Ministry are going to check this. I do not know whether the hon. Minister has seen that even in the railway compartments people sell cosmetics, snows and creams, and the ordinary people are also today competing with our modern girls living in the city who move in Connaught Place and other places and they also feel that they must buy snow and cream.

13.55 hrs.

[SHRI MULCHAND DUDE *in the Chair.*]

As a result of applying these snows and creams, what is the net result? There was some publication the other day in the press which said that the use of these things tells upon the skin and upon the health.

I was wondering whether simply by including this word 'cosmetics' the purpose will be served. Because, today adulteration is the order of the day. Whether it is drugs, cosmetics or food, even baby food, all these things are adulterated. All these things come under the purview of the Health Ministry. Why so much anxiety pure and simple for the cosmetics? Of course I would like that it should be included. But what steps are they going to take to stop this type of adulteration in these things which are being used by the common man? For that there is none today.

In regard to drugs, we have known that in vials of streptomycin we will find chalk dust, and in quinine vials we will find distilled water, and various other things. There have been deaths because of the use of these spurious drugs. And you will find that this is rampant in the big cities. Unless there is a clause here to have a proper and effective machinery for this purpose and unless there is a deterrent punishment, simply extending the scope of the Act will not lead to a fulfilment of the purpose for which this is being done. It is really something tragic.

**Dr. D. S. Raju:** The whole machinery of the Drugs Act is there.

**Shri Prabhat Kar:** In spite of that you know what is going on in the country. If the hon. Minister remains satisfied that the whole machinery is already there, I would only like him to visit one of these big places in Calcutta and see exactly how these spurious drugs are being prepared and how they are sold. You will find even in the dispensaries which are well known dispensaries, even they cannot exactly find out whether a drug is spurious or not. And it is being used. At a time when a man is in need of an essential drug, when it is a question of life and death, if instead of streptomycin you find chalk dust in the vial or if instead of quinine injection or some other injec-

tion you find distilled water is there, simply by saying that the machinery is there is of no use. The machinery has been found to be ineffective.

Particularly in the case of cosmetics, as I have pointed out, these are sold in the street footpaths, in the railway compartments, and they are being purchased by the common men in their anxiety to become fair and to change the colour of their skin or look beautiful. So, how are they going to check this? Unless there is a proper machinery for this purpose I do not think the purpose of this amendment will be served.

I was referring to the question of deterrent punishment. Today they have said imprisonment for a minimum period of one year and a maximum period of two years. It has been pointed out that because of the use of these spurious drugs lives are at risk. If a man commits murder, he is given capital punishment or imprisonment for life. Even, there might have been some motive behind the murder. But here is a deliberate, cold-blooded attempt on the part of the persons who manufacture these spurious drugs. And they are allowed to go scot-free after serving a term of two years or paying a fine of Rs. 500. They earn a few lakhs of rupees by selling the spurious drugs, and our hon. Minister says that there is a machinery and the machinery is competent to cope with this situation.

The hon. Minister is anxious now to extend the scope of this Act and bring in cosmetics. I do not know how cosmetics can be included under drugs. It may be that where it is a question of a hair oil which can stop falling hair, that could perhaps be brought under drugs. But I do not know about other things, how you will bring rouge and lipstick within the definition of 'drug' and under the purview of the Drugs Act. Anyway, you may include it, but the most important thing is, when we include it we must have the machinery. What is the machinery? To that the

hon. Minister has not said anything, and in the Bill there is nothing further than what is contained in the original Act. And there is no attempt even to change the penal clause and to increase the punishment so that a really effective measure could be guaranteed by means of this amendment. There is nothing of that kind. Today, you are simply amending the Act by the inclusion of the word cosmetics. I do not think simple inclusion of the word cosmetics would be sufficient. At least it was expected that he would amend the Drugs Act and bring a comprehensive Bill so that all the lacunae and loopholes that are existing today are plugged and at the same time, the penal clause is made more stringent and a deterrent punishment prescribed, so that any one may know that it may go even up to life imprisonment.

14 hrs.

**Shri Tyagi:** In the case of cosmetics, it is only 1 year and not two.

**Shri Prabhat Kar:** The hon. Minister is anxious to bring in cosmetics so that they may not cause further diseases. Mention has been made of dermatitis. Not only that. We know that even in the vermilion which is used in our parts by married ladies, which is a sign of a married lady, chalk dust has been found and we know what has happened in those cases. Here, there is no attempt to amend the penal section, which is most important. I would suggest to the hon. Minister that instead of simply moving this Bill for including cosmetics, the most important amendment about punishing those persons who manufacture spurious drugs and also this type of cosmetics which breeds diseases and wrecks the health, in a rigorous way should have been brought forward. That is more important. It should have been done in this Bill. There is nothing of that kind.

**Shri D. S. Raju:** Your point is that the punishment is not adequate.

**Shri Prabhat Kar:** I think the hon. Minister will agree with me and I am quite sure the whole House will agree with me. Think of a situation where an only son is on the death bed and he is being administered spurious drugs. The man who commits the crime is let off with 2 years rigorous imprisonment. That is the maximum.

**Dr. D. S. Raju:** We are talking of cosmetics, not of spurious drugs.

**Shri Prabhat Kar:** I am speaking of amending the Drugs Act. There is nothing except cosmetics. You say that the Bill has been amended. The punishment that is there for drugs is three years. The punishment for cosmetics is 1 year. You are anxious to bring in cosmetics so that the persons may be punished. What is the punishment? Fine of Rs. 500.

**Dr. D. S. Raju:** Imprisonment for 1 year and or fine up to Rs. 500.

**An Hon. Member:** Or one year.

**Shri Prabhat Kar:** To a man who sends his agents in all the railways, what is Rs. 500 or 1 year? Any one of his men may be put into jail. So far as he is concerned, he earns a huge amount at the cost of the health of our womenfolk.

**Shri U. M. Trivedi:** Why do you say all? One in a lakh: good ladies do not use them.

**Shri Prabhat Kar:** I do not know what Shri U. M. Trivedi is saying. If you go, even in our villages, you will find.

**Shri U. M. Trivedi:** Not in my side.

**Shri Prabhat Kar:** Maybe you are lucky. It is not so in the whole of India.

**Shri U. M. Trivedi:** Cosmetics in the villages: what is their income?

**Shri Prabhat Kar:** Take the hair oil. He has no idea of the use of cosmetics in the villages. I would have to say most humbly that hon. Members who say that cosmetics are

not used in villages, have not visited villages. That is all I can say. Nowadays all sorts of cheap cosmetics are being used. They are most dangerous. In the cities, the people who purchase them know the different makes and they purchase from good shops, shops which are reliable. In the villages, they purchase from the common man. These are sold in third class compartments, particularly ladies' compartments in the railways and they are purchased by ladies who have no knowledge about how these things are prepared. This position is serious.

As I was pointing out, the most important thing is to have a deterrent punishment. In this country, everything is adulterated. Water: I am not blaming anybody; here in Delhi, we had the epidemic of jaundice because of impure water

**An Hon. Member:** Air.

**Shri Prabhat Kar:** I do not know. With the blasting of atomic bombs, even air is becoming impure. Milk: I am quite sure, milk which is the life of the baby, which builds the nation, is impure and adulterated. You will find nowadays in one seer of milk perhaps half a seer of water and that also, if we are lucky. Drugs adulterated; food adulterated; cosmetics adulterated. I am saying all this because they all come under the Ministry of Health.

**Shri Tyagi:** Political parties are adulterated.

**Shri Prabhat Kar:** Yes. That is the position. I am glad that the amendment has been brought in. My only complaint is that the penal section should be made more rigid and the machinery should be tightened. I am afraid, with the inclusion of cosmetics, it will be very difficult for the present machinery to bring all those persons who commit this type of offences to book. In the Financial Memorandum of the Bill that has

been introduced, they have said that it is not necessary for increasing the expenditure because the present machinery will be able to carry on this work. I do not think that would be possible. It is not like drugs sold in dispensaries. These things are sold in places where perhaps, the Inspectors will never visit. In the Financial Memorandum in the Bill which was introduced in the Rajya Sabha, it is said:

"It is proposed to amend the Drugs Act, 1940 so as to bring cosmetics within its purview. The intention, however, is normally to leave the control over the manufacture, sale, etc. of cosmetics to the State Governments and to introduce an enabling provision in the Act for the Centre to step in only when necessary or expedient. No separate additional staff, supervisory or on the analytical side otherwise than already provided for, is therefore proposed to be appointed.....".

and therefore, the question of additional expenditure does not arise. I do not know whether that is possible. Rather I would suggest to the hon. Minister that it is better that more staff are appointed so that the purpose for which the Bill has been brought before the House is fulfilled, and a real machinery is set up so that the mischief-mongers, the persons who are really criminals, those who commit this type of crimes, may be caught and deterrent punishment inflicted upon them. The Penal clause should also be amended accordingly.

**Shri Tridib Kumar Chaudhuri:** Mr. Chairman, this is one of the series of piecemeal amendments that we have been making from time to time to the Drugs Act of 1940. Within the last few years, within the last one decade we might say, we passed one amendment in 1949, and another amendment in 1950; the major amendment that was made to the original

Act was made in 1955. Then, there was another amendment in 1960. This proposed amendment which we have now before the House has been hanging fire for the last year and a half. Now, the Government has come at the fag end of the session with an important piece of legislation like this, and asks us to pass it post haste without properly scanning all the provisions. In the other House also, there was some demand for reference of this Bill to a Select Committee. Although no formal amendment was moved, resentment was expressed by some hon. Members that this Bill was not referred to a Select Committee. Moreover, there is the larger question of codifying and making comprehensive the entire Drugs Act.

In the United States of America, from whose Act a lot of provisions have been lifted bodily in the proposed Bill, they have a comprehensive Food, Drugs and Cosmetics Act. In other countries, also, foods, drugs and cosmetics, both in the matter of administration and in the matter of prevention of adulteration are all treated more or less comprehensively, and they are administered by the same authority. We have also here a single authority, namely the Health Ministry. But, somehow or other, so far as the question of legislation is concerned, we have not thought as yet of any comprehensive legislation. Even with regard to the limited field of drugs, it is a shameful matter that up till now, so far as the standards are concerned, with regard to drugs, we have to follow the British pharmacopoeia and the British Pharmaceutical Codex. Although we have the Indian Pharmacopoeia, and I understand that the second edition of that standard work is under preparation, I find that the Indian Pharmacopoeia finds no place in our Drugs Act.

I have referred to the United States Act. I would now like to read out before you the definition of the term 'drug' in the Federal Food, Drugs and Cosmetics Act of the United States. It is as follows:

[Shri Tridib Kumar Chaudhuri]

"The term 'drug' means (1) articles recognised in the official United States Pharmacopoeia, official Homoeopathic Pharmacopoeia of the United States, or official National Formulary or any supplement to any of them..".

Here, we find that they refer to the standard formularies of their country with regard to drugs and medicines. But, up till now, we have been following only what the British Government have left us as a legacy, that is, the British Pharmacopoeia and the British Pharmaceutical Codex, although we have compiled our own pharmacopoeia and although in our country we were fortunate in having such a great genius in the field of pharmacy and pharmacopoeia as Col. Chopra.

I now come to the proposed amendment proper. This amending Bill brings in cosmetics within the purview of the provisions of the Drugs Act. Unfortunately, in the Bill as it has come before us, there is no Statement of Objects and Reasons. But in the original Bill as it was moved for consideration in the Rajya Sabha, it was stated in the Statement of Objects and Reasons that it was necessary:

"to ensure that nothing is used in cosmetics which may have deleterious effects on the health of the people."

Then, the Statement of Objects and Reasons goes on to mention certain diseases which are caused by the use of certain kinds of spurious cosmetics or cosmetics prepared with harmful and deleterious chemicals and synthetic dyes and so on. But, unfortunately, the manner in which the Bill has been formulated would hardly serve to fulfil or attain the objective which was stated in the Statement of Objects and Reasons in the original Bill as it was moved for consideration in the Rajya Sabha.

Now, I shall come to the definition of cosmetics as proposed in the Bill. I

need not read it out, but it has been lifted bodily from the United States Act, word for word, and even punctuation for punctuation. But when it comes to laying down the standards and preventing the deleterious effects about which Government are so concerned and when it comes to seeing that the people who use these cosmetics are not subjected to any harmful effects, I find that the Bill does not go far enough. I find that the whole object of this Bill is to prevent imitation of certain well-known patent cosmetics or to prevent the sale of spurious cosmetics under the label of those well-known patents. That is the only one limited object which Government have in view. They have not provided anything in the provisions of this Bill which would ensure that nothing is used in cosmetics which may have deleterious effects on the health of the people, which is said to be the object of the Bill.

Now, I would refer to clause 7 of the proposed Bill, and then also to clause 13. In these clauses, misbranded cosmetics are defined. In these clauses, it has been provided when and how a cosmetic shall be deemed to be misbranded for the purposes of import and also for the purposes of manufacture, stocking, sale etc. Since Government have lifted bodily the definition of 'cosmetics' from the United States Act, it would seem that they would also have had the provisions of the United States Act in this regard before them, but unfortunately, they have not cared to do so.

I would read out the definition of misbranded drugs as proposed in the Bill before us. In clause 7 of the Bill it has been provided:

"For the purposes of this Chapter, a cosmetic shall be deemed to be misbranded—

(a) if it is an imitation of, or a substitute for, or resembles

or a substitute for, or resembles in a manner likely to deceive, another cosmetic; or

(b) if it purports to be the product of a place or country of which it is not truly a product;

(c) if it contains a colour which is not prescribed; or

(d) if it is imported under a name which belongs to another cosmetic; or

(e) if it is not labelled in the prescribed manner; or

(f) if its label or container bears the name of an individual or company purporting to be the manufacturer or producer of the cosmetic which individual or company is fictitious or does not exist; or

(g) if the label or container bears any statement which is false or misleading in any particular."

Similarly, in the other clause where also this misbranding is defined, we find more or less the same provisions, and, therefore, I need not read them out again. If we look carefully at these provisions we find that it seems that the interests of certain manufacturers of certain well-known foreign, and I might also say, indigenous cosmetic goods have in some way influenced the Government in defining misbranding in such a manner that the scope of the Bill is limited to the purpose of prevention of imitation of those well-known products. I need not mention the names now. Sometime back there was a certain amount of agitation in the press also relating to certain well-known brands of cosmetics, certain snows, creams and other things. Everybody knows their names. At least their names are very well known to the ladies of families.

**Shri Tyagi:** But the cosmetic ladies are absent today.

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**Shri Tridib Kumar Chaudhuri:** May be.

Old bottles are procured by these people from *raddiwalas* and *kabariwalas* and they are used in selling these imitation cosmetics. This should not be allowed.

In my view, the sole object of the Bill, if the Government are really sincere about it, should be this. I do believe that that they really want to secure this objective, which was the recommendation of the Central Health Council made in Jaipur more than two years ago. I think they want that nothing should be used in cosmetics which may have deleterious effects on health. This being so, they should have taken a leaf from the US Act and introduced the same provision as they have made. I shall read part of the US Act. This is what has been provided in article 361 of the US Act.

"**Adulterated cosmetics:** A Cosmetic shall be deemed to be adulterated: (a) if it bears or contains any poisonous or deleterious substance which may render it injurious to users under the conditions of use prescribed in the labelling thereof or under such conditions of use as are customary or usual.... (b) if it consists in whole or in part of any filthy, putrid or decomposed substance; (c) if it has been prepared, packed or held under insanitary conditions whereby it may have become contaminated by filth, whereby it may have been rendered injurious to health; (d) if its container is composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health; (e) if it is not a hair dye or if it bears or contains a coal tar color other than the one from a batch that has been certified.....".

[Shri Tridib Kumar Chaudhuri]

One would think that after the reference to also and other synthetic dyes used in the manufacture of lipsticks etc. by Dr. Sushila Nayar in the Rajya Sabha—she also referred to the article by Dr. Rangalal Sen which appeared in the *Hindusthan Standard*—in 1959—that the Government were anxious that these harmful dyes, synthetic dyes and other poisonous substances should be banned and they wanted to ensure that these things were not used in the manufacture of cosmetics or in the making of cosmetics. But unfortunately, the Bill that is before us is only concerned with a very narrow object. It does not, I make bold to say, secure the objective that was set forth before the other House in the shape of the Bill's statement of Objects and Reasons.

Of course, Government may take shelter under the plea that they have not come before this House with the Statement of Objects and Reasons and so they are not bound by that. I hope that Government would not take shelter behind that flimsy argument.

Therefore, I want that the Bill should go before a Select Committee of the House. Of course, I know very well that the names I have proposed may not commend themselves to the hon. Minister or Government. They may propose their own Select Committee. But my whole purpose in moving this motion is to emphasise the point that a Committee of the House must go through the provisions of the Bill and examine whether the objects that were stated to be the intended objects of the Bill have been secured by the provisions of the Bill or whether they simply serve the interests of certain well known cosmetic manufacturers, certain well known houses who more or less monopolise the market provided by the beauty culture of society ladies.

Delhi is one of the largest markets for cosmetics. Here you will find one big shop run by one of the leading drug businessmen in this city goes by the name Cosmetics. If you ever visit that shop, you will see that all kinds of things are sold there.

So I want to ask Government a straight question whether they are really sincere in securing the purpose they have stated as the real object of this Bill or they are interested in protecting the interests of certain well-known manufacturers of cosmetic goods, foreigners as well as indigenous people.

**Mr. Chairman:** Shri Kamath:

**Shri Tyagi:** How is he interested in this?

**Shri Hari Vishnu Kamath:** At the outset, I must express my surprise that the Minister expected a rather easy passage for this amending Bill. He tried to impress upon the House that the only amendment sought to be made was the inclusion of that one magic word 'cosmetic', and he hoped, therefore, that it would go through without much discussion. It is rather unfortunate that the class or section of the House which is more interested in cosmetics than the other section is poorly represented.

**Shrimati Vimla Devi (Eluru):** Men are more interested.

**Shri Hari Vishnu Kamath:** I did not mention the class at all. I do not know that the cap fits you. I did not even say 'sex'; I said 'section'.

**Shri Nambiar (Tiruchirapalli):** They are very sensitive.

**Shri Hari Vishnu Kamath:** They ought to be; nature has made them so.

**An Hon. Member:** But he has no experience of it.



**Shri Hari Vishnu Kamath:** It is somewhat amazing that the Minister who is, I believe, a newcomer to Parliament, has refused to throw light—or perhaps it was not within his capacity to do so—on certain features of the amending Bill as it was introduced in the other place. Before I come to that, I will dispose of one other matter, and that is the Statement of Objects and Reasons which is contained in the amending Bill that was brought before the Rajya Sabha.

The Statement admits that there are many units—it is not a question of a few units or stray units, there are many units, the word used is “many”—there are many units dispersed throughout the country where even elementary precautions—look at the words used, very harsh and very strong—where even elementary precautions for testing raw materials and observing hygienic conditions during manufacture are not taken. In the face of this, I am at a loss to understand why the Government has been hesitant and reluctant to prescribe stringent remedies, deterrent punishment.

The other day in this House, replying to the debate on the Finance Bill and answering a point raised by me that adulterators of foodstuffs and of drugs and medicines should be flogged in public, the Finance Minister was pleased to say that he does not believe in flogging, but he does not mind hanging. I said briefly then, “Hang them then, if you don’t want to flog them”. The Minister who introduced this Bill in the Rajya Sabha, Shri Karmarkar, I remember once said outside the House, putting adulterators of foodstuffs and medicines on a par with murderers, that the only way of dealing with them was by capital punishment if they were properly convicted by the highest courts of law. But here I fail to understand the reason why the Government has sought to even

reduce the penalties which was prescribed and stipulated in the parent or principal Act.

14.33 hrs.

[SHRIMATI RENU CHAKRAVARTY in the Chair.]

I refer to sections 27 and 30 of the principal Act of 1940 which recommended and stipulated a substantive imprisonment of not less than one year, and the magistrate or the court was obliged to record the reasons in writing if the punishment was to be less than one year, and the maximum punishment was for three years. Here, after the statement of Government’s policy the other day by the Finance Minister, by no less a person than the Finance Minister, to the effect that he does not mind hanging adulterators but does not want to flog them.....

**Dr. D. S. Raju:** The point is that punishment is not sufficiently deterrent.

**Shri Hari Vishnu Kamath:** That is the first point. I am coming to the other points later on.

It is surprising that the Government has sought to even reduce the quantum of punishment prescribed in the parent Act of 1940 and thereby is even indirectly sort of conniving at these adulterators of drugs and cosmetics.

It is true that the Bill is limited in scope, but, Madam Chairman, you will recollect from your vast experience in this House in the last ten years or more, that whenever an amending Bill is before the House, not merely the Bill itself as such but also the sections of the principal Act to which it refers can also be discussed in the House, can also be amended by the House, and therefore I have tabled a few amendments in accordance with that. But before I come to the amendments themselves, I should like to make a few other observations

[Shri Hari Vishnu Kamath]

My hon. friend Shri Tridib Kumar Chaudhuri was quite right in asserting, in observing, that at this time of day, even after 15 years of independence, it is absurd, to use a mild word,—I am amazed at my own moderation—that we should still refer, hard back, to the British pharmacopoeia.

Look at the wording of clause 6 of the Bill, regarding standard quality. What is standard quality? It says:

“(1) For the purposes of this Chapter, the expression ‘standing quality’ means—

(a) in relation to a drug, that the drug complies with the standard set out in the Schedule.....”.

The other day in the House, replying to a question of mine, the senior Minister, who is absent today unfortunately, stated that an Indian pharmacopoeia had already been published, an Ayurvedic pharmacopoeia was under way. After a statement like that, I do not know why the Schedule also is not sought to be amended. The Schedule refers categorically, clearly, definitely, to the parent Act, to the British pharmacopoeia, to which my hon. friend Shri Tridib Kumar Chaudhuri referred, and in an amending Bill like this, why should we have from year to year, or every three years, piecemeal legislation to which my hon. friend referred? It is derogatory I must say to the prestige of Government, to the authority of Government, that they do not give adequate thought to the matter. When they come with an amending Bill, why should they not have thought of other sections, the Schedule and other provisions of the parent Act which need amendment and which could have been amended at this time? On this occasion itself you could have brought a more comprehensive Bill, which you have failed to do. And this slipshod, haphazard manner in which the Govern-

ment deals with legislation before the House is certainly not a matter for congratulation, not a matter for gratification on the part of Government.

14.37 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

I do not know what the reasons have been, what the reasons are, for not bringing a comprehensive Bill, whether there was not time available after or before the elections. They were perhaps more busy with the elections, they could not give thought to drugs and medicines, to the potential murderers of people, the adulterators of drugs and medicines.

Dr. D. S. Raju: Cosmetics have not murdered people.

Shri Hari Vishnu Kamath: I said “potential”. Moreover you yourself have said, that is rather surprising again, he has not read the Statement of Objects and Reasons. It may be, something worse than murder, that is, disfigurement. For a woman, perhaps disfigurement is worse than death or murder. She might look upon disfigurement as something worse. I do not think the Minister can contradict the statement very authoritatively.

I should like to touch only one or two more points. Section 10 of the principal Act which is being sought to be amended, partially again, has a proviso—please refer to it, Mr. Minister, have you got the parent Act with you?—the first proviso, not the second one, which says:

“Provided that nothing in this sections shall apply to the import, subject to prescribed conditions, of small quantities of any drug for the purpose of examination, test or analysis or for personal use:”.

This proviso has not been sought to be amended. There is no amendment

to this proviso at all. Wherever in the Bill we find the word "drugs" coming in, the word "cosmetics" has also been automatically tacked on, but here whether the Government does not want deliberately to amend this proviso or not is not clear, because the words here are "for personal use". If anybody wants to import for personal use or test or analysis, what will happen to that importer or that person who can analyse or who is competent to analyse or examine that thing? Therefore, I would like the Minister to throw some light on why certain provisions of the parent Act which do contain a reference to drugs only have not been sought to be amended by adding or inserting the word "cosmetics" along with "drugs". For instance, I will give one instance, I will not go through the entire parent Act. I would like to know why the proviso to section 10 of the principal Act has not been sought to be amended by adding the word "cosmetics" to the word "drug" also.

Then, there is an amendment to section 27. The penalties should be made drastic and stringent. But here the penalties that have been set out are sought to be made lighter by the amending Bill. I cited the Finance Minister's categorical statement here that even hanging will be justified, and also the Prime Minister's statement before he became the Prime Minister, in 1945 that black marketeers and profiteers should be hanged by the nearest tree. That should apply to these potential murderers of people such as adulterators of drugs, medicines and foodstuffs.

I should like to make just one more point before I close. I hope the schedule also will be amended by another amending Bill if it could not be done today. There are so many amendments needed to the parent Act which have not been done. My hon. friend Shri Prabhat Kar has said that there is nothing pure that could be obtained, not even air because it is contaminated by various nuclear blasts and

bomb explosions in recent years. Then there is a story which I read in the papers sometime ago. A person wanted to commit suicide by taking poison and he took a bottle which was labelled, which was misbranded that it was a particular poison. He did not die. When it was analysed later on it was found that the poison itself was not pure; it was adulterated and so he fortunately survived. So, it is universal now adulteration of air, food, water, drugs, medicines and almost everything else. This widespread, pernicious and homicidal tendency should be nipped in the bud by prescribing stringent remedies and not by a fine of Rs. 500 which an adulterator can easily pay and make it up in a week or a month. It is no remedy for the disease which is eating into the vitals of our society and is really killing people. Perhaps we do not know the actual figures; they may not come to the statistical organisation, as to how many people are being killed by these misbranded, adulterated and spurious drugs.

There was a case in Parliament last time. I do not know what it was due to. The Doctor was given a clean bill of health, a clearance certificate. But within an hour of a penicillin injection by him, Shri Tripathi died. I do not want to go into that because I was not a Member at that time. There was a very elaborate report at that time. Within half an hour of penicillin being administered, he collapsed and died. I am referring to Shri Bishambar Dayal Tripathi; I had known him for twenty years. It was a personal loss to me. We do not know whether that was also due to some sort of adulteration or spurious drug.

One more last point and I have done. I have got three or four amendments in my name. One is with regard to the change of the word from 'vermins' to 'vermin'. It is amazing that in 1940 when the Drugs Act was passed by the Central Legislative Assembly.....

**Mr. Deputy-Speaker:** He can speak on his amendments later on.

**Shri Hari Vishnu Kamath:** All right, Sir. At this stage of the first reading, I would once again say that penalties have been sought to be lightened. I would ask why the standard still remains with reference to the British pharmacopoeia and why we cannot move in the matter of amending the schedule. I shall only raise these two or three points at this stage.

**Shrimati Yashoda Reddi:** Sir, first I would like to congratulate the Health Ministry for having brought these amendments forward. It is just one more step in controlling adulteration in food, in drugs and now in cosmetics. Just as food and drugs, cosmetics have also become important today. It has become so important that there are some people who would forego a cup of coffee or a meal to buy a tin of powder or a tube of lipstick. Members may laugh because a lady says this but it is a fact... (*Inter-ruptions*).

**Shri Hari Vishnu Kamath:** No, no. We appreciate that.

**Shrimati Yashoda Reddy:** It is a fact today that we have got very wrong ideas of health and beauty. No doubt a woman should try to look beautiful but certainly not at the expense of health. Some Member said that from the days of Kalidasa women tried to look beautiful. There is nothing wrong in it; one should. But I object to it and say that it should not be at the expense of health. I congratulate the Government for it has taken cognisance of the fact that because of the craze for these cosmetics people are going in for cheap stuffs which are available at all places. One hon. Member said that cosmetics had not gone to the village. But even the village women, though they may not be educated, if a gentleman from the village is going to the town and asks what the woman there wants, the first thing she would ask would be a tin of powder and then this, that and the other things.

It is not that I object to that. But it has become such a bane on health and one doctor said that when the women patients came for examination, it was not possible to find out their real health with so much of lipstick and so much of rose powder and so on. The real pallor of the skin is not known. Unhealthy skin is hidden. This has been said by one doctor in Rajya Sabha, a colleague of mine. But what happens? By using these cheap cosmetics the face or the skin becomes so spoiled that you cannot stop using it. Unless you stop it you cannot show your face for improvement. They have become so inter-dependent. I congratulate the Government that today they have taken the first step of trying to control this. But this is not all. As Shri Chaudhuri has said in clauses 6 and 13 Government have taken some precautions that drugs should not be sold in misbranded containers. They have taken care to see that real or genuine stuff should be there. They have said that substitute things should not be put in tins which appear to be genuine. But the Government have failed to pay greater attention to the contents themselves. What are the contents which go into the preparation of these substitutes and under what conditions? If they have looked into these things also, they would take care to see that wrong things are not sold in genuine bottles. Shri Chaudhuri has pointed that you have not taken cognisance of that.

I would like to oppose one thing that was pointed out here. Shri Tridib Kumar Chaudhuri said that the Government is taking a special interest or that the Government have been moved in this matter by certain firms, etc. I do not agree with that remark. I do not discredit the Government. Government's intentions have been very honest and I am sure that they have not been trying to help any particular private firm or private institution.

As has been pointed out, no Government worth its name should supply

to the people food and drugs which are adulterated. We have found that in spite of all our Acts regarding food adulteration and drug adulteration, so much of adulteration is going on. I do not know where the mechanism of Government is wrong. Certainly something must be wrong somewhere, when we see the amount of adulteration that is going on in food and drugs.

Even the other day, the hon. Health Minister answered a question about the adulteration of mustard oil with some other thing and said that such adulteration had caused a mysterious disease. They are not able to find out what is the cause—whether the disease was due to insecticides or some adulteration. In spite of all the mechanism, in spite of all our Acts of Parliament, you are not able to control the adulteration.

Even now, by the mere introduction of this measure on cosmetics and drugs you cannot have a more effective control. You can have a better and more effective control only if you have better methods of checking at the very level where these things are produced, namely, the production centres themselves. Otherwise, I think you will not be able to do much.

I would like to add one thing. As one of my hon. friends here said, the culprits should be dealt with more severely than now. When a murder is committed, the offender is hanged. In fact, a murder in many ways is far more superior and merciful. One commits murder and the life ends immediately. But here, whether it is adulteration of food or drugs or cosmetics, the victim suffers and undergoes a lingering, painful death for years and years. What do you do? You have suggested a fine of Rs. 500 or—it is not 'and'—imprisonment for a term of years. In the case of murder, the person commits the murder on the spur of the moment, rightly or wrongly, when his mental balance is not correct. Then the punishment is inflicted on him. But here, in the

case of adulteration of cosmetics, etc., it is a case of cold-blooded infliction, and just to make money, to exploit the poor, uneducated people—and most of our people are economically backward—just to exploit human nature, it is resorted to. So, I say that the fine is very little. A fine of Rs. 500 is not enough. When a fellow makes thousands or lakhs of rupees, he can pay a fine of Rs. 500 with closed eyes. So, remove that fine and make imprisonment more rigorous and compulsory. The imprisonment should not be for one or two years but certainly it must be for not less than ten years. Cancel the punishment with fine.

This is a thing where prevention is better than cure. You must prevent the offending person from making money through these methods. Take, for instance, the health of the people of this country. We have to see that the food or the drugs or the cosmetics that are supplied are pure. Adulteration is a very dangerous tendency and it must go.

With these words, I welcome this measure.

**Shri Khadilkar:** Yesterday, the House devoted some time to the mental, intellectual or spiritual health of our people. Today, we are devoting more time for looking after the physical health of our nation. But, unfortunately, the Bill that has been brought forward as an amending measure is a very halting one. I cannot understand, when so many cases of adulteration of food and distribution and sale of spurious drugs and other things are coming up, why only a Bill to amend the existing Act, especially with regard to the cosmetics, is brought forward. So far as cosmetics are concerned, women, by nature from very ancient times, are more or less in the habit of putting on false appearances. It has become their second-nature almost.

**Shri Prabhat Kar:** Why do you say false appearances? It is used to look beautiful.

**Shri Khadilkar:** Unfortunately, hon. friends like Shri Prabhat Kar and others, when they see painted faces, consider those persons as beautiful. That is the degeneration of our society. Unfortunately, a face which is painted or decorated is considered beautiful. (*Interruptions*).

**Shri Prabhat Kar:** It is there from the days of Lord Krishna. That was what they said.

**Shri Khadilkar:** You should have come forward with a comprehensive measure. But you have only come forward with a very limited purpose. That is my first submission. The time has come when the Government should have brought forward a very comprehensive measure, covering food adulteration, drug adulteration, etc., and the selling of food and drugs, which are harmful to the people, along with cosmetics.

So far as cosmetics trade is concerned, I entirely agree that it is flourishing. Because of the films, certain actors and actresses have become more or less heroes and heroines to those who go and visit the talkies and other houses of entertainment. If you happen to go to any cinema house, an advertisement about cosmetics would be the first because it sells and it gives an additional income and it gives an additional income to a well-known cinema actress if she poses herself in an advertisement also.

**Shri Hari Vishnu Kamath:** It is a racket.

**Shri Khadilkar:** It is a racket. I am coming to that. I was going to say that. Therefore my submission is, instead of trying to deal with it with a very limited purpose or objective, you ought to have come forward with a comprehensive measure which is called for. This is my first point.

My second point is this. No doubt we have found the cosmetics harmful—whether it is lip-stick or rouge

or nail polish; and so many other things are there. I do not know all those things. Only some cases have come to light.

For the enlightenment of my hon. friend Shri Prabhat Kar, I would point out that I was reading something about the Soviet Union the other day. Now, travel has been permitted. There are no advertisements. Those ladies who go outside the country or those gentlemen who go outside the country bring in from the western and so-called free world cosmetics, and it has become a rage with the younger generation to use cosmetics and if possible to prepare them at home. This is the society which is imitating the west in a wrong manner. Otherwise they do not imitate. They have got their own standards. Why I am quoting this is because, it is a sort of weakness in society, particularly for women and also the men because the man feels more attracted or attractive. This is what is happening.

I would suggest that so far as this measure is concerned, it is not going to deal with the problem as it should be dealt with. First of all, the drugs do not include if I remember rightly, the manufacture of ayurvedic or unani preparations. There also, there are so many spurious drugs which are manufactured. You must realise that. That is a more flourishing industry because you have given some protection and because it is a sort of our own ancient system. Therefore, you must include the ayurvedic and unani preparations also in this measure.

As I said, adulteration has become another industry in this country. There is adulteration of children's foods and adulteration of edible oils with mineral oils. The hon. lady Member mentioned one thing. It was formerly also mentioned here once. The other day, the hon. Minister of Health said that if mustard oil is mixed with mineral oil or something, it leads to paralysis. What happens? You do not go to the depots of the manufacturer. After all, ultimately,

the poor retailer will be fined a little. There is no machinery, first of all, to test the quality or the standards. Have you set up a machinery for testing the standard of medicines or tinned foods? That is the first step which is necessary. The second is, there should be a machinery for supervision, at least in every municipal area or every factory centre, not after distribution but before distribution. Last year I pleaded here and the Minister assured me that the quality of every drug that will be sold would be properly tested. I know from my experience that poor people are cheated. For sulphur drug, chalk powder manufactured into some sort of pill and coloured is supplied. When quinine was very expensive, ordinary distilled water was sold and doctors used to make money by charging Rs. 3 to Rs. 5 per injection, but the patient would not get any relief or cure. This is the state of affairs.

15 hrs.

The Health Ministry is supposed to look after the health of the nation, but it comes forward with a Bill of a very limited nature, because the lipstick affects in some measure the health of women who use it. . . .

**Shri Sham Lal Saraf** (Jammu and Kashmir): Men also are affected.

**Shri Khadilkar**: Men also are affected, but they do not use it. This is a wrong approach to the whole problem. A radical, dynamic and comprehensive approach is called for. The Finance Minister was quoted that he would like to hang somebody. But I know it for certain—I do not want to go into details—that the intermediaries necessary for manufacturing cosmetics are provided by the Ministries of Commerce and Finance. I am going to prove it in this House. What is the use of tall talk when it comes to preaching morality and not practising it when you have got power in your hand? I do not like this.

You go step by step. You want to improve the health of the nation and

you want to prevent what is harmful. But you are preventing with all sorts of bad effects, resulting in the growth of anti-social elements. Take prohibition, for instance. You cannot enforce morality by half-hearted action. You cannot have freedom in one part of the country to drink and prohibit it in another part. You cannot have freedom in the services to drink and not for the ordinary people. This is a wrong approach to the whole problem. The main problem is one of taking concrete steps to improve the quality, test the standard and have a machinery to supervise its distribution and sale and last but not least in some measure control the components also. All these things must be looked into.

People here say, "I congratulate the Health Minister". This has become a formality. I cannot congratulate the Health Minister, because you have failed to apply your mind in this regard. I think it is a crime and on that crime, some people are making tons of money. I know some of the pharmaceutical firms. Because they cannot manufacture synthetic drugs, some foreign formulas are taken and a little change is made. A little Indianisation is made in the name with the help of the doctors. The whole profession of doctors has been commercialised. You go to one doctor, he will prescribe the same drug. You go to another doctor and he will also prescribe the same drug. Ultimately doctors become selling agents of the big manufacturing concerns. This is the state of affairs of the pharmaceutical industry in this country. How can you deal with this problem in this limited manner?

Therefore, I would plead that the time has come; it is not too late. It has not penetrated into the villages, particularly cosmetics. Here in Delhi we are getting very cheap milk. But if you go to the South, we pay Rs. 1-4-0 for a seer, whereas we get here milk for 10 annas. Have you realised what harm is done to the younger generations if the milk is adulterated there? You come forward with such

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a Bill. With this Bill, can you deal with this problem? Some bureaucrat probably thought that this is good and it will have some effect. They thought they have done their job and at least their conscience will be quiet for the time being. I am not looking at this problem from this angle.

I do not want to support the suggestion made by my hon. friend, Shri Tridib Kumar Choudhuri, because if you send the present Bill to the Select Committee, what changes can you suggest? I want a comprehensive measure dealing with the drugs, food, cosmetics, etc. in all its aspects—machinery for testing, laying down standard and enforcement machinery, which is equally important, particularly at the port level.

I may tell you one instance. There was a case of adulteration of food in Kerala because of contamination with some other powder.

**Shri Hari Vishnu Kamath:** Foliodol.

**Shri Khadilkar:** I was visting Bombay and Madras as a member of some committee. Are your health services of such high standard that when foreign materials come in, they are being inspected and rejected properly? Have we got that incorruptible machinery everywhere at the ports? We have none. The port health authorities can be bought over easily. I know so many instances. Therefore, I would urge that more stringent measures are necessary at the port level, from where these things come.

We talk so much about our planned development, food and other things. Food is a necessity and we get it from other countries. There is no harm in that for the time being, during the time of crisis. But why can't you have a blanket ban on all cosmetics and foreign drugs which are not absolutely curative? I know from my own knowledge that except for four or five drugs such as antibiotics, all other drugs are not curative; they are

more or less palliative. There is a certain amount of psychological relief, because we have become drug-addicts. We use drugs simply because the woman in the family feels that the child will go to bed properly or she herself will get a little more invigoration during her period of pregnancy through the drugs. It is purely psychological. So, unless it is prescribed that it is a life-saving thing, I would urge a complete ban on drugs which are not curative.

Lastly, I would like to say a few words about the punishment. As some Members have said, our experience is, usually some fine is imposed. I feel that these manufacturers of adulterated food or drugs—I would call them merchants of death—must be very severely punished. They must be sent at least to the prison for some term, so that they may be brought down in the public eye. If such a provision is not made, I do not think this is going to help in any way to reduce the use of cosmetics or improve the standard as regards the manufacture of cosmetics and other things.

Therefore, my humble submission is, it is a wider problem which should be tackled very seriously. So, you should bring forth a measure which is all-comprehensive, to protect the health of the nation.

**Shri U. M. Trivedi:** Sir, Shri Khadilkar and some of my other friends have laid great emphasis on this punishment clause. I do not know whether they have been actuated with a desire that everyone living in our country must be severely punished. Otherwise, they would not have made this suggestion. Section 27 of the original Act, provides as follows. Whenever a drug is adulterated in any manner, then the provision is:

"Whoever himself or by any other person on his behalf manu-



factures for sale, sells, stocks or exhibits for sale or distributes any drug,—

- (a) deemed to be misbranded under clause (a), clause (b), clause (c), clause (d), clause (f) or clause (g) of section 17 shall be punishable with imprisonment for a term which shall not be less than one year.....”

Where it is a case of adulteration of a drug, where it is a case of misbranding of a drug, where the offence is for sale, stocking or exhibition of a drug, then the punishment provided is imprisonment. It is provided:

“.....which shall not be less than one year but which may extend to three years and shall also be liable to fine;”

I do not think a more deterrent sentence can be provided. Adulteration of a drug is quite a distinct affair as compared to misbranding of a cosmetic. I do not know whether cosmetics are drunk or eaten. I have not heard about cosmetics being eaten or drunk. The only suggestion that has been made in the Statement of Objects and Reasons is that the use of some cosmetics or direct contact with such cosmetics leads to dermatitis. I am not one for the encouragement of these cosmetics. Some of my hon. friends said that the use of these cosmetics is increasing in the villages. It may be so in Bengal where poverty is very great. But in the whole of my State I do not think I have come across the use of any cosmetic by any woman. I come from a village, I live in a village and I am elected by villagers. My contact is entirely with villagers numbering 8,55,000. I do not know of even a single woman using cosmetics.

**Shri Sham Lal Saraf:** Not even soap?

**Shri U. M. Trivedi:** Soap is not included here; that is the beautiful part of it.

**Shri Sham Lal Saraf:** That would come under the rules.

**Shri U. M. Trivedi:** Soap is exempted. Soap is purposely exempted under this. So my suggestion is this, that even though we might wax eloquent upon this point and say that the sentence must be very heavy, there ought not to be, in my opinion, a sentence even of a heavy fine of Rs. 500.

What are cosmetics? For whom are cosmetics meant? If cosmetics were an essential commodity, its import would have been allowed. On the contrary, we are closing down all our doors for import of cosmetics. We are not here to encourage cosmetics. We do not want it. If there is anything, these are things which lead to glamorous appearance and show by women which is not very desirable in our country at this stage. Therefore, unless and until a particular result is proved by the use of a particular cosmetics the maker of such a cosmetic should not be in any manner penalised. Those who want to use cosmetics may use them. Who says they should use them? If they develop dermatitis, let them have it. What harm is there? I for one will not suggest that a bigger punishment than what has been provided in the law must be provided at this stage.

Now I come to the criticism on the whole drafting of this Bill. The Draftsmen were alleged to be better in those days, in 1940, than what they are today. But I find the very fundamental of drafting missing from this. The definition clause is very meagre. The word 'misbranded' is not defined. At the same time, after having not defined it, two particular sections are taken to define the word 'misbranded'. Why two sections are necessary to define the word "misbranded" passes my comprehension. I have never come across any law where a word is given two different meanings in two different sections in the same Act. Anybody who knows

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interpretation of law, what a definition is, how a preamble is written, how a law is made, will come and tell you that this is not the method of drafting a law. Therefore, when this law was being amended, the Ministry ought to have seen to it that these drawbacks were taken out of this. In section 9 it is said:

"For the purposes of this Chapter a drug shall be deemed to be misbranded—

- (a) if it is an imitation of, or substitute for, or resembles in a manner likely to deceive, another drug, or bears upon it or upon its label or container the name of another drug, unless it is plainly and conspicuously marked so as to reveal its true character and its lack of identity with such other drug; or
- (b) if it purports to be the product of a place or country of which it is not truly a product; or
- (c) if it is imported under a name which belongs to another drug; or
- (d) if it is so coloured, coated, powdered or polished that damage is concealed, or if it is made to appear of better or greater therapeutic value than it really is; or...."

So it is said here:

"For the purposes of this Chapter.....".

Then in section 17 it is said:

"For the purposes of this Chapter a drug shall be deemed to be misbranded—

- (a) if it is an imitation of, or substitute for, or resembles in a manner likely to deceive, another drug, or bears upon it or upon its label or con-

tainer the name of another drug.....".

The same definition is given over and over again. There is the repetition of the same thing. What purpose is served by this. Sir, it passes my comprehension. Why do you not define the word 'misbranded' in the very beginning itself?

The other thing is, in making this amendment of the words 'standard quality', in one case 'standard quality' is defined and in another case when you use the word 'cosmetics' you want to leave the door open as wide as possible for prosecutions to be indulged in. Nobody will know what will be the prescribed rules. How is a man who wants to manufacture any cosmetic for the purpose of trade or commerce to know what will be the limitations upon him? There is no schedule given. In the case of drugs you have a schedule. You say that a drug must conform to a particular specification laid down in the schedule. In the case of cosmetics you will prescribe the rules, and that prescription will change from day to day, from month to month, from year to year, from Secretary to Secretary and from Minister to Minister. We do not know on whose advice you will act while prescribing these rules.

Therefore, Sir, this is a vague law. It creates vagueness and anomalous positions. They must be cut down at their very roots. They should not open out doors for the sake of merely prosecuting people. There may be very *bona fide* persons. Youngsters, sometimes, coming out as graduates and not finding any means of employment may indulge in the manufacture of these things and may try to market those commodities. They may be taken unawares and they may fall into the hands of your police who may launch prosecutions against them to the great detriment of the nation. The very initiative of those youngsters might be killed like that.

Then, Shri Kamath was very right when he pointed out that the proviso to section 10 of the parent Act should be there. It says:

"Provided that nothing in this section shall apply to the import, subject to prescribed conditions, of small quantities of any drug for the purpose of examination, test or analysis or for personal use."

Why is it that this proviso has not been incorporated so far as cosmetics are concerned? I cannot understand. We will learn by methods which others are employing. Things are changing. As our Communist friend says, every woman wants to use a cosmetic.

**Shri Warior (Trichur):** Every man wants for himself and for every woman.

**Shri U. M. Trivedi:** I thought he was referring to every woman. I am a man. I do not use any cosmetic.

**Shri Warior:** There are more cosmetics in the barber shops than in other places.

**Shri U. M. Trivedi:** I do not know. I do not go to a barber shop, my barber comes to my place. My point is, this proviso is very essential. Why was it considered necessary in a Drug Act? Suppose a man wants for his personal use a particular type of drug. It might be costly and yet he might be able to import it with the help of the Government, or through some other method he may be allowed to import it. Or, there may be some woman who wants a particular type of cosmetics for her personal use; or, for the sake of argument, a man wants to use some particular type of cosmetics. Let him import it. But, for the sake of technical education, that can be received by the analyst and tests carried out about the components or ingredients of drugs. How can that be prevented, so far as these

cosmetics are concerned? On the contrary, it is a thing which gives us a good amount of foreign exchange. It should be encouraged. When the world moves, we should move with it. It is not possible to have a check on it. When we have not been able to check prohibition, I do not know how we can check the use of cosmetics. So, when these things are growing up when it is being imported for personal use, test or analysis or examination, what I suggest is that this proviso must be applied. I do not know whether the Minister will agree with me and make the amendment at this stage to include the proviso. Now that the Minister is talking with somebody, he will not listen to what we are saying. I only want to impress upon him the necessity of making this amendment.

Another point which I would like to make is about the provision in section 15 which says:

"No court inferior to that of a Presidency Magistrate or a magistrate of the first class shall try an offence punishable under section 13."

Now, section 13 is a very simple section. It says:

"Whoever contravenes any of the provisions of this Chapter or of any rule made thereunder shall, in addition to any penalty to which he may be liable under the provision of section 11, be punishable with imprisonment which may extend to one year, or with fine which may extend to five hundred rupees, or with both."

So, under section 13 the punishment is only an imprisonment of one year or a fine of five hundred rupees. So, I do not see why the case should go to a Presidency Magistrate or a first Class Magistrate. Because, as has been narrated by some of my friends, these things are sold even in trains, even in fairs and melas. So, why should they be dragged a long dis-

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tance to a first class magistrate who is probably available only in the district headquarters?

**Mr. Deputy-Speaker:** The hon. Member should now conclude.

**Shri U. M. Trivedi:** I will conclude my arguments. My first point is that there is no need whatsoever to make any alteration in the penal clause. At the same time, there is a great necessity for making the proviso applicable to cosmetics also. So far as I am concerned, I will say that it was not necessary to put cosmetics along with drugs and create more complications than serving the public at large. If necessity for such a law has arisen, then it is a different matter. Now a necessity for such a law has not arisen. If one or two women suffer from dermatitis, it is not necessary that a law of this penal nature should be put on the statute book.

**Mr. Deputy-Speaker:** I am calling the Minister to reply at 4 O'Clock. So, I request hon. Members to be very brief.

**Shri C. K. Bhattacharyya (Raiganj):** It is not a fact, just as the previous speaker has stated, that only one or two women have suffered from the use of cosmetics. I have myself seen very renowned artistes suffering from skin diseases in their face by prolonged use of cosmetics and running from India to Europe for treatment of those particular diseases, sometimes with success and sometimes without success. So, it is necessary that there should be some check on the way the cosmetics are prepared and allowed to be sold in this country.

Another point which has been raised is that the use of cosmetics is not so prevalent in our country and these are not of much use in the villages. I have myself gone into the interiors of Naga Hills. Even in those interiors of Naga Hills I found cosmetics being sold on a large scale, al-

most on as large a scale as they are sold in the cities. I made enquiries as to how this could happen. I learnt that the women there had become particularly fond of those cosmetics and they would go to the urban areas, particularly to Kohima, to have things exchanged for cosmetics. So, it is not a fact that cosmetics are not much in use.

I was feeling very glad when I found my friend, Shri T. K. Chaudhuri taking interest in cosmetics; though he has not obliged the other sex by taking one as a partner, he has obliged them at least in the matter of having a check on the cosmetics that they use.

**Shri D. C. Sharma (Gurdaspur):** He is a noble man.

**Shri C. K. Bhattacharyya:** Yes, he is. Shri Khadilkar was telling us something about the use of cosmetics in our country. What I would particularly try to impress upon the Health Minister is that this difficulty in the use of imported cosmetics, or cosmetics made or prepared out of imported ingredients, can be avoided if we can revive the use of cosmetics according to Indian tradition. It is not a fact that we had no cosmetics. We had. We had almost a tradition in the use of those cosmetics. Shri Chaudhuri pointed out that the present Bill is designed on the names of an American Act. If that is so, then there must be some necessity of having the Bill modified, because the cosmetics as used there must be different from cosmetics as used in our country. Here we have a different tradition altogether. The question of traditions has been raised because Shri Khadilkar was telling us that women were in the habit of going out under false appearance. But, if the use of cosmetics were to be prevented on that ground, much of Indian poetry would lose its beauty and much of Indian

poetry would disappear, because much of it depends on how the cosmetics were used and how they are applied to beautify faces of a particular sex.

**Shri U. M. Trivedi:** Not adulterated?

**Shri C. K. Bhattacharyya:** In that there was no chance of adulteration, for Kalidasa says:

हस्ते लीलाकमलमलके बालकुन्दानुविद्धम्

नीता लीध्रप्रसररजसा पांडुतामानन श्रीः

the face was beautified with the pollens of Lodhra flowers. In that there is no chance of adulteration. You get things from the nature direct and use them directly. So, if we could revive our Indian tradition, if the hon. Minister with the help of the Minister of Culture can help to revive the Indian tradition in the use of cosmetics, much of the present difficulties would disappear. The hon. Minister of Culture might be helpful to the hon. Health Minister in this matter.

In the matter of paste, instead of snows and creams we have

काश्मीर कर्पूर-विलिप्तदेहा

That is how Todi Ragini is described.

तृषार-कुंदोज्ज्वल-देहयष्टि

The whole body is besmeared with *kashmir*, that is, *kumkum* and *karpur* mixed up together. She has besmeared her body with that. That is certainly more beautiful than all these cosmetics put together which are imported. I wish this tradition could be revived.

I may go further. You may put a different type of paste, namely,

चन्दन-अगरु-कुम्कुम Sandal, *agaru* and *kumkum* mixed up would give you a paste that would be much higher in quality and much helpful for health. These are not only pastes for use as cosmetics but these are helpful for the health of the body also.

**Shri D. C. Sharma:** What about Gurudev? I do not think he has praised cosmetics anywhere.

**Shri C. K. Bhattacharyya:** I believe, Shri D. C. Sharma was referring to Rabindranath Tagore. I wish he could read Tagore's compositions on these particular lines:

नीता लोध्रप्रसर रजसा पांडुतामाननश्रीः

how he had narrated his feelings about the lines that the poets have written.

**Shri U. M. Trivedi:** Shri Sharma does not know Sanskrit.

**Shri Warior:** Turmeric also is used.

**Shri C. K. Bhattacharyya:** My hon. friend, Shri Warior, goes to turmeric. That just suits the taste that he has cultured for himself in the way that he has developed his own philosophy. But my philosophy does not lead me to turmeric in order to find out cosmetics. My philosophy leads me to other things, like,

काश्मीर-कर्पूर-विलिप्तदेहा or

चन्दन-अगरु-कुम्कुम

My philosophy would lead to these ingredients. His philosophy would lead to turmeric.

**Shri Hari Vishnu Kamath:** He is a warrior !

**Shri C. K. Bhattacharyya:** So far as beauty culture is concerned, beauty culture depends not only on the use of cosmetics but it depends on something else. The poet definitely narrated that beauty culture would depend on the entire spiritual excellence shining through the face, not besmearing the face with particular type of cosmetics. That I would suggest to the persons who are interested in cosmetics so that their beauty might shine through their face, the beauty that lies within and not the beauty as prepared or as extolled with the help of extraneous elements.

बी बड़े (सारगोल) : उपाध्यक्ष महोदय, इस बिल का नाम तो ड्रग्स एमेंडमेंट बिल रखा गया है लेकिन इस की जो धारायें हैं, वे कास्मेटिक्स को ही एप्लीक करती हैं और इस वजह से इस पर यहाँ आपत्ति की जा रही है। कास्मेटिक्स श्रृंगार का साधन शुरू से ही रहा है। हमारे यहाँ जो आदिवासी हैं, जो प्रिमिटिव क्लानिस हैं, उन से ले कर बड़े से बड़े कास्मेटिक्स का इस्तेमाल करते हैं। प्रिमिटिव क्लानिस में घोड़ा छाप बीड़ी के लाल कवर को ले कर और उसका हाथ से मसल कर नया उसमें पानी मिला कर उसे मुँह तथा बदन पर लगाया जाता रहा है। जो कास्मेटिक्स हैं, ये अपर क्लानिस की श्रृंगार की वस्तुएं हैं। नीचे की क्लानिस से ले कर ऊँचा से ऊँचा क्लानिस तक में किसी न किसी रूप में श्रृंगार साधनों का उपयोग चलता रहा है और आज भी चल रहा है। इनको न केवल स्त्रियाँ ही बल्कि आदमी भी इस्तेमाल करते रहे हैं और करने हैं। इसमें कोई आश्चर्य की बात नहीं है। कास्मेटिक्स को ही रेगुलेट करने के लिए यह बिल शासन की तरफ से क्यों लाया गया है, यह मेरी समझ में नहीं आया है। साथ ही साथ इतनी देरी से लाने की क्या वजह है यह बात भी मेरी समझ में नहीं आई है। आपने इसमें लिखा हुआ है

"The question of regulating the manufacture of cosmetics was discussed at the last meeting of the Central Council of Health held at Jaipur in October, 1960."

१९६० में जयपुर में जो एक कॉन्फ्रेंस हुई थी सेंट्रल काउंसिल आफ हेल्थ की, उसने जो सजेशन किया था, जो रेजोल्यूशन पास किया था, उसको अमल में लाने के लिए आप यह बिल ला रहे हैं, ऐसा कहा गया है। मैंने रेजोल्यूशन नम्बर १० को देखा है जोकि इस प्रकार है :-

"The Council is of opinion that in order to safeguard the health

of the people suitable control should be exercised over the quality of toilet preparations including cosmetics. The practicability of such control being exercised by an amendment of the Drugs Act should be examined."

हमारे श्री कामथ साहब ने कहा है कि इसके पहले का जो रेजोल्यूशन नम्बर ६ है, उसको अमल में लाने का शासन ने आज तक प्रयत्न नहीं किया है। क्यों नहीं किया है, यह मैं नहीं कह सकता हूँ। यह रेजोल्यूशन इस प्रकार है :-

"The Central Council of Health having given careful thought to the present position with regard to the manufacture of all types of medicines, is unanimously of the opinion that time has arrived for measures being taken for the regulation and control of the manufacture, distribution and sale of all kinds of drugs, including ayurvedic, unani, homoeopathic, etc."

The Council considers that a beginning should be made immediately for the standardisation of the drugs through the preparation of separate Pharmacopoeias for these drugs. Until such time as adequate standards can be laid down and regulatory provisions evolved accordingly, the Council recommends that as preliminary steps, the following measures may be adopted:—

- (1) the manufacture should be carried out under hygienic conditions;
- (2) the raw materials used for the preparation of the medicines should be properly identified and tested;
- (3) the formula or the list of ingredients should be dis-

played on the label of every container.

The above may be achieved by suitable amendments of the Drugs Act, 1940."

ड्रग्स एक्ट के एमेंडमेंट को न ला करके केवल कासमैटिक्स के ऊपर जो छोटा सा रेजोल्यूशन है, ध्यान दे कर आप ठीक नहीं कर रहे हैं। आपने कहा है :

"Some amendment should be made and the quality of toilet preparations including cosmetics..."

इसके ऊपर कंट्रोल होना चाहिये और ये वस्तुएँ उतम ही बाजार में बिकनी चाहिये, इसको ही क्यों इस बिल में लाया गया है और इसका क्या कारण है, यह मंत्री महोदय बनलाने की कृपा करें। एक माननीय सदस्य ने कहा है कि इसमें बड़े बड़े कारखानेदारों की रक्षा करने की बात निहित है। क्योंकि उनको छोटे छोटे कारखानेदारों से कम्पीटीशन का सामना करना पड़ा रहा था, इस वास्ते उनको इस कम्पीटीशन से बचाने के लिए, यह एमेंडमेंट लाया गया है। चूँकि छोटे कारखानेदार अपने माल को सस्ता बेच लिया करते थे, और उनके सामने बड़े कारखानेदार टिक नहीं सकते थे, इस वास्ते बड़े बड़े व्यापारियों के हितों की रक्षा करने के लिए इसको यहाँ लाया गया है, ऐसी शंका होती है। यह बिल ड्रग्स एमेंडमेंट का जो प्रिम्बल है, उसके विरुद्ध आता है। वह प्रिम्बल इस प्रकार है :-

"An Act to regulate the import, manufacture, distribution and sale of drugs."

अब ड्रग्स का मीनिंग चैम्बरज डिकशनरी में इस प्रकार दिया हुआ है :-

"Any substance used in the  
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composition of medicine; a substance used to stupefy or poison."

इसमें कासमैटिक्स नहीं आते हैं। जब इसमें कासमैटिक्स नहीं आते हैं, तो यह चीज जुरिस्प्रूडेंस के भी विरुद्ध आती है। कासमैटिक्स का मीनिंग इस तरह से दिया गया है :-

"Purporting to improve beauty, especially that of the complexion."

ब्यूटी को इतक्रीज करने के जो हैं उनमें और ड्रग्स में बड़ा फर्क है। जो कुछ ड्रग्स एक्ट के प्रिम्बल में कहा गया है, उसके विरुद्ध जा कर कासमैटिक्स को इस एक्ट के अन्तर्गत लाना मैं कहता हूँ जुरिस्प्रूडेंस की हत्या करना है। जैसा कासमैटिक्स का डेफीनीशन दिया हुआ है, इसमें नहीं आता है। वह इस प्रकार दिया हुआ है :-

"'cosmetic' means any article intended to be rubbed, poured, sprinkled or sprayed on, or introduced into, or otherwise applied to, the human body or any part thereof for cleansing, beautifying, promoting..."

इसमें से सॉप एक्सक्लूड्ड है। टायलट्स को जब आप इसमें रखते हैं तो सॉप को क्या एक्सक्लूड्ड करते हैं। सॉप को एक्सक्लूड्ड करके बाकी कितना कासमैटिक्स का सामान है, लिपस्टिक है, पांमेड है, स्नो है, सर्बों को आपने इसमें शामिल कर दिया है। जो ड्रग्स एक्ट का प्रिम्बल है, उसको यदि पढ़ा जाए तो उसमें कासमैटिक्स आने नहीं है। जिस तरह में हार्म का अगर कोई डेफीनीशन करता है और उसको वह इस तरह से कर देता है

"'Horse' includes elephant's, monkeys and all these things."

उसी तरह से आप इसका डेफीनीशन कर रहे हैं। यह लूज डेफीनीशन है और

[ श्री बड़े ]

इस तरह के कानून का फायदा कोर्ट में लोगों को मिलता है। कुमकुम जो है, उसको हिन्दुओं में सौभाग्य की निशानी माना गया है। आपने इसको इसमें इनक्लूड किया है। जिस तरह से आपने साप को एक्स्क्लूड किया है, उसी तरह से आपको चाहिये था कि आप इसको भी एक्स्क्लूड करते। इस के साथ भस्म है, जो भस्म लगाई जाती है वह भी इस में से एक्स्क्लूड होना चाहिये because it is also besmeared. साधु लोग रहते हैं, हमारा यहां ५ लाख लोगों का साधु समाज है, वे भी अच्छे दिखने के वास्ते भस्म लगाते हैं गोपी चन्दन की। वह भी इस में आ जायेगा। इस लिये मैं कहता हूं कि इस की जो डेफिनिशन है वह बड़ी हास्यास्पद है।

पनिशमेंट के बारे में आप का कहना है कि चूंकि कॉस्मेटिक्स जो हैं उन में बहुत अडल्टरेशन हो रहा है इस लिये उस के लिये इस्ट्रिक्ट पनिशमेंट होना चाहिये। लेकिन ड्रग्स के अडल्टरेशन के वास्ते जो पनिशमेंट का सेक्शन है वह यह है।

"it should not be less than one year."

यानी बाध्य किया गया है कि यदि ड्रग्स का अडल्टरेशन हो तो एक साल को सजा देनी ही पड़ेगी। यह सेक्शन २७ में है। लेकिन अब जो कॉस्मेटिक्स के बारे में अमेंडमेंट लाया गया है इस में लैस वैन वन इअर, जैसा कोई प्राविजन नहीं है। उस में है:

"he may be awarded imprisonment for one year or fine or both".

ड्रग्स एक्ट में जो इस्ट्रिक्ट प्राविजन मैजिस्ट्रेट को डिस्क्रेशन देने का था कि

"he should give a sentence of at least one year".

उसे इस में कम किया गया है।

साथ साथ इस में इन्स्पेक्टर को पावर दी गई है कि वहीं इस मामले में काग्निजेन्स ला सकता है। इन्स्पेक्टर ही काग्निजेन्स लगा और वहीं कोर्ट में दाखिल करेगा तब मुकदमा चलेगा। इस में पुलिस के काग्निजेन्स लन की बात नहीं कही गई है। अगर शासन का उद्देश्य अच्छा होता, कॉस्मेटिक्स पर कुछ नियंत्रण लगान की इच्छा होती, तो इस में पुलिस काग्निजेन्स की बात होती। इस में रखा गया है कि इन्स्पेक्टर काग्निजेन्स लेकर कोर्ट में मुकदमा चलायेगा तब वह चलेगा। इस तरह से इन्स्पेक्टर कर्पट हो जाते हैं। ऐसी हालत में आप जितने कानून बनायेगा और जितने रस्ट्रिक्शन्स लगायेंगे उतना ही नीचे के स्तर पर कर्पशन बढ़े जायेगा। इन्स्पेक्टर के काग्निजेन्स की बात लिख कर बड़ी गड़बड़ी हो जायेगी।

Even if he remains absent for one day

मुकदमा खारिज हो जायेगा।

इस के साथ मैं यह भी कहना चाहता हूं कि जो ड्रग्स एक्ट है उस के साथ यहां पर दूसरा प्राविजन अडल्टरेशन एक्ट का लाया जाता तो ज्यादा अच्छा होता। यह जो कानून बनाया गया है वह बहुत लूज है आईनरी प्रिंसिपल आफ जूरिस्पुडेन्स के खिलाफ है। यह बहुत हस्टली कंसीडर विल हूं जो कि यहां प्रस्तुत किया गया है।

**Shri Gauri Shanker (Fatehpur):**  
Sir, I fail to understand how this Bill which is before us has been named as the Drugs (Amendment) Bill, I have gone through this Bill, and I find that there is absolutely no amendment in the parent Drugs Act. Only, 'cosmetics' has been added everywhere. So, if a separate subject is being added, and it is still called the Drugs (Amendment) Bill, I am surprised how it can be done like that. I find one thing. Our Government is in the habit of showing certain good things which they actually don't do but



which they intend to do. In the same manner, probably they want to show that they are undertaking this amendment of the Drugs Act. But actually we find that there is absolutely not an iota of amendment anywhere in the parent Drugs Act. So my first objection is that this should not be done in this manner, by the Drugs (Amendment) Bill. If the Government wants to legislate with regard to cosmetics, some separate Bill should be introduced for that purpose.

My second objection is this. It is a pity that the Government is thinking of legislating with regard to this cosmetics affair when, as has been pointed out, there is so much adulteration and adulteration has become the fashion of the day, not to say of drugs, but everywhere, in food, milk and other things. Everywhere we find that this adulteration is increasing, and there is absolutely no attempt being made to check it.

I agree with what Mr. Kamath has said that there should be deterrent punishment. But the unfortunate thing is that there is no machinery properly set up actually to check the adulteration. I find that the machineries which are at present doing it are not effective. So we have first of all to introduce effective machinery at least at every district level, if we are seriously thinking of doing away with adulteration.

As regards this cosmetics matter, most of the cosmetics are meant for external application. They would not be so much injurious to human health as adulterated food or spurious drugs are. So I think it would be better if the Health Ministry comes forward and introduces a comprehensive amendment to the parent Drugs Act.

Then again, as has been pointed out, this is against the preamble which has been given here. The cosmetics have nothing to do with drugs. These are two different subject-matters altogether, and they have got no con-

nection with each other. So, if you are introducing a different subject-matter, and you are giving in your preamble that you are amending the Drugs Act, I think it cannot stand legally also. So, if you look into your preamble and the parent measure which was passed, you will find that you are not in a position to bring this amendment which has been introduced in this House.

I would, of course appreciate and I would like that strict measures be adopted to check this over-growing adulteration. There are many cases, and I would point out just one case. I know of a very big businessman dealing in sweets and other things at Lucknow. 50,000 rupees worth of blotting paper was used in preparing rabi and balai which were consumed, by the public. And what happened? A case has been registered and he is being called upon to pay only a fine of some thousand rupees which has been imposed. That is no punishment at all. If they are earning thousands and lakhs of rupees and are called upon just to pay a few thousands, that would not remedy the evil.

So in this matter, as some of the Congress Members have also pointed out, it is very necessary for the Health Ministry, which is the custodian of the health of this nation, to bring such measures to see that we are able to check adulteration. It is really a great pity that even after fifteen years of Independence we are not able to get any pure drug in the market. Adulteration is increasing in every commodity, and I find that there is absolutely no measure ever contemplated by Government to really check such things.

I would not take much time. I would simply say this that the introduction of this Drugs (Amendment) Bill—I do not know how far the name itself is proper—but even with regard to its subject-matter, as I have pointed out, it is not going to give any relief. If the Government is seriously thinking of legislating about cosme-

[Shri Gauri Shanker]

tics, let them bring forward a separate Bill and this Bill, as has been introduced before the House, be withdrawn as it is the most ineffective Bill.

**Shri Warrior:** Sir, I want only to clarify the position when I interrupted my friend Shri C. K. Bhattacharyya by saying that turmeric can be used. It is not only a disinfectant but also a beautifying element which is used in South India at least, as I know, by women, especially at marriage times. Even the marriage invitation cards are pasted with turmeric paint. That is why, in all sincerity, I only wanted to add to what my friend Shri C. K. Bhattacharyya was saying. In India, even from the olden times not only women but men also have been using this beautifying material, especially on festive occasions and marriage occasions. So, there is nothing wrong in my view that our men and women are using them whenever occasion arises. Nowadays,

**Shri C. K. Bhattacharyya:** Is that only turmeric or turmeric mixed with oil? As we know, it is *tailaharidra*.

**Shri Warrior:** Turmeric without oil: with water or without water, as powder can be used. That is even considered as a sacred offering to Mother Kali.

In the speeches made here, mainly the attack was focussed on our womenfolk. I was wondering why this un-chivalrous spirit has pervaded this House so much. Nowadays, if you look at the college hostels of students—I mean male students—you will see that they are spending more time for make-ups than actually our girl students some air combs, some hair makes, and moustaches—it will take one hour for them in the morning to make it. Why all this attack against our women who, naturally, are not so immodest to attack men on this score. Simply they are not doing

that, we should not take advantage of that, and have such an attack on our womenfolk. They are naturally interested, not in attracting men, but in making men also happy. By natural, hereditary conviction, they thought that it is their duty not to go about ugly, dirty. They want to be tidy. They want to be beautiful. Not for their own sake; it is a sacrificial sentiment, for the happiness of menfolk especially. You enjoy everything like that and then in an August Assembly like this, come down with an attack upon them. This is most un-chivalrous—the unkindest cut of all.

**Dr. L. M. Singhvi (Jodhpur):** Sir, the gallant Warrior has turned into a veritable Aesthete.

**Shri Warrior:** Whether I use such expressions or not is not the main point. This is a very serious point. Many of us heard attacks on women in this House. I wanted just at least to minimise that.

Cosmetics is now becoming very prevalent in India not only in the urban areas, but even in the suburban areas. I am rather amazed at Shri Trivedi saying that he is not going to the barber shop. I do not know whether he is summoning the barber to his house for monthly hairdress. Go to a village barber shop. You will find Himalaya boquet, cuticura power and other things. This is not exclusive to the urban area. Even in suburban areas, even in the villages, it is coming. If it has not come in certain parts, it will surely come.

The difficulty is, here in India, this trade also is more or less monopolised by certain big houses like Lever Brothers or for that matter Tatas or some other people. They seem to have complete mastery, sway over this trade. That is they are always objecting to small manufacturers coming up in this trade as well as in so many other trades. As a matter of fact, in the adulteration of even

Vanaspati which had been pointed out by expert chemists of the Lucknow university or somewhere else, no action has been taken. It was impossible for the Government to take any action because these houses were more powerful than even all the coercive machinery of the Government. With regard to vanaspati, question after question have been put in the Lok Sabha.

**Mr. Deputy-Speaker:** His time is up; he need not go to vanaspati.

**Shri Warrior:** I will come to drugs: from food to drugs.

**Mr. Deputy-Speaker:** He must finish now.

**Shri Warrior:** This is a very important matter. When these big houses are doing this business, we cannot take any proper action to curb their nefarious activities. It is the small holders who are going to suffer. That is the main objection. No penal clause should be added to the Penal Code without giving sufficient guarantee of protection to the small holders and small manufacturers, not only of cosmetics, but all other substances. Hence, this Bill will only help more corrupt practices as far as the coercive machinery of the Government is concerned and more coercion to the small manufacturers and protection to the big holders. At the same time, the people will not be protected.

**Dr. Melkote (Hyderabad):** Mr. Deputy-Speaker, I shall be extremely brief. There are only three points that I would like to press for the consideration of the House. People have expressed some romantic sentiments. But, the point is whether this House would welcome some kind of quality control with regard to the manufacture of cosmetics. That is the main point for consideration. So far as quality control is concerned, I am sure this House would agree that there should be quality control. I will certainly give all the support that I could give so far as this Amending Bill is concerned.

There are some objectionable features with regard to this which I would like to place before the House for consideration. They are two in nature. One is with regard to the opinions expressed by the officials themselves. During the tour of the Health survey and Planning committee in the various States—I happened to be one of the members—we went round and collected evidence. The officials themselves said that the implementation machinery is woefully lacking. When we pass an Amending Bill like this in this House, it may look perfectly all right, from the point of view of the Government that they have done something of a very reasonable nature. But, this House would like to know whether the Government has sufficient machinery, even as it is, without this amendment being brought in, to examine the spurious nature of so many drugs and so many other things in the country. So far as cosmetics are concerned, they have been manufactured galore by manufacturers. If, as it is, you are not able to implement the Act that is in force, I do not see how by enlarging the scope of this Act, you can work it properly. So far as the objective is concerned, it is perfectly right. But the Government has not given the answer that they are going to increase the implementing machinery sufficient to be able to cope with the work.

The third point is this. There are two aspects of the case: (i) cosmetics prepared by chemicals and (ii) cosmetics generally used in India, which do not conform to the type of chemicals that are used in western countries. If this is going to hit at the cosmetics that have been manufactured in India and that have been in use for a long time, it would be going beyond the scope of the Bill. How are they going to analyse these things. To what extent they would be in a position to assess and to what extent there will be regard for the use of Indian and European type of cosmetics—about these, there has been no clarification. If that clarifi-

[Dr. Melkote]

cation is coming in, and if we are assured that there should be sufficient implementing machinery, I would personally say that this is a very welcome Bill and it should be approved.

**Dr. D. S. Raju:** Mr. Deputy-Speaker, I am grateful to hon. Members for the very valuable contributions they have made to the discussion on this Bill which is before the House.

Mainly, their objections and their criticisms have been levelled against certain aspects with which I would like to deal. I am glad that Members have not taken objection to the use of cosmetics as such. I am glad that most of the Members have accepted the necessity or utility of some of the cosmetics. It has become perhaps our way of life, and a part of our culture. Therefore, these could not be avoided. Actually, the objection that could be raised is to the part that they play in injuring health. As has been mentioned earlier, cosmetics, when they are adulterated, do cause injury to health. But, to label these injuries in the same category as drug poisoning or food poisoning will be going too far. We have had cases of dermatitis, some mild ulcers of the lips and some allergic manifestations due to the use of cosmetics. But these cannot be classified on the same footing as drug poisoning or food poisoning. Drug poisoning and food poisoning are quite different, they could cause death, they are much more lethal and much more poisonous. But cosmetics as such have not produced such serious deleterious effects as might endanger life.

16 hrs.

That is the reason why so far as the punishment is concerned, it has been limited to one year's imprisonment and/or Rs. 500 fine for the first offence under the provisions of the Act as applied to cosmetics which

come under its purview. Apart from that, this is the first time when we are bringing cosmetics within the purview of this Act.

As soon as this Act is enforced, the manufacturers have got to obtain licences. That means that they have got to employ technical personnel, they have got to have clean surroundings, they have got to have standard equipment for manufacturing these cosmetics and so on. So, the very fact that we are making it incumbent on them to obtain a licence would bring in all those changes which are material to improving the quality of the cosmetics. As and when we find that the provisions of this Act are inadequate, we shall come forward with provision for greater and deterrent punishment. But, for the time being, we feel that this punishment of one year's imprisonment and/or fine of Rs. 500 is adequate enough to prove as a deterrent.

**Shri Hari Vishnu Kamath:** Not at all.

**Dr. D. S. Raju:** Then, some hon. Members have stated that there is no adequate machinery to deal with the crimes under this Act, but I would like to point out that under the provisions of the Drug Control Act, we have quite a number of drug inspectors; we have about 108 drug inspectors all over the States, whose duty it is to go and get samples at very odd hours and at odd moments; they have got the liberty to visit any manufacturing premises they like.

**Shri Hari Vishnu Kamath:** Are they trained in cosmetics also? Will they be trained in cosmetics also?

**Dr. Melkote:** May I know how many such factories are there manufacturing such things?

**Dr. D. S. Raju:** I am talking about the machinery that is already there in the country to implement the pro-

visions of the Act as it applies to cosmetics. The drug inspectors are there, and they can go and collect samples and get them examined at the various laboratories which are there in the country; there is one drug laboratory at Calcutta, there is another at Lucknow, and there is a third one at Bombay, and another one is going to come up in, I think, Gujarat. So, there are already laboratories where the drugs and cosmetics can be examined and identified.

There is also the recent provision which has been made, that the Central Government can increase the number of analysts and also drug inspectors, as and when the occasion arises. Some hon. Members have stated that there is no adequate staff. That is why I am mentioning this and saying that there is already provision in the Drugs Act for increasing the number of analysts and drug inspectors.

Now, there is a technical advisory board. I can understand that now there are no standards laid down for cosmetics. But, the technical advisory board will lay down the standards for these cosmetics. So, that difficulty also will be removed.

**Dr. M. S. Aney** (Nagpur): Will the hon. Minister tell us whether additional staff, such as inspectors and others, are going to be appointed for the purpose of carrying out the provisions of this Act?

**Dr. D. S. Raju**: Additional analysts can be appointed, and the Central Government are authorised to appoint them.

**Dr. M. S. Aney**: But money is not provided for in the budget anywhere.

**Dr. D. S. Raju**: As and when necessary, probably we can ask for some more money later on.

**Shri Warrior**: No financial memorandum has been added to the Bill which

has come to us as passed by Rajya Sabha. But the memorandum which had been appended to the Bill as it was introduced in Rajya Sabha shows that you have financial provisions for additional inspectors and others.

**Dr. D. S. Raju**: Under the provisions of the Drug Act, we have got staff, and we have got the power to appoint additional staff whenever necessary. So, there is no extra machinery required for cosmetics.

A suggestion has also been made that this Bill should be referred to a Select Committee. It is felt by Government that the Bill involves only minor amendments. That is why a Select Committee is not considered necessary. If any occasion arises, and if the circumstances demand that this measure should be widened and made more comprehensive, then, we shall come forward with a request to refer the Bill to a Select Committee. But, at this stage, we feel that a Select Committee is not necessary.

These are some of the main objections which have been raised by hon. Members. Of course there are one or two minor points which have been raised by Shri Hari Vishnu Kamath. He raised a point about vermin.

**Shri Hari Vishnu Kamath**: That will come in the course of the amendments. But what about the proviso to section 10?

**Dr. D. S. Raju**: I think I have touched upon the main objections raised by hon. Members and I do feel after listening to the speeches of hon. Members that they have directly or indirectly supported the Bill.

**Shri Prabhat Kar**: The only thing is that it is inadequate.

**Dr. D. S. Raju**: So, I request hon. Members to pass this Bill.

**Mr. Deputy-Speaker**: I shall now put the amendment moved by Shri Tridib Kumar Chaudhuri to vote.

[Mr. Deputy-Speaker]

The question is:

"That the Bill further to amend the Drugs Act, 1940, as passed by Rajya Sabha, be referred to a Select Committee consisting of 11 Members, namely Dr. R. Banerji, Shri Priya Gupta, Shri Jaipal Singh, Shri Hari Vishnu Kamath, Shri Harish Chandra Mathur, Shri N. Sreekantan Nair, Dr. Saradish Roy, Pandit K. C. Sharma, Shri Sinhasan Singh, Shri K. K. Warior, and Shri Tridib Kumar Chaudhuri, with instructions to report by the last day of the first week of the next Session."

16.07½ hrs.

[MR. SPEAKER in the Chair]

Shri C. K. Bhattacharyya: My hon. friend Shri Tridib Kumar Chaudhuri is a confirmed bachelor, but he is so much interested in cosmetics that he wants a division on this.

Division No. 9]

16.08 hrs.

The Lok Sabha divided

Shri J. N. Hazarika (Dibrugarh): My machine did not work. I am for 'Noes'.

Shri N. P. Yadav (Sitamarhi): My machine also did not work. I am for 'Noes'.

Shri Gahmari (Ghazipur): My machine also did not function. I am for 'Noes'.

Shri Arunachalam (Ramanathapuram): My machine also did not work. I am for 'Noes'.

An Hon. Member: My machine did not operate. I am for 'Noes'.

Shri Bade: My machine was not in order. I am for 'Ayes'.

Dr. L. M. Singhvi: My machine also did not work. I am for 'Ayes'.

Shri Gokaran Prasad (Misrikh): My machine did not work. I am for 'Ayes'.

16.08 hrs.]

## AYES

Bade, Shri  
Badrudduja, Shri  
Berwa, Shri  
Bhawani, Shri  
Chaudhuri, Shri Tridib Kumar  
Dasaratha Deb, Shri  
Gauri Shankar, Shri  
Gokaran Prasad, Shri  
Gupta, Shri K. R.  
Jaipal Singh, Shri  
Kachhavaiya, Shri

Kamath, Shri Hari Vishnu  
Kar, Shri Prabhat  
Karjee, Shri  
Mahato, Shri Bhajahari  
Marandi, Shri  
Mehta, Shri Jashvant  
Misra, Dr. U.  
Mohan Swarup, Shri  
Muzaffar Husain, Shri  
Nair, Shri Vasudevan

Pandey, Shri Sarjoo  
Rajaram, Shri  
Roy, Dr. Saradish  
Shastri, Shri Prakash Vir  
Singh, Shri Y. D.  
Singhvi, Dr. L. M.  
Soy, Shri H. C.  
Suraj Lal, Shri  
Vishram Prasad Shri  
Warior, Shri

## NOES

Achal Singh, Shri  
Aney, Dr. M. S.  
Ankineedu, Shri  
Arunachalam, Shri  
Bakliwal, Shri  
Balakrishnan, Shri  
Banerjee, Dr. R.  
Basumatari, Shri  
Bhakt Darshan, Shri  
Bhanja Deo, Shri L. N.

Bhargava, Shri M. B.  
Bhathar, Shri  
Bhattacharyya, Shri C. K.  
Brajeshwar Prasad, Shri  
Brij Basi Lal, Shri  
Brij Raj Singh-Kotah, Shri  
Chakraverti, Shri P. R.  
Rhanda, Shrimati Jyotsna  
Chandak, Shri  
Chandrasekhar, Shrimati ]

Chaturvedi, Shri S. N.  
Chaudhry, Shri C. L.  
Chaudhuri, Shri D. S.  
Chavan, Shri D. R.  
Chavda, Shrimati  
Chettiar, Shri Ramanathan  
Das, Shri B. K.  
Dass, Shri C.  
Deshmukh, Shri B. D.  
Deshpande, Shri

Dhuleshwar Meena, Shri  
 Dube, Shri Mulchand  
 Dubey, Shri R. G.  
 Gahmari, Shri  
 Gajraj Singh Rao, Shri  
 Hanumanthiah, Shri  
 Harvani, Shri Ansar  
 Hazarika, Shri J. N.  
 Hem Raj, Shri  
 Iqbal Singh, Shri  
 Jadhav, Shri M. L.  
 Jadhav, Shri Tulshidas  
 Jagjivan Ram, Shri  
 Jedhe, Shri  
 Jena, Shri  
 Jyotishi, Shri J. P.  
 Kadadi, Shri  
 Kambale, Shri  
 Kanakusnhai, Shri  
 Khadilkar, Shri  
 Kindar Lal, Shri  
 Kotaki, Shri Liladhar  
 Kripa Shankar, Shri  
 Kureel, Shri, B. N.  
 Lakshminanthamma, Shrimati  
 Lalit Sen, Shri  
 Laskar, Shri N. R.  
 Luxmi Bai, Shrimati  
 Mahadeo Prasad, Shri  
 Mahadeva Prasad, Dr.  
 Mahtab, Shri  
 Maheshdatta, Shri  
 Mandal, Shri Y. P.  
 Maruthiah, Shri  
 Mathur, Shri Harish Chandra  
 Mehrotra, Shri B. B.  
 Melkote, Dr.

Minimata, Shrimati  
 Mirza, Shri Bakar Ali  
 Mishra, Shri Bibhuti  
 Mohanty, Shri G.  
 Morake, Shri  
 More, Shri K. L.  
 More, Shri S. S.  
 Muthiah, Shri  
 Naidu, Shri V. G.  
 Naik, Shri D. J.  
 Naik, Shri Maheshwar  
 Nehru, Shri Jawaharlal  
 Niranjan Lal, Shri  
 Oza, Shri  
 Paliwal, Shri  
 Pandey, Shri Vishwa Nath  
 Pann Lal, Shri  
 Paramasivan, Shri  
 Patel, Shri Chhotubhai  
 Patel, Shri N. N.  
 Patel, Shri P. R.  
 Patel, Shri Rajeshwar  
 Patil, Shri D. S.  
 Patil, Shri M. B.  
 Patil, Shri T. A.  
 prabhakar, Shri Naval  
 Pratap Singh, Shri  
 Raghunath Singh, Shri  
 Raju, Shri D. B.  
 Raju, Shri D. S.  
 Ram Subhag Singh, Dr.  
 Rananjai Singh, Shri  
 Rane, Shri  
 Ranga Rao, Shri  
 Rao, Dr. K. L.  
 Rao, Shri Krishnamoorthy

Rao, Shri Thirumala  
 Ray, Shrimati Renuka  
 Reddiar, Shri  
 Reddy, Shrimati Yashoda  
 Roy, Shri Bishwanath  
 Sahu, Shri Rameshwar  
 Samanta, Shri S. C.  
 Samnani, Shri  
 Saraf, Shri Shyam Lal  
 Sen, Shri P. G.  
 Shah, Shri Manabendra  
 Sharma, Shri Shri A. P.  
 Sharma, Shri D. C.  
 Sharma, Shri K. C.  
 Shashi Ranjan, Shri  
 Shastri, Shri Romanand  
 Sheo Narain, Shri  
 Shree Narayan Das, Shri  
 Siddanajappa, Shri  
 Singh, Shri D. N.  
 Singh, Shri K. K.  
 Singha, Shri Y. N.  
 Sinha, Shri Satya Narayan  
 Subbaraman, Shri  
 Subramaniam, Shri C.  
 Sumat Prasad, Shri  
 Tahir, Shri Mohammad  
 Thirumala, Shri  
 Tiwary, Shri D. N.  
 Tiwary, Shri R. S.  
 Tula Ram, Shri  
 Tulmohan Ram, Shri  
 Upadhyaya, Shri Shiva Dutt  
 Varma, Shri Ravindra  
 Verma, Shri B.  
 Yadab, Shri N. P.

**Mr. Speaker:** The result of the Division is: Ayes 31; Noes 139.

*The motion was negatived.*

**Mr. Speaker:** The question is:

"That the Bill further to amend the Drugs Act, 1940, as passed by Raya Sabha, be taken into consideration".

*The motion was adopted.*

**Mr. Speaker:** The question is:

"That clauses 2 and 3 stand part of the Bill".

*The motion was adopted.*

*Clauses 2 and 3 were added to the Bill.*

**Shri Hari Vishnu Kamath:** I beg to move:

(i) Page 1, line 19, after "Component of" insert—"any". (3).

(ii) Page 1,—after line 19, add—

"(b) in sub-clause (ii) of clause (b) for the word "vermins", the word "vermin" shall be substituted". (5).

May I say straightway that I am opposed to the definition of the word 'cosmetic' as laid out in this Bill? Unfortunately, for lack of time, I could not devise a better definition for the word 'cosmetic'.

**Mr. Speaker:** He is only opposed to the definition and not to cosmetics.

**Shri Hari Vishnu Kamath:** I have got an amendment also. The basic, fundamental objection to the definition is this. I am convinced that the definition of 'cosmetic' as something which cleanses, beautifies and

[Shri Hari Vishnu Kamath]

promotes attractiveness is philosophically and fundamentally wrong. Unless this is accompanied by some sort of inner process,—inner cleanliness,—no amount of cosmetic can beautify or cleanse a person.

**Mr. Speaker:** We should discuss legislation and not philosophy.

**Shri Hari Vishnu Kamath:** You know very well that philosophy is the basis of all laws.

Anyway, my amendment is a verbal amendment which I seek to insert, namely, the word 'any' after 'component of'. The clause as it stands reads: 'includes any article intended for use as a component of cosmetic'. If my amendment is accepted by the House, it will read as follows:

'includes any article intended for use as a component of any cosmetic'.

I think it is better English. I do not know whether the Minister will accept it, but I am sure the House will, even if the Minister does not. The House will compel the Minister to accept it.

**Shri Bade:** I beg to move:

Page 1, line 19, add at the end—

"Kumkum, ash, mendi, kajal and all other articles which are used or applied at the time of religious or social functions". (4).

माननीय अध्यक्ष जी, इस बिल में "कास्मेटिक" की यह डेफिनिशन की गई है :—

"Cosmetic" means any article intended to be rubbed, poured, sprinkled or sprayed on, or introduced into, or otherwise applied to, the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and includes any article intended for use as a component of cosmetic . . .".

और उस के आखिर में यह कहा गया है :—

'but does not include soap'.

मैं ने यह अमंडमेंट दिया है कि इस के आगे यह ऐड कर दिया जाय :—

"Kumkum, ash, mendi, kajal and all other articles which are used or applied at the time of religious or social functions".

इस का कारण यह है कि मैरिज आदि सोशल तथा रिलिजस फंक्शन्स के अक्सर पर मेहंदी इज आलवेज एप्लाइड, काजल इज आलवेज इप्लाइड एंड कुमकुम इज स्मोयर्ड आन दि हेयर।

**Dr. M. S. Aney:** Why not exclude haridra?

**श्री बड़े :** इस में सोंप को इन्क्लूड नहीं किया गया है। सोंप एक कास्मेटिक है, लेकिन उस को एक्स्क्लूड किया गया है। मैं चाहता हूँ कि इस के साथ ही साथ हिन्दू शास्त्रों के अनुसार सौभाग्य के लिए स्त्रियाँ जो चीजें लगाती हैं, उन को भी एक्स्क्लूड कर देना चाहिए। रिलिजन फंक्शन्स पर जो आयंटमेंट प्रयोग में लाए जाते हैं, वे आज-कल बाजार में तैयार मिलते हैं। घर की औरतों के लिए उन को कूट कर तैयार करना मुश्किल होता है। इसलिए बम्बई और इन्दौर में वे बाजार में तैयार मिलते हैं। डेंट इज ऐन आयुवेदिक प्रैपरेशन। वह एक होमली प्रैपरेशन है। दीवानी के जो एक प्रैपरेशन तैयार होता है, जिस को मराठी में उवटना कहते हैं। इसी प्रकार एक तरह का सुगन्धित पाउडर भी लगाया जाता है। उन सब वस्तुओं को एक्स्क्लूड कर देना चाहिए। "कास्मेटिक" की डेफिनिशन इतनी वाइड कर दी गई है कि उस में उन चीजों को इन्क्लूड कर लिया गया है, जो रब, पोर, स्प्रिंकल या स्प्रे की जाती हैं। मैं चाहता हूँ कि कुमकुम, मेहंदी और काजल आदि को भी एक्स्क्लूड करना चाहिए।



मैं आशा करता हूँ कि मन्त्रालय मंत्री मेरी इस  
अमेन्डमेंट को मन्जूर कर लेंगे ।

**Shrimati Yashoda Reddy:** May I just say that sindoor is not a part of cosmetics? Kumkum is not considered as a cosmetic in parts of South India. It is a part of the religious custom of Hindus to use it in marriages. It is not a cosmetic. That should also be excepted, apart from the question of whether he is accepting it or not accepting it.

**Shri Bade:** I have included Kumkum in the exceptions.

**Mr. Speaker:** He has included it in the exceptions.

**Dr. D. S. Raju:** It has been found that in certain cases Kumkum also contained toxic substance. So also in the case of certain preparations of kajal, they were found to contain certain poisonous substances.

**Shri Hari Vishnu Kamath:** What about my amendments?

**Dr. D. S. Raju:** No, I am not accepting them.

**Mr. Speaker:** May I put all the three together?

**Shri Hari Vishnu Kamath:** Separately.

**Mr. Speaker:** The question is:

Page 1, line 19, after 'component of' insert "any". (3).

*The motion was negatived.*

**Mr. Speaker:** The question is:

Page 1, line 19,—add at the end—

"Kumkum, ash, mendi, kajal and all other articles which are used or applied at the time of religious or social functions." (4).

*The motion was negatived.*

**Mr. Speaker:** The question is:

Page 1, after line 19, add—

'(b) in sub-clause (ii) of clause (b) for the word "vermins",

the word "vermin" shall be substituted." (5).

**Shri Hari Vishnu Kamath:** I would like to say something on this. There need not be voting and division on this. It is so simple. If a dictionary can be brought you will find that "vermin" has no plural as "vermins". That is hopelessly bad English.

**Mr. Speaker:** Then it is for the Minister to accept.

**Shri Hari Vishnu Kamath:** He knows English, all right, but we may bring a dictionary. The dictionary will support the amendment. There is no word as "vermins" at all. "Vermin" for singular and plural is the same word.

**Mr. Speaker:** Both mean the same thing.

**Shri Hari Vishnu Kamath:** But there is no word like "vermins".

**Dr. D. S. Raju:** There is in the Oxford Dictionary, the bigger dictionary.

**Shri Hari Vishnu Kamath:** Here if we have got a dictionary . . .

**Mr. Speaker:** Can I order him to bring a dictionary to me and decide it? It is for the House.

**Shri Hari Vishnu Kamath:** May I submit that it is up to you, that you are the custodian here of the rights of the House, and you are very well versed in these matters. On this simple matter if you give a ruling that "vermins" is wrong English, not merely wrong but absurd English, it is ridiculous, it is not English at all, . . .

**Mr. Speaker:** Order, order. It depends upon the House. I cannot give myself as much credit as has been given to me by Shri Kamath. I would rather submit to the superior judgment of the House. They have heard the arguments on both sides. So, I leave it to the House.

**Shri Hari Vishnu Kamath:** It is a matter of getting a dictionary. It is a question of the English language.

**Mr. Speaker:** Dictionary English is also to be decided by the House because they can frame bad laws as well as good laws, whatever they like. It is for the House to decide.

Now I will put the question.

**Shri Prabhat Kar:** We cannot make a word that is not in the dictionary.

**Shri Hari Vishnu Kamath:** It is not English.

**Mr. Speaker:** It is for the House to reject it. I cannot pronounce judgment that it is not English. It will ultimately be the House that would decide it. Even constitutional propriety is decided by the House.

**Shri Priya Gupta:** It is regarding the meaning of a word.

**Mr. Speaker:** Meaning of words also. Arguments have been given on both sides. The House has heard it.

**Shri Hari Vishnu Kamath:** May I ask one thing? If the word "mans" instead of "men" appears in a Bill, suppose the Minister supports "mans", would you allow it?

**Mr. Speaker:** That is a different thing.

**Shri Hari Vishnu Kamath:** Man—men; vermin—vermin.

**Shri Khadilkar:** What is the exact amendment, we do not know, and his arguments we do not follow.

**Shri C. K. Bhattacharyya:** According to English grammar, the word "vermin" is always plural, it does not require the addition of an "s", it is always plural.

**Dr. D. S. Raju:** That is wrong, Sir.

**Mr. Speaker:** The Minister has heard it. What is his reaction? All round it is being felt that "vermin" is plural in itself and it does not require an "s" after it. What is his reaction then?

**Dr. D. S. Raju:** It is used in both plural and singular according to the Oxford big dictionary. It is given

there. It can be used both as singular and plural.

**Mr. Speaker:** Then I put the question to the House.

The question is:

Page 1, after line 19, add—

'(b) in sub-clause (ii) of clause (b) for the word "vermins", the word "vermin" shall be substituted.' (5)

**Shri Priya Gupta:** On a point of order, Sir.

**Mr. Speaker:** That I have no right to put it to the House? That is the only thing that is before the House now. What is that the hon. Member wants?

**Shri Priya Gupta:** The point of order is whether the word "vermin" having its origin in English language, and the meaning of the word having been accepted to be the meaning given by the English i.e. in plural, we can derive any other meaning out of that? Has the House got this extraterritorial jurisdiction to change the meaning thereby?

**Mr. Speaker:** There is no question of the House having any extra-territorial jurisdiction in this respect, but I being an Indian and not an Englishman, I put to all other Indians here present to interpret it as they like.

The question is:

Page 1, after line 19, add—

'(b) in sub-clause (ii) of clause (b) for the word "vermins", the word "vermin" shall be substituted.' (5)

Those in favour will say "Aye".

**Some Hon. Members:** Aye.

**Mr. Speaker:** Those against will say "No".

**Some Hon. Members:** No.

**Mr. Speaker:** The "Noes" have it.

**Shri Hari Vishnu Kamath:** The "Ayes" have it. It is bad English, it goes against the grain.

**Mr. Speaker:** He cannot argue on merits now. If he wants to challenge a division, I am prepared.

**Shri Hari Vishnu Kamath:** Yes, Sir.

**Mr. Speaker:** Let the lobbies be cleared.

In the first instance, it was rather out of order, the amendment itself, because that sought to amend the parent Act, and not the amendment that was before the House. The amending Bill was not being amended here. There was nothing. It was not ancillary that it should be amended. But anyhow, now that it has been admitted and we have gone so far I would not rule it out. But when I saw it I found that it was quite in a different sub-clause of that clause and it is not being sought to be amended in the Bill.

**Shri S. S. More (Poona):** May I make a submission? If it is *ipso facto* out of order can we take it in a mistaken way? Then it is likely to be one of the precedents which will be binding.

**Shri Dasappa (Bangalore):** Cannot a point of order be raised at any stage?

**Mr. Speaker:** The difficulty is this.

**Shri Dasappa:** Before the final voting has taken place a point of order can be raised.

**Mr. Speaker:** The difficulty is this. It has been held as not out of order because the voting also has taken place. We have gone so far. Now we have almost accepted that it is not out of order.

**Shri S. S. More:** The final seal of approval of the House is not yet given as far as that amendment is concerned. Under certain wrong impressions

we took this particular course and have reached this stage. I was trying to read the Bill and find out where the word 'vermins' has been used which is sought to be amended but I could not find it out and I thought it was my mistake. Therefore, at this late hour, when the right of my raising a point of order has not yet ceased, I am raising this point and I say that it is out of order. If an out of order amendment is accepted for amendment, the risk is that your ruling is likely to be a precedent and we shall, so to say, be opening the doors for chaos to come in when we shall be discussing so many Bills. So many past rulings are also there that the principal Act cannot be amended like this.

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** If the point has been raised and if you had given a ruling that it is not out of order, then perhaps it cannot be raised again. But when the matter has not been raised and is being raised for the first time at particular stage, I submit it is open to you even now to consider whether it is out of order or not and then give your ruling.

**Shri Tridib Kumar Chaudhuri:** I was just trying to point out to you that in this House, in the previous Parliament, that is, in the first Parliament, if I remember aright, there is a precedent when the parent Act, some portions of the Preventive Detention Act were amended; Government agreed to the parent Act also being amended.

**Mr. Speaker:** That is a different thing.

**Shri Priya Gupta:** On a point of explanation, Sir. Let it be verified whether in the original print of this Act it was singular or plural, with 's' or not. We might have reprinted it here; it may be a compositor's or proof reader's mistake.

**Shri C. K. Bhattacharyya:** May I submit one point, Sir? Even the

[Shri C. K. Bhattacharyya]

Highest Courts revise their own judgements. When they find that it has proceeded on a wrong basis, it is done. If you, Sir, as a presiding officer of this august House think that anything that you have stated or ordered has proceeded on a wrong basis you yourself might review your own order.

**Shri Hari Vishnu Kamath:** Sir, I will submit two points for your consideration.

First, when the principal Act is sought to be amended, then any section of that Act is sought to be amended, when the whole section is open to amendment by the House. When a sub-section of the old Act is sought to be amended by the Treasury Benches, any part of that sub-section can be amended by the House also.

Secondly, I invite your attention to rule 367 of our Rules, regarding division. Sub-rule 3 of Rule 367 that is on page 155—relates to this. We have reached that stage now, as adumbrated in sub-rule (3) of rule 367. It says:

"If the opinion of the Speaker as to the decision of a question is challenged, he shall order that the Lobby be cleared."

That you have done, Sir, now. The House has reached that stage under your orders. Now, at that stage, what have we to do? The next sub-rule, 367(3)(b) reads:

"After the lapse of two minutes he shall put the question."

What is enjoined upon the Speaker? He 'shall' put. There is no other question that arises now.

"...he shall put the question a second time and declare whether in his opinion the 'Ayes' or the 'Noes' have it."

So, Sir, you have no option before you, and you have got to put it to the vote of the House.

**Dr. M. S. Aney:** Under the provisions of the procedure a review of the order can be asked for under certain conditions. You are a lawyer, Sir, and many hon. Members are also lawyers here. After the first order has been given on a certain consideration, if a new point arises or if new material that was not available originally but discovered subsequently becomes available, on the basis of that a review can be asked for. The hon. Members who have made these points have shown that we are proceeding under the assumption that this word also is somewhere in the Bill which is under consideration. Now we find that it is not in the Bill that is under consideration but it is only in the parent Act. So, this is a new material that has been discovered and if you think that it is proper material you can order a review of the order in spite of what has been done.

**Shri S. S. More:** The argument which Shri Kamath is now advancing citing certain rule is fallacious and deceptive, if I can use those two words. The rule has been framed on the assumption that the procedure followed up to that stage has been legally valid and correct. If there is some *ab initio* difficulty, if it is an inherently wrong proposal and it has been taken up, I should think the Speaker has all the powers to correct the procedure.

**Shri Mulchand Dube** (Farrukhabad): Clerical mistakes can always be corrected without reference to the House. It is a case of a clerical mistake.

**Mr. Speaker:** The first thing is, there is no clerical mistake. I would point this out to Shri Dube that it is not a question of any mistake having occurred which we can call only a technical mistake or a clerical mistake. Therefore, there is no question of correcting it.

The second thing that has been brought to my notice by Shri Kamath is this. We have reached a stage from where we cannot retract and the Speaker has necessarily to proceed under Rule 167(3). That also has no basis at all. Because, if I am going on in these stages, then everything proceeds as contemplated. Then only I must go on. That is the procedure laid down as to how I should proceed. Then I have to go further. It is not that if the basis is taken out and the ground is wrong, then also necessarily I am bound to go further. So far as that is concerned, when it was challenged then alone I can see. When I saw the amending Bill there was no mention of this word. I was trying to discover where the word was which Shri Kamath was trying to amend. Then I looked into the original Act and found that it was the other sub-clause that was not sought to be amended here. Shri Kamath as also some other hon. Member had said that when one clause is sought to be amended, when one section is sought to be amended, then some other clause of the Act or section is necessarily open for amendment. That is not so. If it is ancillary, if it is dependent on that and if it follows as a consequence, certainly that is open to amendment. Not all the clauses of a section become open to amendment if an amending Bill only seeks to amend one part of that section. Therefore, it is not necessary.

Moreover, I find Shri Kamath himself argued and Shri Priya Gupta also said that this was a foreign language. Probably the previous Act was passed by the English themselves. They were here; they had better judgment. We need not enquire into that.

Legally also, I hold that this cannot be amended under this amendment when the amending Bill does not refer to it. Therefore, there is no need to go on with that and it is held out of order.

**Shri Hari Vishnu Kamath:** You retain bad English.

**Mr. Speaker:** There may be many Acts.... (Interruptions). Order, order. Now, I shall put the clause to the vote of the House. The question is:

"That clause 4 stand part of the Bill."

*The motion was adopted.*

*Clause 4 was added to the Bill.*

*Clauses 5, 6 and 7 were added to the Bill.*

**Clause 8—(Amendment of section 10)**

**Shri Hari Vishnu Kamath:** I beg to move:

Page 3, line 15, for "ingredient" substitute "component". (8)

The clause as it stands, and as it is before the House, reads as follows:

"any cosmetic containing any ingredient which may render it unsafe or harmful for use under the directions indicated or recommended;"

Here is the word "any" which the Minister refused to accept in the case of clause 4. Anyway, let him have his own way; I will not bother.

In regard to the present amendment, I would like to say that the word "component" has been used by the Minister himself in clause 4, where it is said: "...and includes any article intended for use as a component of cosmetic...." etc. Please see line 19 at page 1. There, he has used the word "component" and not "ingredient". So, in one place he has used the word "component" and in another he has used the word "ingredient". This is not happy, legally speaking. Often there have been legal difficulties before courts of law in regard to the terminology. Unless you use the same terminology or phraseology, there will be difficulties. You Sir, having been an eminent judge, are well aware what difficulties this could

[Shri Hari Vishnu Kamath]

create. Therefore, it is necessary and desirable that the same word and the same nomenclature is employed throughout an Act. When you say "component" in one section, it is not desirable to use the word "ingredient" in another section of the same Act. I hope this amendment will commend itself to the acceptance of the Minister and of the House.

**Dr. D. S. Raju:** I do not know what purpose it will serve. This is a subtle distinction between the words.

**Shri Hari Vishnu Kamath:** You yourself have used the word "component" in clause 4.

**Mr. Speaker:** Is there any particular purpose that the word should be "component" in one section and "ingredient" in another section? If nothing different is intended, why should not the same word be used throughout?

**Dr. D. S. Raju:** The word "ingredient" comes so often in section 10 of the Drugs Act and so to keep it as such, we have used it. Otherwise, there is no difference as such between the two.

**Shri K. C. Sharma (Sardhana):** Here, the word "ingredient" is proper, and there the word "component" is proper. Component of cosmetics means something is added to the cosmetics.

**Shri Hari Vishnu Kamath:** No. (Interruption).

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

**Shri K. C. Sharma:** Ingredient means it is an essential part of the thing. An attribute is a different part of the thing. Attribute is something different. We attribute to a man that he is rational. That is one part; and there is a different part of the man. There is a difference between "ingredient" and "component".

**Shri Hari Vishnu Kamath:** Attribute is not the meaning of "Component."

**Mr. Speaker:** Order, order. The question is:

Page 3, line 15, for "ingredient" substitute "component".

*The motion was negatived.*

**Mr. Speaker:** The question is:

"That clause 8 stand part of the Bill."

*The motion was adopted.*

*Clause 8 was added to the Bill.*

**Mr. Speaker:** Then there is an amendment to clause 22. Is Shri Siddananjappa moving his amendment?

**Shri Siddananjappa (Hassan):** I am not moving it.

**Mr. Speaker:** The question is:

"That clauses 9 to 22 stand part of the Bill."

*The motion was adopted.*

*Clauses 9 to 22 were added to the Bill*

**Clause 23.—(New clause).**

**Shri Hari Vishnu Kamath:** I beg to move . . .

**Shri S. S. More (Poona):** May I know whether the amendment was properly circulated?

**Shri Hari Vishnu Kamath:** It is printed. I am sorry that Shri S. S. More who has written a book about parliamentary procedure—

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

**Shri Hari Vishnu Kamath:** I beg to move:

Page 6, after line 28, add—

"23. Insertion of new section 38.—After section 37 of the principal Act, the following section shall be inserted, namely:

"38. Every rule made under this Act shall be laid before

both Houses of Parliament, and shall be subject to such modification as Parliament may deem fit and proper". (9)

There is no need for me to expatiate or dilate upon this amendment, as it asserts the supremacy of Parliament over the executive or the Government. It has been the habit of the Government not to lay the rules made under any Act, or many of the Acts, before Parliament for consideration and modification if necessary. Thereby the Government have sought to usurp, under the rulemaking powers the power, which should normally and fittingly be vested in Parliament. I therefore commend this amendment for the acceptance of the House and hope that it will be unanimously adopted by the House.

**Dr. D. S. Raju:** I am afraid I cannot accept this amendment, for, sub-section (3) of section 33 of the Drugs Act as it stands already contains a provision requiring that the rules made under the Act should be placed for approval before both Houses of Parliament.

**Shri Nambiar:** Where is it given?

**Mr. Speaker:** The rule-making power is given under the section. The rules can be made only under the section which gives power to make the rules. "Every rule made under this section shall be laid as soon as may be after it is made, before each House of Parliament..." and so on. So, it is already provided in the Act.

**Shri Nambiar:** If it is so, then the amendment is redundant.

**Mr. Speaker:** Then, Shri Kamath need not press it.

**Shri Hari Vishnu Kamath:** If it is so, it is all right.

*Amendment No. 9 was, by leave, withdrawn.*

**Mr. Speaker:** The question is:

"That clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

1153 (Ai) LSD—9.

*Clause 1, the Enacting Formula and the Long Title were added to the Bill*

**Dr. D. S. Raju:** I beg to move:

"That the Bill be passed."

**Mr. Speaker:** Motion moved:

"That the Bill be passed."

**Shri Jaipal Singh (Ranchi West):** Mr. Speaker, Sir, it is rather late in the day for me to say anything about it, except that I hope the hon. Minister or his successor will come forward in due course to rescind this amending Bill which is becoming an Act and bring in two separate Bills so that drugs are not bracketed with cosmetics.

Having said that, may I say, with all respect to you, that this word 'vermins' is not an English word at all? It has crept into the parent Act in 1955. You were pleased to say that the British ought to know their own language better than us. On examining the parent Act, I find that this unfortunate word crept in through Act XI of 1955. The only reason I am pointing this out is, I do believe in this country, there have been many, not necessarily today but through the ages, who have spoken much better English than the English themselves.

**Mr. Speaker:** I had thought that perhaps it was contained in the Drug Act of 1940. I have not been able to look it up just now.

**Shri Jaipal Singh:** It had crept in in 1955.

**Mr. Speaker:** It was amended afterwards and maybe then too I had over-ruled it, not on this account, because the English made it. A reference has been made and therefore I said it. Otherwise, I did not want to contest that.

The question is:

"That the Bill be passed".

*The motion was adopted.*

**Shri Nambiar:** May I seek a clarification? In future printing, can they correct it as a clerical error? Is it permissible?

**Shri Jaipal Singh:** It is not a clerical error.

**Mr. Speaker:** They cannot. When it is passed, of course, such errors can be corrected by the Speaker. But that was not before me. I could have done it if it had been passed today. In the third reading or even in the ultimate phase, it could be done. But now when it has existed so long, it can only be done by an amending Bill, not by me.

**Shri Hari Vishnu Kamath:** He can bring a Private Member's Bill.

16.53 hrs.

#### \*ALLOTMENT OF C.I. SHEETS TO STATES

**Shri P. R. Patel (Patan):** When in 1955 the Essential Commodities Act was passed in this House, the people of the country thought that all controlled commodities will be had at controlled prices and the distribution will be equitable. If we see section 3 of the Act, we find that the intention of this Act was to secure equitable distribution and availability at fair prices, etc. These things which were aimed at, were never attained, because the administration of the Act was so bad that it could not be done. The administration had no mind to distribute things equitably.

16.54 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Let us see whether the corrugated iron sheets were ever distributed equitably. I put a question and a reply was given on 14th May, 1962 regarding the allotment of C.I. Sheets

to different states and despatches to the different States. I find therein that Gujarat was allotted in 1960-61, 22,674 metric tons of corrugated sheets. But the despatches were only of the order of 1844 metric tons much less, less by more than 20,000 metric tons. In 1961-62, the allotment to Gujarat was 37,710 metric tons and the despatches were 2,221 metric tons—less by about 35,000 metric tons.

Sir, I would like to refer to allotments and despatches to different States. To West Bengal, in 1960-61, the allotment was 21,171 metric tons and the despatches were 33,533 tons—more than the allotment. In 1961-62, allotment to West Bengal was 21,876 metric tons and despatches were 31,292 metric tons. Let us now take the case of Delhi. Allotment to Delhi in 1960-61 was 1,040 tons and the despatches were 1,923 tons. In 1961-62, the allotment was 920 tons and the despatches were 4,057 metric tons.

I do not want to take the figures of other States. But I would refer to my own district. I know what injustice has been done to my district. Injustice has been done to the whole of Gujarat, but specially to my district.

**An Hon. Member:** What is that district?

**Shri P. R. Patel:** Mehsana District.

In 1960, the allotment to my district was 1,401 tons. Indents were put, but the despatches were 'nil'. In 1961, allotment was 4,041 tons but the despatches were 'nil'. I am referring to this matter only with one view. When the Controller who receives a high salary is a responsible servant of this Central Government and he does these inequitable despatches, what am I to infer? The inference would be only that there is inefficiency or favouritism or corruption. I am not inclined to



infer in favour of the first two because I would not think that a man of the position of the Controller of Iron and Steel would be inefficient to this extent. I would not say it was due to favouritism even unless I find some record of his near relatives being obliged. So my only inference is that the unjust despatches, inequitable despatches that were done and more being given to Bengal and Delhi was only due to corruption and nothing else. If the people of Bengal, if the people of Delhi had got the advantage of more C.I. sheets, I would have been very happy. But the excess despatches that were given went into the black-market. These despatches have been given only to stockists to earn more, to create blackmarket. If this can be done by an officer of the status of the Controller, the only inference can be corruption and nothing else. We are talking that corruption is at the lower level. Here is a case where corruption is at the top. My feeling is that it is the corruption at the top that has percolated to the lower strata. If the top is honest, if there is integrity at the top, then at the lower level also there will be the least corruption. Corruption is more in the country because the top is corrupt. Here is a case which I put before the Government for taking strong action.

17 hrs.

Just after the passing of the Act, we had the Iron and Steel Control Order 1956. Under that Order, Government issued three notifications, one on 12th May, 1956, another on 2nd May, 1957 and the last one on 20th January 1962. I am referring to these notifications just to show how the loopholes were kept for corruption and to allow black-marketing. I will just refer to one clause of this notification. As the wording is the same in all the notifications I would read only one. Under this order, anybody may be

given these corrugated sheets if the stock is held for a period exceeding 90 days from the date of actual receipt by the said licensing authority of the first intimation of such stocks and it remains uncovered by permits or covered by permits but for which no financial arrangements have been made by the allottee within the period of validity of the permit issued. We know how permits are issued by the district supply officer. Only the Controller should not earn, but the lower officials at the district level should also earn. They are authorised to issue permits. They would issue permits to some persons. They must issue permits for all the stock. If the 90 days period is over, then the registered stockist is entitled to dispose of his whole stock at his own will. The only condition in the notification is that it should be at the controlled price. But he is allowed to dispose of it.

So, what they do is to issue permits to fictitious persons or persons who would never go in for these corrugated sheets. Here is a case where the registered stockist may oblige the district supply officer and the district supply officer may oblige the registered stockist. This is how the game is being played now. If the notification is amended to restrict the freedom of the stockist by saying that whatever may be the period of time, the registered stockist would not be allowed to dispose of his stock at his own will, he would not ask for more quota than he could dispose of.

This is what is happening in Delhi also. When I was to my constituency. I was hearing the weeping cries of my people that though they could not get corrugated sheets, they could be had in any quantity in Delhi.

**An Hon. Member:** At double the price.

**Shri P. R. Patel:** I was just pursuing it and I found out how these things are done. The registered stockists dispose of these to some persons who are working as commission agents. They give the bills showing the control price and thereby they save the income-tax and sales tax and can pocket the extra price or put it in their treasury. The same would be quite good for them. The commission agents who are working here take 1 per cent or 2 per cent and just get the corrugated sheets from these persons. Naturally, the control price bill is given. I am rather amazed to know and am sorry to say that the Central Government is sitting here, the Police and intelligence officers are here, the best officers of the country are here and they must be moving in Delhi. Do they keep their eyes and ears closed? When I could see these things, how did the Police and other officers not see all these things?

Then the turn of the Police officers comes. I am just narrating the story that I have got. The Controller's office is there. Then comes the District Supply Office. Now, you see in the open market after 90 days the goods are disposed of. They go to some persons. Anybody is allowed to buy and sell under the notification. There is absolutely no offence. What do the Police officers do then? I have got the record and I will give you the story.

**Mr. Deputy-Speaker:** He has only two minutes more.

**Shri P. R. Patel:** Yes, you will please give me two minutes more. I hope the House will also agree.

**Some Hon. Members:** Yes.

**Shri P. R. Patel:** I got information of the consignments of these corrugated sheets. Only from the Delhi Station from the 4th October to

the 28th October, 1961, during the period of 24 days 40 consignments had been booked. From this you can understand what a big business is going on. What do the Police officers do? The consignments are there; so, they follow the consignments. One Police officer of the CID, a responsible officer, followed the consignments and wherever he got the money he released the consignment and wherever he did not get the money he brought it to his chowki. I would like to know whether there is any offence if it is bought in the open market. There is nothing like that.

Lastly, I would say one word.....

**Shri Harish Chandra Mathur** (Jalore): We can sit for another five minutes.

**Mr. Deputy-Speaker:** Half-an-hour discussion is a 30-minutes' discussion.

**Shri Harish Chandra Mathur:** This has been the practice in this House that half-an-hour discussions have been prolonged to two hours.

**Mr. Deputy-Speaker:** I do not think so.

**Shri Harish Chandra Mathur:** It has been so. What does it matter?

**Shri P. R. Patel:** There are two enemies of democracy. Wherever democracy has failed it has failed because we could not check these two enemies. One of them is corruption and the other is blackmarketing. In Pakistan democracy failed because there was corruption and blackmarketing. Everywhere in the world you will find that failure of democracy is due to blackmarketing and corruption. Corruption and blackmarketing are two friends. They are twins. One cannot exist without the other. If there is no corruption, there will be no black market. So, the mother of black market is corruption. Our corrupt officers are responsible for

this black market and the dissatisfaction that is there in the country against the Government is created by the highly paid officers of the country.

**Mr. Deputy-Speaker:** There are two hon. Members who have given notice that they would like to ask questions.

**Shri Harish Chandra Mathur:** May I know what is the time when the notice should be received by you?

**Mr. Deputy-Speaker:** At least before the discussion is begun.

**Shri Harish Chandra Mathur:** That is, before I ask a question I must give you notice?

**Mr. Deputy-Speaker:** At least before the discussion begins he must give the notice.

**Shri Harish Chandra Mathur:** So the ruling is that it should be one minute before the discussion starts.

**Mr. Deputy-Speaker:** It must be a reasonable time.

**Shri Man Sinh P. Patel (Mehsana):** In view of the reply given to the unstarred question which is under discussion, the fact is very clear, and my friend has also said that two State Governments.....

**Mr. Deputy-Speaker:** What is the question? You cannot make a speech.

**Shri Man Sinh P. Patel:** Two States have got additional quota, than the allotted. What has happened to the remaining portion, not dispatched as per allotted quota in other States? The presumption will be, as my learned friend has well explained. I would only like to know what are the plans of the Government to supply, in right time, the allotted quota and to increase the manufacture of these to a sufficient quantum wherein we can reach a stage of de-control to which I devoted my whole attention during the ten minutes of my speech on the Demands of the Ministry of Steel and Heavy Industries.

**Shri P. G. Sen (Purnea):** Here in the towns we see one kind of sight and when we go out of the towns we see quite a different sight. Now, in our parts.....

**Mr. Deputy-Speaker:** Please put the question.

**Shri P. G. Sen:** In our parts fire devastations have been caused one after another, and the demands for CI sheets have been all the more pressing. I would like to know whether Government is aware of the fact and whether they are going to supply it.

**The Minister of Steel and Heavy Industries (Shri C. Subramaniam):** Mr. Deputy-Speaker.....

**Shri P. R. Patel:** May I bring to the notice of the hon. Minister one thing, that if he wants to raid the market he will get not less than 1 lakh maunds of corrugated sheets.

**Shri C. Subramaniam:** Mr. Deputy-Speaker, at the outset I should say that when I passed this answer, because it referred to facts and figures I did not scrutinise it with as much care as I should have done. Perhaps, if I had done that, the suspicions which arose in the minds of the hon. Member would have arisen in my own mind.

**Shri P. R. Patel:** Is there no black-marketing?

**Shri C. Subramaniam:** Kindly wait. I did not interrupt you when you were speaking.

**Dr. L. M. Singhvi (Jodhpur):** Sir, the Minister also must address the Chair. He has no special privilege.

**Shri Priya Gupta (Katihar):** A Minister has no special privilege.

**Mr. Deputy-Speaker:** The hon. Minister may address the Chair.

**Shri C. Subramaniam:** I am sorry, Sir. I did not interrupt the hon. Member. Let him have some patience. After I have given the reply, if he still has got some doubts I am here

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to dispel those doubts, and if there is any suspicion I would not hesitate to order any enquiry against anybody. Therefore the hon. Member need not go with the impression that he alone is against corruption and black-marketing and that all the Ministers are for corruption and black-marketing. (*Interruption*). Therefore, the hon. Member may kindly hear me and then, if he still should think that there is something more to be enquired into, I will not hesitate to order an enquiry. But let him hear me patiently before he wants to say anything else.

I said for anybody who goes through those figures the suspicions which arose in the mind of the hon. Member would ordinarily arise: because, *prima facie* it shows, as has been pointed out, that as far as Gujarat is concerned, as against an allotment of 22,674 tons the actual despatches in 1960-61 were 1,844 tons. And in 1961-62 37,710 tons were the allotment, and the despatches amounted to only 2,221 tons. Whereas, in the case of West Bengal, as against an allotment, which is shown in this answer, of 21,171 tons the despatches show 33,533 tons in 1960-61, and in 1961-62 as against an allotment of 21 thousand and odd, there is a despatch of 31 thousand and odd. So, naturally, anybody would draw the conclusion that there is something vitally and basically wrong. That is why this half-an-hour debate was raised and my attention was drawn to this.

I am deeply indebted to the hon. Member for having raised this matter. Therefore, I took a good deal of trouble to find out the answer for this imbalance in respect of allotments and despatches. Not only here; I went to the office of the Steel Controller at Calcutta and sat down with the officers there and tried to find out the explanation which they were able to give for these disparities with regard to allotments and despatches.

I respectfully submit that there is an explanation even though I also felt that perhaps it does not explain fully all the facts. Therefore, now, it is for hon. Members to decide. After I give what I have been able to find out with regard to the justification for this and how these disparities have arisen, then, perhaps, we may consider what to do further.

An impression has been created that despatches to certain States have been made at the expense of others by comparing the figures of allotments and despatches given in the statement. Before explaining the actual position, it is necessary to explain the procedure by which allotments are translated into despatches. Allotments are made by the Iron and Steel Controller with the approval of the Ministry under the following two broad heads: (a) Central quotas through sponsoring authorities, for example, Ministry of Defence, Railway Board, Development Wing, Central Water and Power Commission. This is what we call Central quota relating to the Central Ministries. Then, (b) State quotas through State steel licensing authorities. On receipt of bulk quotas, the Central sponsoring authorities issue quota certificates to individual consuming departments or their contractors. In respect of the State quotas, the State Steel licensing authorities issue quota certificates to registered stockists in the States as well as to individual consumers or Government departments. The parties or departments receiving quota certificates through the sponsoring authorities are then required to place orders along with the quota certificates either on the controlled stockholders anywhere in India or on the producers through the Iron and Steel Controller. After booking the orders of individual quota certificate holders, the controlled stock holders have to place bulked indents on the producers through the Steel Control along with the quota certificates. Steel Control

scrutinises the indents and the supporting quota certificates and places indent on various producers taking into account the nearness of the producer to the indenter, the sections required and the load of orders in the mills. On receipt of indent from Steel Control, the producers get into touch with the indentors direct and ask them to make financial arrangements and also the necessary trade formalities, for example, sales tax declaration, etc. After these formalities are completed, the producers book order for execution and issue works order or instructions to the works to take action for rolling and supply. This is how allocations arise.

From the above it will be clear that despatches cannot take place as soon as allocations are made. Unlike other commodities like cement, steel sections are rolled to order and to required specifications because of the large variety of the sections required. The parties receiving quota certificates must book orders. Producers have been given instructions to follow the chronology of the works orders for execution of the orders, subject of course, to priority instructions issued from time to time. Standing priority is accorded to orders emanating from Defence services, Railways, certain Irrigation and Power projects, Export promotion, collieries, etc. A certain percentage of the production is earmarked for execution of priority orders depending on the load of outstanding orders and the balance is supplied to non-priority indentors on the basis of the age of their works orders, irrespective of the States from which the indents have been received. It is in the light of what has been stated that figures of despatches furnished to the Lok Sabha have to be examined.

A reference to Note No. 3 below the statement furnished to the Lok Sabha would reveal that while the allocation figures pertain to the State quotas, despatch figures were against all quotas, Central and States, and

despatches to controlled stock-holders. The figures of despatches also represent despatches against current and outstanding orders. Galvanised corrugated sheet is an item which is very much in short supply. The producers carry a heavy back log of orders and as such there is considerable lapse of time between allotment and actual supply. If a statement is prepared with regard to actual despatches to States as such excluding despatches against Central quotas, then, the figures do not look so distorted. Therefore, I would like to give figures with excluding the Central quotas. As already explained Central quotas are given with reference to the Ministries concerned. Therefore if the dispatch against that allocation is taken out, and only the allocations to the States under the State quotas are taken into account, then the hon. Member will find that as against an allocation of 22,674 tons in Gujarat in 1960-61 the despatches have been 1422 tons, and as against an allocation of 37,710 tons in 1960-61, the despatches have been 1252 tons.

Then, if you take West Bengal, the allocation is 21,171 tons; as against this, the despatches for these quotas, that is, the State quotas alone, come to only 6,250 tons.

**Shri P. R. Patel:** Is the quota for the whole State, or is there any distinction made between the State and the Centre?

**Shri C. Subramaniam:** It is for the whole State. I am coming to that. It means the whole State quotas. I have already made a distinction between the Central quota and the State quota. The Central quotas are for the Defence Ministry, the Railway Ministry and the various other Ministries concerned with the Centre, and its Departments.

In view of the location of the various manufacturing industries in Calcutta, naturally, the Central quotas would necessarily arise mostly in

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West Bengal. Therefore, there would be allocation of Central quotas to West Bengal much more than to any other State. That is why you will find that the despatches shown in 1960-61 were of the order of 33,533 tons. As against this total despatch figure, the despatches against the State quotas alone were only 6,250 tons. The other 27,000 odd tons were against the Central quotas, with reference to the allocations for the Central Ministries. Therefore, the hon. Member need not go with the impression that as against an allocation of 21,000 odd tons, 33,000 tons or so have been despatched, because these despatch figures include despatches against the Central quota also.

Therefore, in order to get the correct picture, we have to look into what the Central quota was and what the State quota was. If we look into these things, then this is what we find. But even then, I agree that as against 22,000 tons to Gujarat, only 1,400 tons were despatched, whereas as against 21,000 tons Bengal got 6,250 tons. Proportionately, Bengal has got more. But there are other explanations also for this. Besides the question of Central quotas and State quotas, there are also other factors which have to be taken into consideration.

The disparities in these are further attributable to any one or more of the following reasons. That is, even after taking into account the disparity arising out of the Central and State quotas, there have been disparities between States in the State quotas and the despatches to the States themselves. Those disparities can be attributed to any one or some of these following reasons.

Firstly, there is a considerable time-lag between allocation and despatches. The despatches made in 1960-61 and 1961-62 were mostly against the orders booked in 1958-59 and 1959-60, when the allotments

were completely different. Secondly, some States take a longer time to issue quota certificates, and the quota-holders in some States take a longer time to book orders after making the necessary financial arrangements. Thirdly, the quota-holders in many States book orders through controlled stock-holders, and such supplies to them are not reflected in the figures of despatches against the allotment to that particular State. Fourthly, the quota-holders in many States also book orders—and this is important—through controlled stock-holders of other States. A statement can be given with regard to various States asking their quota to be delivered at Calcutta, because there are certain manufacturing concerns, and they want these things to be fabricated there. Therefore, they direct that their quota should be delivered to the manufacturing concerns at Calcutta. Therefore, Calcutta stands at an advantage of getting, as far as the despatches are concerned, not only the quotas of its own State and the Central quotas but the quotas of some other States also; because of the concentration of the manufacturing capacity in that region, the quotas are delivered there. I have got with me figures with reference to that.

When I take all these into consideration, I find that it is not as bad as the hon. Member represented it to be. I do agree, however, that even in spite of that, the proportion is not what it should be with reference to allocation and despatches. But there is also another aspect which will have to be taken into account in this connection, because, in respect of the western States and the southern States, there is the rail transport bottle-neck. Therefore, even though the material is available, we find that there is the transport bottle-neck. Therefore, they are unable to despatch the goods. The despatches become less with reference to the southern and the western States, and to a certain extent, the

northern States and the north-eastern States are at further advantage as far as the transport question is concerned.

Therefore, taking all these into consideration, I find that it is not as if at the top the controller has become bad or corrupt or he has been a party to this corrupt practice of allocating quotas to various States in a disproportionate manner. But I do agree there could have been a better allocation even with regard to despatches and they should have taken adequate steps. That is why with reference to the previous allocations and all those things we have now laid down that a certain definite quantity should move to each State. We have worked out what should move during each month, taking into account what has been the quota, what have been the despatches and what has been the demand there. We have worked out, as far as possible, a rational formula which will give a monthly quota of despatches to each State. We have laid it down that this should be strictly followed.

But even in that, I find that West Bengal gets an advantage. As against 1,500 tons which West Bengal would be getting as a monthly despatch, I find Gujarat would be getting only 600 tons. UP would get only 600 tons and Delhi would get only 120 tons as State quota.

**Shri P. R. Patel:** We get less always.

**Shri C. Subramaniam:** Therefore, we have to find out a rational basis for distribution of this scarce commodity. As far as possible, we have taken into account the demand and the allocations during the previous two or three years and we have made a rational allocation. It is not merely allocation, but it should be despatched to the various States. Therefore, I am hoping that there would be better distribution during the coming days.

Some allegations have been made that there have been movements of GC sheets to Gujarat from Delhi.

**Shri P. R. Patel:** Not only from Delhi, but from Calcutta also.

**Shri C. Subramaniam:** Delhi, Calcutta and UP. If the hon. Member could give me some facts which may be in his possession, we shall certainly look into it and if necessary, order an inquiry into that.

**Shri P. R. Patel:** I put a question.

**Shri C. Subramaniam:** As has already been pointed out, it is not a question of corruption at the higher levels. I do agree that whenever there is control, corruption creeps in. Even if the highest level officer is honest, it is always possible to go wrong at the lower level. That is why we always try to see whether it would not be possible to avoid controls. Controls can be removed only when there is sufficient production. Therefore, I welcome the question put by an hon. Member asking what steps have been taken to increase the production of GC sheets. That is the most important thing. That alone would solve all these problems.

This is also linked, to a certain extent, to what happened in Rourkela. Rourkela was allotted for the manufacture of flat products. This is one of the categories of products which has to be taken up in Rourkela. But unfortunately, as hon. Members are aware, we got into difficulties at Rourkela. We are getting over those difficulties. Therefore, I am hoping it would be possible to get more production of sheets at Rourkela. Then perhaps the situation is bound to improve. But it cannot be done overnight. It is bound to take one or two years. But during this period, it should be the endeavour of the Steel Ministry to see that even what seemingly looks like discrimination is avoided and a fair and equitable distribution of this scarce commodity takes place.

If hon. Members are interested in it, I am prepared to make this offer. Let two or three Members form:

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thmselves into a committee. I will let them look into all the facts and figures with reference to these despatches at the Steel Controller's office and if they find anything faulty there, I will not hesitate to take any action. It is for hon. Members to decide.

**Shri P. R. Patel:** I would like to know one thing.

**Mr. Deputy-Speaker:** The discussion is closed now.

**Shri P. R. Patel:** I want to know from the hon. Minister whether he

knows that there is black-market in Delhi and truckloads come to Delhi daily from outside and the price in the black-market is more than double the control price.

**Shri C. Subramaniam:** I am a newcomer to Delhi and I have not been in touch with the black-marketeers. If the hon. Member gives any information about it, I will look into it.

17:30 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Friday, June 22, 1962. Asadha 1, 1884 (Saka).*



[Thursday, June 21, 1962/Jyastha 31, 1884 (Saka)]

## ORAL ANSWERS TO QUESTIONS

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# CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE . 12235—40

- (i) Shri G. Yallamada Reddy called the attention of the Minister of Finance to the recent talks held by him with the Secretary of State for Commonwealth Relations for U.K. regarding European Common Market.

The Minister of Finance (Shri Morarji Desai) made a statement in regard thereto.

- (ii) Shri Dasratha Deb called the attention of the Minister of Home Affairs to the situation arising out of the recent heavy floods in Kamalpur sub-division and other parts of Tripura.

The Minister of State in the Ministry of Home Affairs (Shri Datar) made a statement in regard thereto.

## PAPERS LAID ON THE TABLE . 12241—44

The following papers were laid on the Table :—

- (1) A copy each of the following Notifications under subsection (4) of section 43B of the Sea Customs Act, 1878 and section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Customs and Central Excise Duties Export Drawback (General) Rules, 1950 :—

- (a) G.S.R. No. 1257 dated the 14th October, 1961.
- (b) G.S.R. No. 1327 dated the 14th November, 1961.
- (c) G.S.R. No. 1367 dated the 18th November, 1961.
- (d) G.S.R. No. 1392 dated the 25th November, 1961.
- (e) G.S.R. No. 1493 dated the 23rd December, 1961.
- (f) G.S.R. No. 1494 dated the 23rd December, 1961.
- (g) G.S.R. No. 1495 dated the 23rd December, 1961.
- (h) G.S.R. No. 1523 dated the 30th December, 1961.

## PAPERS LAID ON THE TABLE—contd.

COLUMNS

- (i) G.S.R. No. 1524 dated the 30th December, 1961 as corrected by G.S.R. No. 53 dated the 13th January, 1962.

- (j) G.S.R. No. 22 dated the 6th January, 1962.

- (k) G.S.R. No. 23 dated the 6th January, 1962.

- (l) G.S.R. No. 24 dated the 6th January, 1962.

- (m) G.S.R. No. 129 dated the 3rd February, 1962.

- (n) G.S.R. No. 237 dated the 24th February, 1962.

- (o) G.S.R. No. 268 dated the 3rd March, 1962.

- (p) G.S.R. No. 269 dated the 3rd March, 1962.

- (q) G.S.R. No. 287 dated the 10th March, 1962.

- (r) G.S.R. No. 288 dated the 10th March, 1962.

- (s) G.S.R. No. 289 dated the 10th March, 1962.

- (2) A copy each of the following Notifications under subsection (4) of section 43B of the Sea Customs Act, 1878 and section 38 of the Central Excises and Salt Act, 1944 :—

- (a) G.S.R. No. 1394 dated the 25th November, 1961 containing corrigendum to Notification No. G.S.R. 695 dated the 20th May, 1961.

- (b) G.S.R. No. 85 dated the 20th January, 1962 containing erratum to Notification No. G.S.R. 1394 dated the 25th November, 1961.

- (c) G.S.R. No. 88 dated the 20th January, 1962 containing corrigendum to Notification No. G.S.R. 1191 dated the 30th September, 1961.

- (3) A copy each of the following Notifications under section 38 of the Central Excises

PAPERS LAID ON THE  
TABLE—*contd.*

## COLUMNS

and Salt Act, 1944, making certain further amendments to the Central Excise Rules, 1944 :—

- (a) G.S.R. No. 1150 dated the 23rd September, 1961.
- (b) G.S.R. No. 1258 dated the 14th October, 1961.
- (c) G.S.R. No. 1328 dated the 4th November, 1961.
- (d) G.S.R. No. 1421 dated the 2nd December, 1961.
- (e) G.S.R. No. 1445 dated the 9th December, 1961.
- (f) G.S.R. No. 232 dated the 24th February, 1962.
- (g) G.S.R. No. 266 dated the 3rd March, 1962.
- (h) G.S.R. No. 286 dated the 10th March, 1962.
- (i) G.S.R. No. 732 dated the 2nd June, 1962.
- (4) A copy each of the following Notifications under section 38 of the Central Excises and Salt Act, 1944 :—
  - (a) G.S.R. No. 1123 dated the 12th September, 1961.
  - (b) G.S.R. No. 1319 dated the 1st November, 1961.
  - (c) G.S.R. No. 1434 dated the 1st December, 1961.
  - (d) G.S.R. No. 1435 dated the 1st December, 1961.
  - (e) G.S.R. No. 1436 dated the 1st December, 1961.
  - (f) G.S.R. No. 1437 dated the 1st December, 1961.
  - (g) G.S.R. No. 267 dated the 3rd March, 1962.
- (5) A copy of the Medicinal and Toilet Preparations (Excise Duties) Fourth Amendment Rules, 1961 published

PAPERS LAID ON THE  
TABLE—*contd.*

## COLUMNS

- in Notification No. G.S.R. 1398 dated the 25th November, 1961 under sub-section (4) of section 19 of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955.
- (6) A copy of the Mineral Concession (Second Amendment) Rules, 1962, published in Notification No. G.S.R. 718 dated the 26th May, 1962, under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957.
- (7) The Minutes of the sittings (First to Third) of the Committee on Private Members' Bills and Resolutions held during the First Session.
- (8) The Minutes of the First Sitting of the Committee on Absence of Members from the Sittings of the House held during the First Session.

## STATEMENTS BY MINISTERS

12245—47

- (i) The Minister of State in the Ministry of Home Affairs (Shri Datar) made a statement correcting the reply given on the 8th June, 1962, to a supplementary by Shri Ansar Harvani on Starred Question No. 1363 regarding search of premises of New Central Jute Mills Company.
- (ii) The Minister of Steel and Heavy Industries (Shri C. Subramaniam) made a statement regarding Solveen Delegation Report.

MOTION RE: INDIAN ADMINISTRATIVE SERVICE (PAY) RULES, 1954—*NEGATIVE*

12247—77

Shri Harish Chandra Mathur moved a motion making certain amendment in the Indian Administrative Service (Pay) Rules, 1954, laid on the Table on 26-4-62. He also replied to the debate. The motion was *negatived*.

	COLUMNS	HALF-AN-HOUR DISCUSSION— <i>contd.</i>	COLUMNS
BILL PASSED	12277—12365		
The Deputy Minister in the Ministry of Health (Dr. D. S. Raju) moved that the Drugs (Amendment) Bill, as passed by Rajya Sabha, be taken into consideration. The motion was adopted. After clause-by-clause consideration the Bill was passed.		discussion on points arising out of the answer given on the 14th May, 1962 to Unstarred Question No. 1198 regarding allotment of C.I. Sheets to States.	
HALF-AN-HOUR DISCUSSION . . . . .	12365—82	The Minister of Steel and Heavy Industries (Shri C. Subramaniam) replied to the discussion.	
Shri Purushottamdas R. Patel raised a half-an-hour dis-			