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Sravana 23, 1885 (Saka)

LOK SABHA DEBATES

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LOK SABHA SECRETARIAT
NEW DELHI.

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LOK SABHA

Wednesday, August 14, 1963, Sravana
23, 1885 (Saka)

The Lok Sabha met at Eleven of
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Oil Pipelines

- +
*31. { Shri Yashpal Singh:
Shri Bishanchander Seth:
Shri Bhagwat Jha Azad:
Shri D. C. Sharma:
Shrimati Savitri Nigam:
Shri Jashwant Mehta:

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

(a) whether it is a fact that the Oil
and Natural Gas Commission has
signed an agreement with ENI of
Italy to establish oil pipelines in
India;

(b) if so, the terms and conditions
of the agreement; and

(c) the location for establishing
these oil pipelines?

The Minister of Mines and Fuel
(Shri Alagesan): (a) Yes, Sir.

(b) and (c). A statement is laid on
the Table of the House. [Placed in
Library. See No. LT-138763.]

श्री यशपाल सिंह: क्या मैं जान सकता
हूँ कि यहाँ इंडिजिनस गैस पाइप लाइन्स कब तक
हासिल हो जायेंगी ?

785 (A) LSD—1

Mr. Speaker: He asks when the
pipelines will be available in the
country.

Shri Alagesan: The dates for the
completion of these five pipelines
have been fixed and I shall read them
out. The Cambay-Dhuwaran gas line
will be completed by 1-11-1963.

Shri Yashpal Singh: I mean local
production of pipelines.

Shri Alagesan: Some pipes we are
getting from the Rourkela Steel plant.

Shri Jashwant Mehta: May I know
whether any time schedule has been
fixed in this contract and if so the
details?

Shri Alagesan: These lines will be
completed as per the dates that have
been settled. The completion date
for Cambay-Dhuwaran Gas line is
1-11-1963; for Ankleshwar Uttaran,
15-1-1964; for Ankleshwar Baroda
Gas line, 15-4-1964; for Ankleshwar
Baroda Crude line, 31-8-1964; and
Baroda Ahmedabad Products line,
31-12-1964.

Shri Bhagwat Jha Azad: May I
know whether other firms also ten-
dered for this contract and if so
whether the terms of the ENI were
better than the others?

Shri Alagesan: I am not able
to say who were the others who
were consulted. But I can supply it
to the hon. Member. All these things
were taken into consideration and it
was considered profitable to enter
into agreement with the ENI.

Shri D. C. Sharma: The statement
says that construction equipment re-
quired for the construction of the
pipe lines will be imported by SNAM
on draw back basis. May I know
what this basis is and how it is going

to work, whether to our advantage or disadvantage?

Shri Alagesan: They will be able to use it elsewhere after using it here.

श्री राम सेवक यादव : मैं जानना चाहता हूँ कि इटली से जो करार हुआ है उसकी शर्तें क्या रूस और इंग्लिस्तान के मुकाबले ज्यादा आसान हैं ? यदि हाँ, तो उनमें क्या अन्तर है ?

Mr. Speaker: The question is whether the conditions that have been entered into with Italians are more favourable to us as compared to those entered into with the Russians and the English.

Shri Alagesan: There was no question of Russia here. This is for the construction of various pipelines that will take crude to the public sector refineries that will be put up in Gujarat. Negotiations took place between us and the ENI and this agreement was arrived at.....(Interruptions.)

Shri Nath Pai: We are having an agreement with the Russians. How do they compare with the earlier conditions.

श्री राम सेवक यादव : इटली से जो करार हुआ है उसकी शर्तें क्या हैं और क्या वे रूस और इंग्लिस्तान के मुकाबले में आसान हैं ?

Shri Alagesan: I would like the question to be repeated in English.

Mr. Speaker: What are the conditions on which this agreement with Italy has been entered into and as compared to the agreement with Russians is this more favourable or not? That is the question.

Shri Alagesan: There is no question of entering into agreement with Russia. There was another pipeline constructed in Assam. That was also done by the ENI for Oil India.

Mr. Speaker: The question is whether any similar agreement was entered into.

Shri Alagesan: The Indian Refinery has now again entered into an agreement with the same ENI for the construction of the Haldia-Barauni-Kanpur pipeline. We have not entered into a contract with others, and so there is no question of comparison.

डा० राम मनोहर लोहिया : यह बात गलत है, रूमनिया के साथ ऐसा समझौता हुआ है ।

अध्यक्ष महोदय : इसके अन्दर तो मैं नहीं जा सकता । यदि मन्त्री महोदय गलत जवाब दें तो फिर और भी चारे हैं जिनको मेम्बर साहब अपना सकते हैं । अगर मिनिस्टर साहब यहां जवाब देते हैं तो मुझे उसे ऐक्सेप्ट करन होगा ।

Shrimati Savitri Nigam: May I know what is the criterion for selecting the location of these pipelines and whether any other alternative suggestion has come to make some changes in the present demarcation?

Shri Alagesan: The crude is obtained locally and the refinery is going to be put up there. These pipelines are intended to take the crude to the refinery.

Shri Swell: What is the use of more pipelines in the country when they cannot operate even the existing refinery properly, for example, the Gauhati refinery?

Shri Alagesan: It is not exactly so. We have constructed a pipeline from Naharkatiya to Gauhati and then from Gauhati to Barauni. The pipeline from Naharkatiya to Gauhati is already functioning. As soon as the Barauni refinery has been commissioned, the other pipeline also will start functioning. So, it is not correct to say that these pipelines are not used.

Shri Swell: I want to know whether the Gauhati refinery is now functioning.

Mr. Speaker: Order, order. Shri Jaipal Singh.

Shri Jaipal Singh: Earlier the hon. Minister said that he was not able to give us the names of the other tenderers. Does that mean that global tenders were not called?

Shri Alagesan: I said I shall supply that information. I do not have it at the moment.

Dr. Ranen Sen: When is the pipeline from Barauni to Calcutta going to be completed?

Mr. Speaker: Does that relate to this agreement?

Shri Alagesan: No, Sir.

Mr. Speaker: That is a different one. Next question.

Commonwealth Scientific Conference

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*32. { Shrimati Renuka Barkataki:
Shri Basumatari:
Shri Yashpal Singh:
Shri Rameshwar Tantia:
Shri Bishanchander Seth:

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

(a) whether the Government of India have received the proceedings of the Commonwealth Scientific Conference which was held in India some time back and whether the same has been studied by the Government; and

(b) if so, how far the Conference has been fruitful towards the furtherance of scientific research in the country?

The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir): (a) Yes Sir, the proceedings have been received and are under examination in consultation with the Ministerie and Departments concerned.

(b) This will be known after the recommendations of conference have been fully examined.

Shrimati Renuka Barkataki: May I know which Commonwealth countries participated in this conference?

Shri Hamayun Kabir: In all, ten Commonwealth countries participated in this conference. Do you want me to give the names of all those countries?

Mr. Speaker: No.

Shrimati Barkataki: Was the exchange of scientists between the countries one of the suggestions of this conference and, if so, how far our country is benefited by this?

Shri Hamayun Kabir: Exchange of scientists is always beneficial, and there are already schemes for the Commonwealth exchange of scientists.

Shri Rameshwar Tantia: May I know what were the subjects discussed in this conference and whether atomic energy was one of the subjects discussed?

Shri Hamayun Kabir: It covered a very wide range. I cannot say at the moment whether atomic energy was discussed or not, but since Dr. Bhabha was one of the participants the likelihood is that it was.

Shri Sham Lal Saraf: May I know whether the attempt is there, on the part of this conference, not only to exchange scientists but to exchange scientific knowledge so that the country is benefited?

Shri Hamayun Kabir: Documentation of the results of science and dissemination of information is one of the major purposes of a conference of this type, and to that extent the objective mentioned by the hon. Member will be met.

श्री यशपाल सिंह क्या भी जान सकते हैं कि इससे भारत को क्या लाभ हुआ है और इन मिफारिशों में भारत का कितना हिस्सा है ?

श्री हुमायून कबिर : साइंटिफिक तरक्की में हमेशा भारत को और दूसरे मुल्कों का फायदा होता है ।

डा० राममनोहर लोहिया : क्या राष्ट्र-मण्डलीय सम्मेलन में उसके प्रतिनिधियों ने सूरज चूल्हे के बारे में भी दरियाफ्त करने की कोशिश की ?

श्री हुमायून कबिर : शायद आपका मतलब सन कुकर से है । यह चीज वहाँ के सबजेक्ट्स में नहीं थी ।

Shri Hem Barua: May I know if the problem of migration of scientists to foreign countries including the commonwealth countries was discussed in this conference and, if so, may I know what is the recommendation that this conference has made?

Shri Humayun Kabir: The major subjects were the exchange of scientific information within the commonwealth. Migration outside came in incidentally. But, as I have stated earlier in this House, so far as India is concerned, it is not a major problem yet.

Shri Priya Gupta: May I know if the research department under the Defence Ministry has been one of the subject matters in this conference to find out whether in other countries the defence research section is independent of the general research section?

Shri Humayun Kabir: That is an internal matter for each country to decide and, obviously, could not form a subject of discussion in this conference; but the Defence Science Adviser was a delegate to this conference.

डा० राममनोहर लोहिया : अध्यक्ष महोदय, मेरा एक व्यवस्था का प्रश्न है । जब पूरक प्रश्न पूछे जाते हैं और उनसे जो पूरक प्रश्न निकलते हैं उनका भी सवाल जवाब हो तभी देश को कुछ फायदा होता है । मैंने एक

सवाल पूछा था । उसके बाद एक दूसरा पूछना चाहता था जिसका कि तात्पर्य यह होता कि देश में वैज्ञानिक . . .

अध्यक्ष महोदय : माननीय सदस्य को जो सवाल पूछा ही नहीं गया उसका तात्पर्य बतलाने की जरूरत नहीं है । यहाँ हमने हाउस की मर्जी से यह फैसला किया है कि खास तौर से कोई कारण न हो तो आम तौर पर जिस माननीय सदस्य का सवाल करने वालों में पहले नम्बर पर नाम होता है उनको मैं दो दफे बुलाता हूँ यानी दो सप्लीमेंटरी करने देता हूँ और बाकी नीचे के दूसरे साहबान को एक एक दफे अपना सप्लीमेंटरी करने के लिए बुलाता हूँ । अभी भी जब हम इस तरह से चलते हैं तब ६, ७, ८ या १० सवालों से ज्यादा डिस्पोज ऑफ़ नहीं कर पाते हैं । हाउस ने यह फैसला किया हुआ है कि ज्यादा तेजी के साथ चला जाये और ज्यादा सवाल पूछे जा सकें । मैं समझता हूँ कि माननीय सदस्य मेरी मजदूरी को अब समझ गये होंगे।

डा० राममनोहर लोहिया : अगर दो या तीन सवाल हों और उन पर लॉग जल्दी जल्दी अपने सवाल पूछें तो उससे देश को ज्यादा फायदा होगा ।

अध्यक्ष महोदय : इस बात पर भी गौर कर लिया जायेगा लेकिन पहले हाउस इस पर जैसा मैंने बतलाया फैसला कर चुका है ।

Admission in Schools in Delhi

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- *33. { **Shri Shree Narayan Das:**
Shri D. C. Sharma:
Shrimati Savitri Nigam:

Will the Minister of Education be pleased to state:

(a) whether all students seeking admission into various schools in the capital could get admission this year;

(b) if not, the number of students who could not do so;

(c) whether the Delhi State Parents' Association made any suggestion to Government in the regard; and

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

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

(b) Does not arise.

(c) Yes sir.

(d) The suggestions made by the Association were implemented to the extent found feasible.

Shri Shree Narayan Das: May I know the extent of increase in the capacity of the existing schools during this year?

Dr. K. L. Shrimali: Well, Sir, the local bodies look after the elementary education and the Directorate of Education look after the secondary education. The Corporation had made provision for admission of 59,000 children. I have been informed by the Corporation that they have still provision for another 20,000 children. Similarly, the Delhi Administration had made this year provision for additional enrolment to the extent of 18,000 children. The actual additional enrolment came to 12,600. So there are still some seats available both in secondary as well as in the elementary schools.

Shrimati Savitri Nigam: May I know, if the hon. Minister has got this information, the number of schools which are being held in temporary tents and also the number of schools which are being held in buildings which are under construction?

Mr. Speaker: That is a different question altogether.

Shri D. C. Sharma: It was reported in one of the Delhi papers that about one lakh students had to go without admission in one category of schools—I think it was secondary schools. May I know if there is any truth in this report that has been published?

Dr. K. L. Shrimali: The report is absolutely false.

श्री भक्त दर्शन : क्या माननीय मन्त्री जी के ध्यान में यह बात आई है कि हायर सैकेंडरी स्कूलों से जितने विद्यार्थी इस वर्ष निकले हैं, उनमें से बहुत बड़ी संख्या को यहां स्थान न मिलने के कारण दिल्ली से बाहर पंजाब और उत्तर प्रदेश के कालेजों में स्थान लेना पड़ा है व शरण लेनी पड़ी है ? क्या इसके लिए कोई व्यवस्था की गई है ?

अध्यक्ष महोदय : यह स्कूलों की बात है ।

Shri P. Venkatasubbaiah: Simultaneously with the increase in the admissions to schools there has not been an increase in the number of staff and there is dearth of teachers. May I know what arrangement the Government is going to make to see that the schools are adequately staffed?

Dr. K. L. Shrimali: There may be some shortage of teachers in some subjects, but by and large the staff position is quite satisfactory.

Shri Vasudevan Nair: In Delhi, I think, the scheme of compulsory primary education is being implemented. May I know how much of the target has been achieved till now?

Mr. Speaker: That is a different question altogether.

Shri Vasudevan Nair: It is very much connected with this.

Mr. Speaker: But it does not fall under this.

Shri S. M. Banerjee: I would like to know whether it is a fact and whether the Minister is aware that while seeking admission the students have to pay Rs. 30 and Rs. 40 towards school building fund before their applications are accepted?

Dr. K. L. Shrimali: No, Sir, Whenever it happens, the department takes severe action.

Shri S. M. Banerjee: It has happened.

Mr. Speaker: Order, order.

श्री राम सहाय पाण्डेय : हिन्दी माध्यम और अंग्रेजी माध्यम दो प्रकार के स्कूल हैं, मैं जानना चाहता हूँ कि जिन विद्यार्थियों को ऐडमिशन नहीं मिला है वे हिन्दी माध्यम के हैं या अंग्रेजी माध्यम के हैं ?

शिक्षा मंत्री (डा० का० लाल श्रीमाली) : जहाँ तक सरकारी स्कूलों का ताल्लुक है सभी स्कूल हिन्दी माध्यम के हैं। कुछ प्राइवेट निजी स्कूल अवश्य हैं जहाँ अंग्रेजी माध्यम है लेकिन उसके लिए सरकार से चूँकि वह कोई किसी प्रकार का अनुदान नहीं लेते हैं इसलिए उनको इस बात की स्वतन्त्रता है।

बिहार में तेल

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*३४ { श्री भागवत झा आजाद :
श्री भक्त दर्शन :
श्री यशपाल सिंह :
श्री दी० चं० शर्मा :
श्री रघुनाथ सिंह :
श्री विभूति मिश्र :
श्री प्र० चं० बहग्रा :

क्या खान और ईंधन मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या बिहार राज्य के पूर्णिया जिले में तेल तथा प्राकृतिक गैस आयोग ने तेल का पता लगाया है ; और

(ख) यदि हाँ, तो इसका व्योरा क्या है ?

खान और ईंधन मंत्री (श्री आनवेशन) :

(क) जी नहीं। तो भी, पूर्णिया जिले के उत्तर-पूर्व कोण में लगभग २० मील की दूरी पर एक अन्वेषणी कृष्ण के व्ययन करने का प्रस्ताव है।

(ख) प्रश्न ही नहीं उठता।

Shri Bhagwat Jha Azad: May I know whether efforts or attempts are being made in that part of the country for prospecting oil?

Shri Alagesan: As I said, there is a proposal to have an exploratory well. It is only after the results of that exploration are known it will be possible to decide whether we should extend it or not. Till then we will not be able to say whether oil is present or not by exploring one well. We may have to explore many more wells.

Shri Bhagwat Jha Azad: Since the work has been started long before, have the Government any idea as to by what time it would be possible to get any data by the exploration of this well?

Shri Alagesan: The drilling of this well will start now. The rig is being sent and the land for the purpose has been acquired. I shall not be able to say what time it will take.

Shri Bhakt Darshan: May I know when this exploration in the Bihar area was actually started and when it is going to be completed?

Shri Alagesan: This refers to a particular area in Bihar, Purnea town. I cannot say when exploration was started in Bihar as such.

श्री यशपाल सिंह : क्या मैं जान सकता हूँ कि इस काम को कौन अंडरटेक कर रहा है ?

Shri Alagesan: The Oil and Natural Gas Commission is undertaking this work.

Shri D. C. Sharma: From the reply given by the hon. Minister I think that the whole thing is taken very casually. May I know if the drilling of these areas will be undertaken and results arrived at quickly or will it go on in a very perfunctory manner?

Shri Alagesan: I do not know how the hon. Member assumes all these things. I have already said that we are going to drill this well soon.

Whether there is oil present in commercial quantities will be known only after several other wells are also drilled. It will not be possible to say that now. We are not taking it casually.

श्री बिभूति मिश्र : पूर्णिया के साथ साथ रक्सौल में तेल खुदाई का काम शुरू हुआ है। मैं जानना चाहता हूँ कि रक्सौल में तेल मिलने के कौन कौन से कारण मिले हैं कि वहाँ सरकार ने खुदाई का काम शुरू किया है ?

Shri Alagesan: I should like to have separate notice.

Mr. Speaker: Shri P. C. Borooah.

Shri Bibhuti Mishra: I asked whether simultaneously in Purnea as well as in Raxaul oil prospecting is being undertaken. He has not replied to my question.

Mr. Speaker: Order, order. Shri Borooah. उन्होंने कहा तो है कि ग्राम उनको इसके लिए सैप्टे नोटिस दें।

Shri P. C. Borooah: May I know whether any serious attempt has been made for oil exploration in this area? If so, may I know whether Government have come to any conclusion regarding obtaining foreign collaboration and, if so, from which country?

Shri Alagesan: I could not get the question fully. Any how, the hon. Member wanted to know whether we will have foreign collaboration. It is too early to say that. As I said, the Oil and Natural Gas Commission is at present undertaking these explorations.

Shri P. G. Sen: May I know whether the machineries, rigs etc. have been transported to the site?

Shri Alagesan: As I said, the rig is under transport already.

Shri Priya Gupta: An assurance was already given on the floor of the House by the ex-Oil Minister, Shri

K. D. Malaviya, that oil has been struck in Purnea and some contrivance will be installed there for getting oil because the oil from Katihar seems to be costly because in of pebbles and other things in the bed. Will the Minister clarify the position now?

Shri Alagesan: I think I have already clarified this.

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National Discipline Scheme

*35. { **Shri Hari Vishnu Kamath:**
Shri Bhakt Darshan:
Shri Prakash Vir Shastri:
Shri Sidheshwar Prasad:
Shri P. R. Chakraverti:
Shri Onkarlal Berwa:
Shri Ramchandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 611 on the 27th March, 1963 and state:

(a) whether the consideration of the proposal for constituting an advisory committee to watch the progress of the National Discipline Scheme has concluded;

(b) if so, the result thereof; and

(c) who has been appointed as the Director-General of the National Discipline Scheme after the demise of General J. K. Bhonsle?

The Parliamentary Secretary to the Minister of Education (Shri M. R. Krishna): (a) and (b). No, Sir. The proposal is still under consideration.

(c) Major-General A. S. Pathania has been appointed Director-General National Discipline Scheme with effect from 1-8-1963. Prior to this the Education Secretary had been holding temporarily the charge of this post in addition to his own duties.

Shri Nath Pai: Who is this distinguished man who is the new Director-General?

Shri M. R. Krishna: Major General A. S. Pathania.

Shri Nath Pai: Which Pathania?

Mr. Speaker: General Pathania.

Shri Hari Vishnu Kamath: For the last few years when the National Discipline Scheme has been in operation are any statistics available as to how many boys and girls have been trained under the Scheme and has Government prepared a concrete plan, or at least a blueprint, for the immediate future?

Shri M. R. Krishna: At this stage we have been entrusted with the work of training the people who will take up this work in the institutions. We have to train 15,000 'In Service' instructors and, in addition to that, nearly 6,400 fresh instructors to undertake this work. Already we have started two centres. One more centre has recently been started in Meerut and one more centre is likely to be started in Bangalore in a couple of months.

Shri Hari Vishnu Kamath: Is it a fact that though the National Discipline Scheme has been in force for a number of years—I believe, it has been in operation for the last five years or more—the hon. Education Minister did not visit the Sariska Centre for a long time and, if that is so, what are the reasons for his not visiting the Sariska Centre and when did he start taking interest in this Scheme?

The Minister of Education (Dr. K. L. Shrivastava): I may inform the hon. Member that he is very much misinformed. I had visited this Centre when it was started and I have been visiting the Centre regularly. Last time I visited it when General Bhonsle died there.

श्री भक्त वर्शन : श्रीमन्, चूंकि यः राष्ट्रीय अनुशासन योजना स्वर्गीय श्री जगन्नाथ राव भोंसले के द्वारा स्थापित की गई थी और उनके द्वारा ही मंचालित होती थी।

इसलिए क्या इस बात की व्यवस्था की गई है कि उनका देहान्त होने के बाद भी उनके काम में कोई ढील न होने पाए, बल्कि उसमें और भी तेजी लाई जाये ? इस सम्बन्ध में सरकार की ओर से कौन से कदम उठाए गए हैं ?

डा० का० ला० श्रीमाली: इसका पूरा इन्तजाम किया गया है और, जैसा कि मैंने निवेदन किया है, मेजर जनरल पठानिया इसके इनचार्ज बनाए गए हैं और हम आशा करते हैं कि तृतीय पंचवर्षीय योजना के अन्त तक देश में सारे स्कूलों में यह स्कीम लागू कर दी जायेगी ।

श्री प्रकाशवीर शास्त्री: श्रीमन्, शिक्षा मन्त्री जी ने संसद् के पिछले अधिवेशन में यह घोषणा की थी कि राष्ट्रीय अनुशासन योजना की उपयोगिता को देखते हुए देश के हर एक स्कूल में इसको अनिवार्य किया जायेगा, किन्तु अभी संसदीय सचिव महोदय के वक्तव्य से यह प्रतीत हुआ कि सरिस्का के अधीन केवल दो केन्द्र और खोले गए हैं । मैं यह जानना चाहता हूँ कि इतने बड़े देश में इस योजना को व्यावहारिक रूप देने के लिए क्या कोई और केन्द्र भी खोले जायेंगे, यदि हाँ, तो कितने और कब से ।

डा० का० ला० श्रीमाली: चार केन्द्र और खोलने की योजना थी । दरअसल मेजर जनरल भोंसले के देहान्त के पले ये चार केन्द्र खोलने की योजना थी, लेकिन बीच में महीने, दो महीने के लिए कुछ ढिलाई पड़ गई । अब जनरल पठानिया ने इसका चार्ज लिया है । जितने भी केन्द्र आवश्यक होंगे, उतने खोले जायेंगे ।

श्री सिधेश्वर प्रसाद : श्रीमन्, राष्ट्रीय अनुशासन योजना और ए० सी० सी० में समन्वय स्थापित करने का प्रश्न विचाराधीन था । मैं यह जानना चाहता हूँ कि इस सम्बन्ध में सरकार ने क्या निर्णय लिया है ?

डा० का० ला० श्रीमाली: इस मामले में भी डिफेंस मिनिसट्री के साथ मशवरा हुआ है और मैं आशा करता हूँ कि कुछ न कुछ सन्तोषप्रद निर्णय हो जायेगा। इस बारे में करीब करीब यह फ़ैसला हो चुका है कि इन दोनों योजनाओं में आपस में कोई प्रतियोगिता या प्रतिस्पर्धा न हो, बल्कि दोनों मिल कर काम करें।

श्री नाथ पाई : अध्यक्ष महोदय, क्या माननीय मन्त्री जी यह बताने की कृपा करेंगे कि.....

अध्यक्ष महोदय: मैंने पहले भी कई बार कहा है कि माननीय सदस्य आम तौर पर हर एक सप्लीमेंटरी के साथ जो य क ते हैं कि "क्या माननीय मन्त्री जी यह बताने की कृपा करेंगे..." अगर वे माननीय सदस्य हम यह न कर के ये सैकंड भी बचा लें और सीधा सवाल किया करें, तो अच्छा होगा।

Shri Kapur Singh: Shri Nath Pai is a very chivalrous man.

श्री नाथपाई : क्या हम जान सकते हैं कि मेजर-जनरल पठानिया साहब की पृष्ठभूमि क्या है और इस काम के लिए उनका अनुभव क्या है ?

डा० का० ला० श्रीमाली: पृष्ठभूमि यह है कि एक तो वह मेजर जनरल हैं और दूसरे, इस काम में आने से पहले एक वर्ष तक वे एन० सी० सी० के डायरेक्टर-जनरल रह चुके हैं। उनको शिक्षा का भी अनुभव रह चुका है।

Shri Indrajit Gupta: May we be assured that this new Director General is not the same gentleman who was commanding our troops in Sela? Has he been put in-charge of the Scheme because of his performance there?

Dr. K. L. Shrimali: I do not like this kind of insinuation in Parliament. (Interruption).

Shri Hari Vishnu Kamath: It is not an insinuation. It is a question of fact only.

Shri Indrajit Gupta: What I wanted to know was whether it is the same gentleman?

Mr. Speaker: The first part of the question, whether that is the same gentleman, the insinuation apart, the Members should avoid it. The Members should avoid this sort of insinuation in the Question Hour at least, whether he is the same gentleman who was in-charge of our forces at Sela. I would not allow it.

Dr. K. L. Shrimali: All I can say is, he is fully qualified to hold the authority.

Shri Tyagi: That is avoidance. Of course, he is the same man.

Shri Indrajit Gupta: I did not mean any insinuation. If he happens to be the same gentleman who was in-charge of our forces, I wanted to know what is the reason for his transfer there from active Army service?

Mr. Speaker: Now, the question was, whether he was earlier in-charge of our forces in a particular place. On the face of it, of course, the insinuation would not be allowed and the Member should also avoid it.

Can this information be given: is he the same gentleman. Maj. Gen. Pathania or somebody else?

Dr. K. L. Shrimali: He was on the front. I do not know actually where he was. All that I can say is he has a very distinguished record of service.

Shri Hari Vishnu Kamath: Now extinguished.

श्री सरजू पाण्डेय : मैं यह जानना चाहता हूँ कि राष्ट्रीय अनुशासन योजना के लागू होने के बाद से मुख्य रूप से विद्यापियों में अनुशासन पैदा हुआ है या नहीं, विद्यापियों में जो अनुशासनहीनता बह रही थी, वह घटी

है या नहीं, क्या इसकी कोई रिपोर्ट सरकार के पास आई है।

डा० का० ला० श्रीमाली : लक्ष्य तो इस का यही है कि अनुशासन हो और हम आशा करते हैं कि धीरे-धीरे उसके अच्छे परिणाम भी होंगे।

श्री काशीराम गुप्त : अभी तक राइफल ट्रेनिंग राष्ट्रीय अनुशासन योजना का अंग नहीं था। मैं यह जानना चाहता हूँ कि क्या अब उसको इस योजना का अंग बनाया जा जा रहा है।

डा० का० ला० श्रीमाली : अभी राइफल ट्रेनिंग नहीं होती है, लेकिन इस मामले पर विचार किया जा सकता है।

Shri Ramachandra Ulaka : May I know whether students at the school level are given training under the scheme, and if not, may I know whether the Government have any proposal to implement the scheme at the school level also?

Dr. K. L. Shrimali : It is meant for school children.

Pakistani Infiltration



- *36. { **Shri P. C. Borooah :**
Shri Yashpal Singh :
Shri Bibhuti Mishra :
Shri D. C. Sharma :
Shri S. N. Chaturvedi :
Shri P. K. Ghosh :
Shri Kapur Singh :
Shri Gulshan :
Shri P. R. Chakraverti :
Shri Raghunath Singh :
Shri Heda :
Shri Prakash Vir Shastri :
Shri Hem Rai :
Shri Basumatari :
Shri Mohan Swarup :
Shri Kolla Venkaiah :
Dr. L. M. Singhvi :
Shri Onkarlal Berwa :
Shri Jashvant Mehta :
Shri Harish Chandra Mathur :
Shri Maheswar Naik :

- Shri U. M. Trivedi :**
Shri Kachhavaia :
Shri Vishram Prasad :
Shri Brij Raj Singh :
Shri Bade :
Shri P. R. Patel :
Shri Dighe :
Shri Sivramurthi Swami :

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that fresh batches of Pakistani Muslims had started infiltrating into Assam, and the reports from Indian local Muslims had resulted in the detection of over 2,000 such persons in May this year;

(b) if so, how many such infiltrants are estimated to have entered the various districts of Assam since the fresh influx started; and

(c) what effective measures have been taken by Government to curb this menace?

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

(a) In May this year, 3,362 Pakistani Muslims infiltrants were detected all over Assam; most of whom had infiltrated in recent years and some in recent months.

(b) During the twelve months from July, 1962 to June, 1963, a total number of 26,742 Pakistani Muslim infiltrants were detected in the various districts of Assam. No precise information as regards the dates on which these infiltrants entered Assam is available. A statement showing the manner in which they were dealt with is laid on the Table of the House. [Placed in Library, See No. LT-1388/63].

(c) Intensification of patrolling on the border and detailing of additional police and intelligence staff for swift and speedy detection and prosecution of the infiltrants.

Shri P. C. Borooah : May I know whether a decision has been taken of late to withhold deportation of illegal

Pakistani infiltrants? If so, may I know whether in the interest of the security of the country Government propose to remove these illegal Pakistani infiltrants from Assam to some other State, away from the border?

Mr. Speaker: The latter portion of the question is a suggestion for action.

The Minister of Home Affairs (Shri Lal Bahadur Shastri): I did not quite follow the first part of the question. Perhaps, the hon. Member asked....

Mr. Speaker: He wants to know whether any directions have been recently issued not to expel or deport those infiltrants but to allow them to remain. That was what I could follow. If there is such a direction, then, in the latter portion of the question he made a suggestion and he wanted to know whether there was any proposal to send them to some other States that might not be on the border.

Shri Lal Bahadur Shastri: No; no such order has been issued that the infiltrants should not be sent out of India. However, it was suggested some time back that in so far as physical pushing out is concerned, it may not be done.

Shri P. C. Borooah: May I know whether it is a fact that the infiltration and illegal over-stay of the Pakistanis in Assam has come to such a pass that the Pakistanis who have come to Assam with passports do not care to collect the passports from the Passport Department in Assam, and as a result of it, a huge number of such passports are piling up in the Passport Department of the Government of Assam?

Shri Lal Bahadur Shastri: I have been attentive, but I am extremely sorry that I have not been able to follow the question fully.

Shri P. C. Borooah: May I know whether it is a fact that the infiltration and the illegal over-stay of the Pakistanis in Assam has come to such a pass that....

Mr. Speaker: Is it his question that the illegal over-stay of Pakistanis has been tolerated to such an extent that they do not even care to collect their passports, and there is a huge pile-up of those passports in the Passport Office in Assam?

Shri P. C. Borooah: Yes.

Shri Lal Bahadur Shastri: I am not aware of the pile-up of the passports, but it is true that some of them have over-stayed for a long time. Yet, action could be taken only as the procedure and the law provide, and we take action under the Foreigners Act. Under that Act, certain procedures have to be complied with. Delays do take place in proper inquiry and then in sending the cases to the courts etc.

श्री यशपाल सिंह : क्या यह सही है कि यह इनफिल्ट्रेशन आज तक भी जारी है और स्टेट के एक खास मिनिस्टर की वजह से सेंट्रल गवर्नमेंट के साथ स्टेट गवर्नमेंट को ग्रोप्रेट नहीं कर सकी है . .

अध्यक्ष महोदय : आर्डर, आर्डर ।

श्री लाल बहादुर शास्त्री : दूसरा मैं स्मा तो विल्कुल ही गलत है और उसका कोई आधार नहीं है । जहाँ तक प ली बात का ताल्लुक है, कुछ आते जरूर हैं लेकिन थोड़े आते हैं । मगर उन के खिलाफ कायद के मुताबिक कार्रवाई की जाती है ।

Shri D. C. Sharma: There is a big disparity between the figures given by the hon. Minister and the figures quoted in the press. The figures given by Government run into thousands, while the figures given by the press run into millions. May I know what this disparity is due to, and how our Government are trying to find out the number of illegal infiltrants into Assam?

Shri Lal Bahadur Shastri: The hon. Member has perhaps mixed up the two figures. The figures which have been given in the statement placed on the Table of the House are only for one year, that is, from 1st July,

1962 to 30th June, 1963. The figures which have appeared in the newspapers are for the last few years. As the hon. Member is aware, I had myself given the figure in this House that it would be round about 2½ to 3 lakhs.

Shri S. N. Chaturvedi: Is it a fact that quite a number of these deported persons have been able to re-enter Assam or other parts of the country after they have been sent out?

श्री मोहन स्वरूप : हम जो पीछे बैठे हैं, इनको भी मौका दिया जाए।

अध्यक्ष महोदय : मैं तो जिस मैग्जर सातब को बुलाया है, गृह पीछे से बुलाया है।

श्री मोहन स्वरूप : इस तरफ भी थोड़ी तबज्जह दी जाए, यं मेरा निवेदन है।

Shri Lal Bahadur Shastri: Yes, some of them have come back, but their number is very small, and necessary action is taken against them also.

Dr. L. M. Singhvi: It is clear that the menace of infiltration is bigger than what the figures indicate, but even according to the figures conceded, we find that there were quit-notices served on as many as 9624 people during the year for which the figures have been given, and yet these people's departure from Indian territory has not been confirmed. What steps have been taken, and what is the reason why they have not been made to depart from this country?

Shri Lal Bahadur Shastri: The hon. Member might be aware that we have a very long border of over 600 miles, and it does not always happen that all of them go through the prescribed routes. There are different roads and different places from which they enter India. Most of them have gone out, but it is not possible for the check posts to give their names or their number.

श्री प्रकाश बीर शास्त्री : ग्राज के समाचार पत्रों में असम के वित्त मंत्री श्री फखरुद्दीन अली अहमद का एक वक्तव्य निकला है कि केन्द्रीय सरकार ने असम की सीमा पर पाकिस्तानियों के अवैध प्रवेश को रोकने के लिए अस्सी लाख रुपया असम सरकार को देना स्वीकार किया है। जब केन्द्रीय सरकार इतना पैसा असम सरकार को देना चाहती है तो क्यों नहीं सीमा के ऊपर अवैध प्रवेश को रोकने का जो काम है, वह अपने हाथ में ले लेती ?

श्री लाल बहादुर शास्त्री : जी नहीं, भारत सरकार के लिए इस काम को लेना मुनासिब नहीं है। दूसरी बात यह है कि प्रदेश की सरकार इसमें जो आवश्यक कारवाई है, कर रही है...

श्री प्रिय गुप्त : क्यों मुनासिब नहीं है ?

अध्यक्ष महोदय : इस पर बहस नहीं हो सकती है।

श्री लाल बहादुर शास्त्री : यह इसलिए नामुनासिब है कि प्रदेश की सरकार सारे सूबे का काम...

अध्यक्ष महोदय : मैंने तो क्वेश्चन को डिसएलाउ किया है लेकिन आप जवाब दे रहे हैं।

श्री लाल बहादुर शास्त्री : उनको रुपये पैसे की कटिनाई है। वे ज्यादा चैक पोस्ट्स बार्डर पर खोलना चाहते हैं लेकिन घन की कटिनाई की वजह से उनको रुपया देने की भारत सरकार ने मंजूरी दी है।

Shri Nath Pai: Have Government taken into consideration the possibility that whereas some of the refugees may be coming to India to escape from the harsh conditions of life prevailing in Pakistan, some of them may be coming at the instance of the Pakistani Government, as its belligerency towards this country is increasing, as potential fifth colum-

nists? What is being done towards them, to see that they do not take shelter in the country?

Shri Lal Bahadur Shastri: We try to detect each and every person who comes into our territory. I do not want to give details. A very large number of them who came into our territory were interrogated, put a number of questions, various inquiries were made about their activities, their purpose and all that. We are keeping a watch on that, but as Nath Pai ji said, more often it is mostly an economic problem. There are a large number of unemployed people who want to come from East Pakistan to Assam. They get employment there, especially on wage basis on the fields of the people living in Assam.

Shri Hari Vishnu Kamath: The Chinese are also coming.

श्री मोहन स्वरूप : अखबारों में यह खबर छपी है कि त्रिपुरा की छः लाख की आबादी में से ५२,००० पाकिस्तानी हैं, यह कहाँ तक सही है ?

श्री लाल बहादुर शास्त्री : माननीय सदस्य को याद होगा कि मैंने पहले कहा था कि करीब पचास हजार वहाँ पर इन्फिल्ट्रेंट्स यानी बाहर के पाकिस्तानी आए हुए हैं। यह भी मैंने कहा था कि उस पर कार्रवाई की गई थी और कितने आदमी उनमें से चले गए। अब वह पचास हजार का आँकड़ा सही नहीं है।

श्री ओंकार लाल बेरवा : अवैध प्रवेश करते हुए जो दो हजार पाकिस्तानी पकड़े गए हैं, वे पाकिस्तान भेज दिये गये हैं या हिन्दुस्तान की जेलों में हैं ?

श्री लाल बहादुर शास्त्री : ज्यादातर तो चले जाते हैं। जो कुछ रह जाते हैं, वह हमें बिछा हुआ है। कुछ जेलों में भी है।

Shri Jashvant Mehta: May I know whether Government has inquired into the charges that have been made

in the press against the Assam Minister who is responsible for encouraging the Pakistanis to enter into India?

Shri Lal Bahadur Shastri: This is very unfair.

Mr. Speaker: That should not form part of the supplementary.

श्री रामेश्वरानन्द : मैं यह जानना चाहूँगा कि अवैध रूप से भारत वर्ष में पाकिस्तानी घुस आते हैं या और कोई लोग घुस आते हैं, क्या भारत वाले भी कहीं जाकर घुसते हैं ? इस विषय में भारत सरकार भारत सरकार क्या कर रही है ?

(कोई उत्तर नहीं दिया गया)

श्री काशीराम गुप्त : यह समस्या दो देशों के बीच की समस्या है और केवल असम सरकार इसको रोकने में असमर्थ है और केन्द्रीय सरकार से इसके लिए रुपया चाहती है। तो क्या नहीं भारत सरकार इसकी जिम्मेदारी स्वयं ले लेती ?

अध्यक्ष महोदय : इसका जवाब तो दे चुके हैं।

Shri Swell: Is it a fact that Pakistani infiltration is not merely a physical infiltration, but collusion between Pakistani elements and elements in Assam such as the Mizo National Front that has been agitating for an independent Mizo State?

Shri Lal Bahadur Shastri: I cannot say definitely what kind of consultations have taken place between those Mizos, whose number is very small, who want a Mizoram outside India, but we have some reports that these people have been trying to get some help from Pakistan. We are keeping a watch on that, and I do not think we will allow them to do it.

Shri Priya Gupta: On a point of clarification.

Mr. Speaker: It was not his question.

Shri Swell: The Minister just now stated that the number of Mizos is small. How does he reconcile that with the fact that this Mizo National Front has swept the polls in the Mizo hills in the last elections?

Mr. Speaker: I am not allowing that. What clarification does Shri Priya Gupta want?

Shri Priya Gupta: As this border is an international affair, I want to know from the hon. Home Minister how the protection and defence of the border can devolve on the Assam Government and not on the Central Government, particularly when Assam is being overburdened.

Mr. Speaker: I have heard him ask for the clarification. I request him to listen that I am not allowing. Shri Hem Barua.

Shri Priya Gupta: My submission is.....

Mr. Speaker: Order, order. He will kindly resume his seat.

Shri Hem Barua: May I draw the attention of the hon. Home Minister to a statement made, if I am not guilty of divulging it, by the Prime Minister at the conference he called on 11th August of the leaders of the Opposition, where he said, "I have stopped the process of sending them out"; if so, may I know how far it is a fact that Government have decided not to send out those illegal Pakistani infiltrants who have become a menace to the security of the frontier State?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): I do not know where the hon. Member got this quotation. I do not function from here stopping anybody physically or in any other way, but the instructions given by us were there, because the problem is a very big problem, as the House knows, and connected intimately with the reactions of the other side. At the present moment we have to deal with,

in Tripura alone, 25,000 persons—Hindu refugees who have come from Pakistan as, I suppose, a kind of reprisal. What we have suggested is that steps should be taken first of all to ascertain who are illegal immigrants, secondly to give them notice, formal notice, after enquiry, and as a result of this I believe that, though I cannot give the exact number, many thousands have gone after receiving the notice alone; some have gone hearing that the notice would come. So, what my friend said, the question of pushing them over, has not largely arisen except in a few cases recently, and we wanted to avoid this process of pushing over as it creates law and order problems on both sides. But all the other processes are continuing and many people have gone out on receipt of these notices.

Shri Basumatari: Pakistan has been pumping out population from Pakistan to Assam. From reply just now given by the Home Minister that they have come here due to the poor economic condition there it seems that they are going to be absorbed. So may I know whether the position of Assam is going to be like that of Kashmir, to be claimed by Pakistan in the near future?

Mr. Speaker: He is arguing the case.

Shri Basumatari: I want to know whether Government of India want to absorb them into Assam.

Shri Jawaharlal Nehru: There is no question of absorbing them. The first question was stopping further infiltration. That has been largely done. One cannot say about stray individuals but no large-scale movement now takes place. The second question was to deal with those who had come. There were those who came in the last one or two years and those who came in the last 14 or 15 years. Originally there were no check posts and even before Independence there was large movement from

the districts of Mymensingh, etc. towards Assam. That is an old story. To some extent it has continued after Independence and there was no check for two, three or four years. After that they were stopped, not completely because the border was long but they were largely stopped. So, the attempt is to first stop them from coming in and to deal with those who have recently come in the last two years, apart from the initial surge, to give them notices. Now, another question has arisen, because, if the hon. Member sees Pakistan newspapers, there is a tremendous vituperative and virulent agitation carried on that we are dealing with Indian nationals who are Muslims in this manner. Therefore, the question is of devising some method of enquiry whereby it may be assured that a person who is supposed to be an infiltrant came from Pakistan. We cannot leave it merely to a police agency which may not perhaps decide quite correctly in some cases.

Mr. Speaker: Next question.

Shri U. M. Trivedi: Sir, I wanted to put a supplementary.

Mr. Speaker: I looked this side also. I may have made a mistake, but I am sorry. After this long statement, I do not think any further supplementary is necessary.

Basic Aids for the Blind

- *37. $\left\{ \begin{array}{l} \text{+} \\ \text{Shri R. G. Dubey:} \\ \text{Shri P. K. Deo:} \\ \text{Shri Buta Singh:} \\ \text{Shri Vishram Prasad:} \end{array} \right.$

Will the Minister of Education be pleased to state:

(a) whether his attention has been drawn to the statement of Mr Eric Bolter, Associate Director, American Foundation for the Overseas Blind, that in the developing countries even the basic aids necessary for the physical disability of the blind are missing; and

(b) whether the Government of India have given their thought to the same?

The Minister of Education (Dr. K. L. Shrivastava): (a) and (b). Yes, Sir.

Shri R. G. Dubey: What is the kind of assistance received from the various international agencies, and are these manufactured in this country?

Shrimati Soundaram Ramachandran: The international agency loaned us the services of an expert for three months to find out that we can manufacture in this country. Then again they have given us an engineer to give training to adult blinds in light engineering. We have also started manufacturing braille writing frames, arithmetic frames etc. to some extent but certainly it is not adequate. All steps are taken to produce adequate quantities in Dehra Dun adult blind training centre.

Shri R. G. Dubey: May I know whether any steps have been taken to prepare a kind of a census of the blind population and the institutions in the country with a view to rehabilitating them?

Shrimati Soundaram Ramachandran: In the census itself, they are enumerated separately, but I do not have the figures now. But we are trying through the State Governments and voluntary agencies to enlist as large a number of blind children as is possible in special schools and also in normal schools. With this object in view we have started various regional training centres for training adequate number of teachers for the blind schools.

डा० राम मनोहर लोहिया : दुनिया के किसी भी देश के मुकाबले सबसे ज्यादा अन्धे हिन्दुस्तान में हैं। इस कारण गरीबी के अलावा चिलकती धूप में जूतों का अभाव है। क्या भारत सरकार ने दूसरे देशों के साथ इस पर विचार किया है ?

Shrimati Soundaram Ramachandran: I shall try to answer it to the extent

as I have understood. There was a conference for South-East Asia in Kuala Lumpur where foreign experts also were available. We also sent our Secretary and others and we are taking the help of international agencies also for improving the educational and rehabilitation facilities for the blind.

डा० राम मनोहर लोहिया : मेरे सवाल का जवाब नहीं दिया गया। चिलकनी धूप में जूतों के अभाव से आदमी ज्यादा अन्धा होता है।

श्रीमती सौंदरम रामचन्द्रन : मैंने ऐसा कभी नहीं सुना है।

डा० राम मनोहर लोहिया : आज सुन लें मंत्री महोदय।

श्रीमती सौंदरम रामचन्द्रन : अभी तक मैंने ऐसा नहीं सुना है।

श्री विश्राम प्रसाद : हमारे देश में अंधों की संख्या कितनी है तथा उनकी शिक्षा और उनके रहने के लिये सरकार ने कितनी जगहों में इंस्टिट्यूट्स खोले हैं, और उनको सरकार की ओर से कितनी मदद दी जाती है ?

अध्यक्ष महोदय : यह सवाल तो दूसरे विषय के सम्बन्ध में था।

Dr. Sarojini Mahishi: In addition to the supply of the basic needs for the blind, may I know whether any positive steps are being taken to prevent blindness among children in the initial stages?

Shrimati Soundarum Ramachandran: Certainly, the expansion of the maternity and child welfare service takes special care so that infant blindness has been greatly decreased, and for the prevention of adult blindness, schemes such as the trachoma control schemes are in vogue.

Limited I.A.S. Examination

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*38. { Shri Surendra Pal Singh:
Shri Bhakt Darshan:
Dr. L. M. Singhvi:
Shri Maniyangadan.

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 137 on the 21st February, 1963 and state:

(a) whether any final decision has since been taken regarding the holding of limited I.A.S. examination; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) and (b). The scheme is still under consideration.

Shri Surendra Pal Singh: Since this proposal has been under the active consideration of the Government for a very long time now, may I know if the Home Minister is prepared to lay down a time-limit by which they would come to a final decision?

Shri Hajarnavis: I wish we could do it, but it has not been possible because we have encountered a number of difficulties, and before we can solve them, we shall have to hold consultations with the State Governments as well as with other Ministries.

Shri Surendra Pal Singh: May I know if the Home Minister held a conference of all the State Chief Secretaries in June last for discussing this matter at length and to come to a final decision, and, if so, what was the outcome of that conference?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): Yes, Sir; I did discuss with the Chief Ministers about this scheme.

Shri Surendra Pal Singh: The Chief Secretaries.

Shri Lal Bahadur Shastri: Yes, but I have discussed with the Chief Ministers also, and they felt that the Chief Secretaries should be met first. We

had a conference of the Chief Secretaries, but there was a considerable difference of opinion among the Chief Secretaries between one State and the other and also on the scheme which was adumbrated by us. In the circumstances, it seems it would not be possible to push through this scheme; it may take a long time. We will try to discuss with them further and convert them, but the differences are so great that it might take some more time, maybe a long time.

श्री भक्त दर्शन : माननीय राज्य मन्त्री महोदय ने पहले के पूरक प्रश्नों के उत्तर देते हुए बतलाया है कि इस प्रश्न का अन्तिम निर्णय करने में कुछ कठिनाइयाँ आ गई हैं। मैं जानना चाहता हूँ कि वे कौन कौनसी कठिनाइयाँ हैं, और उनको दूर करने के लिये अब तक क्या प्रयत्न किये गये हैं ?

श्री लाल बहादुर शास्त्री : अगर कठिनाइयों के व्योरे में जाऊँ तो वे बहुत भो हैं। उनको विस्तार से बतलाने में बड़ा वक्त लगेगा। कुछ स्टेट्स तो बिल्कुल ही खिलाफ हैं, कोई कारण दिये बगैर। जैसे कि माननीय सदस्य का अपना प्रदेश है, उत्तर प्रदेश। वह पहला है।

एक माननीय सदस्य : आपका भी है।

श्री लाल बहादुर शास्त्री : मेरा भी है, इसलिये पहले अपनी बात कहता हूँ। वह तो बिल्कुल एक मौलिक तरीके पर उसके विरुद्ध है; इसी तरह से मैसूर भी है, उड़ीसा भी है, असम भी है। साथ ही कुछ और प्रदेश हैं जो कहते हैं कि इस में बलास ३ के लोगों को नहीं लेना चाहिये ? दूसरे कहते हैं कि बलास १ सर्विस को अलग रखना चाहिये। इन व्योरो में जाकर मैं आपका समय नहीं लेना चाहता हूँ।

Dr. L. M. Singhvi : On the 27th February, 1963, when he answered the original question, he said that three States of the Union—Orissa, Uttar Pradesh and Mysore—had not accord-

785 (Ai) LSD—2.

ed their endorsement to this scheme. I understand now that he has added to the list some other States also. I should like to know whether these other States are not agreeable to having this scheme at all or there is only a difference in the matter of details with these States?

Shri Lal Bahadur Shastri : It is true that some of the other States, the Chief Secretaries of which came here and discussed, did not basically oppose this scheme. But still they differ on vital matters; therefore, I said we are encountering enormous difficulties and we will have to overcome them with further discussions etc.

Shri Hari Vishnu Kamath : What exactly, Sir, are the implications of this "Limited I.A.S. Examination"? Does it mean that candidates who get through this "Limited I.A.S. Examination" will be entrusted with limited responsibility and limited tasks as compared to the regular I.A.S. examination candidates; and, if so, will that not aggravate the already prevalent fall in administrative standards?

Shri Lal Bahadur Shastri : No, Sir; they will have the same responsibility because they will belong to the I.A.S. cadre, and if they belong to the I.A.S. cadre and if they join that service they will have to undertake the same responsibility as the other I.A.S. candidates.

Shri Hari Vishnu Kamath : Then why call it "Limited I.A.S. Examination"?

Shri Lal Bahadur Shastri : The examination is somewhat different but basically it is the same type of competitive examination.

Shri Hari Vishnu Kamath : It is all confusion worse confounded.

Shri Nath Pai : Is it not a fact that all the candidates who had previously appeared for I.A.S. and who have been successful have not been absorbed in full and there is a large number of

them who could not be absorbed? If that is so, why has it become necessary to propound this new scheme and why does not Government think of calling back all those who were successful and not absorbed into service? May I also know what is the shortage of I.A.S. officers that the Government is faced with today?

Shri Lal Bahadur Shastri: If you would permit me, Sir, I shall in brief say what is the scheme and what is the basic idea behind it.

Mr. Speaker: The main purport of the question is that there are certain candidates who have been declared successful but not absorbed in service and they should be called first.

Shri Lal Bahadur Shastri: About that, I wanted to answer the first part but I would not do it. I wanted to give the basic idea of the scheme. About the second part of the question, we cannot go low down in the list. For example, if 160 people have qualified and we want 50 we will take the first 50. If we want another 20 or 30 we would not go up to the 80th, we will have a fresh examination and those who will come on the top of the list will be absorbed. Therefore, we have to select the best candidates. We cannot absorb all those who appear in that examination.

As regards the basic scheme, our idea was that it would provide promising young officers in Class II and Class III services with an additional opportunity to enter the I.A.S. central service to which there is recruitment by competitive examination at present. Further, it would facilitate some amount of lateral mobility which would bring into the higher service a very valuable new element which might also reduce, to howsoever small an extent it may be, the barriers which divide the services in one department from those in others. It is "limited" in the sense that limited number of students appear for the examination.

Shri Nath Pait: What is the present shortage of I.A.S. officers?

Shri Lal Bahadur Shastri: I cannot give the exact figure; but it is in hundreds.

Political set-up of Delhi

{ **Shri A. K. Gopalan:**
Shri Vasudevan Nair:
Shri Harish Chandra
 *39. { **Mathur:**
Shri Naval Prabhakar:
Shri Bhakt Darshan:
Shri Bade:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have taken any final decision regarding the future political set-up of the Union Territory of Delhi; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) and (b). The matter is still under consideration

Shri A. K. Gopalan: Have Government received any proposals from the different political parties? If so, what are the proposals and what is the reaction of the Government?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): We have not received any proposal from the political parties, but we did get certain recommendations of the Corporation. In fact, the Delhi Corporation had set up a committee on which the different political parties were also represented. They have sent a report and we have considered the recommendations made in that report.

श्री बड़े : क्या यह बात सच है कि जब यहां यूनिनन टैरीटरीज बिल डिस्कशन के लिए आया था तो शासन ने यह कहा कि शीघ्रतातिशीघ्र एक नया सैट अप दिल्ली के वास्ते देंगे ? इसको आपने इतने समय से अण्डर कंसीडरेशन रखा हुआ है । मैं जानना चाहता हूं कि कितने समय में आप दिल्ली को यह नया पोलिटिकल सैट अप देने वाले हैं ?

श्री लाल बहादुर शास्त्री : कंसीडरेशन के मानी यह नहीं है कि हम चुपचाप बैठे हैं। हम अपनी कार्रवाई करते जा रहे हैं। जब तक कार्रवाई पूरी नहीं हो जाएगी तब तक तो यही कहेंगे कि विचाराधीन है।

WRITTEN ANSWERS TO QUESTIONS

India Office Library

- *40. {
 Shri Bibhuti Mishra:
 Dr. L. M. Singhvi:
 Shri Hem Barua:
 Shri Raghunath Singh:
 Shri Hem Raj:
 Shri Jena:
 Shri M. L. Dwivedi:
 Shrimati Savitri Nigam:
 Shri S. C. Samanta:
 Shri Mohan Swarup:
 Dr. Ranen Sen:
 Shri Gulshan:
 Shri Buta Singh:
 Shri Bade:
 Shri D. D. Mantri:

Will the Minister of Scientific Research and Cultural Affairs be pleased to state the progress made in regard to the India Office Library issue?

The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir): There have been further discussions and exchange of correspondence between the three Governments concerned, but no final decision has yet been reached.

Movement of Coal

- *41. {
 Shri S. N. Chaturvedi:
 Shri Surendra Pal Singh:
 Dr. Mahadeva Prasad:

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

(a) whether any operational plan has been formulated by Government for the intensive movement of coal; and

(b) if so, the details thereof?

The Minister of Mines and Fuel (Shri Alagesan): (a) and (b). With

effect from the 1st February, 1963 a system of bulk movement in full rakes has been introduced. About 78 per cent of the coal loadings from the West Bengal/Bihar coalfields are thus in the shape of block rakes. This system has been applied to consumers having a monthly quota of 1500 tonnes or more. For consumers with small quotas the intention is to effect supplies through suitable dumps. A few dumps are already functioning in some States. The question of linking the residual consumers either with full rakes, or with suitably situated coal dumps is presently under examination.

Oil Exploration in Iran

- {
 Shri Kapur Singh:
 Shri Kesar Lal:
 Shri Solanki:
 Shri D. C. Sharma:
 Shri P. R. Chakraverti:
 Shri Morarka:
 Shri Ravindra Varma:
 Shri Sarjoo Pandey:
 Shri Kolla Venkaiah:
 *42. {
 Shri Shree Narayan Das:
 Shrimati Sharda Mukerjee:
 Shri Sham Lal Saraf:
 Shri Siddananappa:
 Dr. Ranen Sen:
 Shri Sidheshwar Prasad:
 Shri Surendra Pal Singh:
 Shri Maheswar Naik:

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

(a) whether Government have approached the Iranian Government for permission for the exploration of oil there;

(b) if so, whether it is a fact that the Iranian Government have offered in reply an off-shore area for the purpose; and

(c) if so, the details thereof?

The Minister of Mines and Fuel (Shri Alagesan): (a) to (c). The question of participation in the exploration for crude oil in Iran has been under examination for some

time. The information collected in connection therewith, indicated that the National Iranian Oil Company was inviting applications from parties interested in obtaining concessions. These concessions were to be in respect of an area of 40,000 square kilometres in an off-shore location in the Persian Gulf. No application has so far been made.

Artificial Rain

*43. { Shri Subodh Hansda:
Dr. P. N. Khan:

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

(a) whether any progress has been made by the scientists of the National Physical Laboratory who are working for the last six or seven years to create artificial rain;

(b) whether any experiment was made outside the laboratory; and

(c) if so, the result thereof?

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

(b) Yes, Sir, at Agra and Jaipur.

(c) Out of the total 36 units of seeding trials conducted at Agra and Jaipur, 19 were positive, 12 negative and 5 inconclusive.

Survey of Basic Education

Dr. L. M. Singhvi:
Shri Mohan Swarup:
{ Shri Harish Chandra Mathur:

Will the Minister of Education be pleased to state:

(a) whether any evaluation of the extent of success or failure of the Basic Education Scheme has been made on an All India basis;

(b) if so, the result thereof; and

(c) how many States have abandoned the experiment partially or fully?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). A statement is laid on the Table of the House. [Placed in Library. See No. LT-1389 63].

(c) None.

Emergency Powers

{ Shri Harish Chandra Mathur
Shri Yashpal Singh:
Shri D. C. Sharma:
Shri Bhakt Darshan:
Shri P. R. Chakraverti:
Shri P. C. Borooah:
*45. { Shri Indrajit Gupta:
Shri S. M. Banerjee:
Shri Daji:
Shri Kolla Venkaiah:
Shri Vasudevan Nair:
Shri Birendra Bahadur Singh:
Shri Jashvant Mehta:
Shri Warrior:
Shri Hem Raj:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have advised the State Governments to use emergency powers to the minimum;

(b) if so, what instructions have been issued; and

(c) whether an up-to-date statement (State-wise) of arrests and releases during the last four months will be laid on the Table?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) and (b). Home Minister addressed a letter personally to all the Chief Ministers requesting them to implement the provisions of the Defence of India Act with great care, restraint and circumspection.

(c) A statement containing the required information up to 31st July,

1963, will be laid on the Table of the House as soon as possible.

Cyclone in Tripura

- *46. { Shri Raghunath Singh:
Shri P. C. Borooah:
Shri G. Mohanty:
Shri Naval Prabhakar:
Shri Kolla Venkaiah:
Shri Warrior:
Shri Vasudevan Nair:
Shri Dinan Bhattacharya:

Will the Minister of Home Affairs be pleased to state:

(a) whether Tripura was hit by cyclone on 30th May, 1963; and

(b) the extent of damage caused?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) Three Sub-Divisions of Tripura namely, Sabroom, Amarapur and Belonia were hit by a cyclone on the night of 28th May, 1963.

(b) Seven persons lost their lives and the damage to government property is estimated at Rs. 11,90,000, and to private property at Rs. 34,74,000.

पिछड़े वर्ग के विद्यार्थियों को मंदिरकोत्तर छात्रवृत्तियाँ

*४७. श्री बाल्मीकी : क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को ज्ञात है कि अनुसूचित जातियों, अनुसूचित आदिम जातियों तथा अन्य पिछड़े वर्गों के उच्च शिक्षा प्राप्त करने वाले विद्यार्थियों को उनकी छात्रवृत्तियाँ समय पर नहीं दी जाती हैं ; और

(ख) यदि हाँ, तो इस कठिनाई को दूर करने के लिए क्या कदम उठाये गये हैं ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) और (ख). अनुसूचित जातियों, अनुसूचित कबीलों तथा अन्य पिछड़ी जातियों के

छात्रों को, छात्रवृत्तियाँ देने की योजना का १९५९-६० से विकेंद्रीकरण कर दिया गया है । छात्रवृत्तियों की राशि ठीक समय पर न मिलने के सम्बन्ध में कुछ शिकायतें प्राप्त हुई थीं । इसलिए राज्य सरकारों और संघीय प्रशासनों से कहा गया है कि वे इस बात का पूरा ध्यान रखें कि छात्रवृत्तियों की भ्रदायगी समय पर होती है । उनको यह भी सुझाव दिया गया है कि वे पात्र विद्यार्थियों को तदथ पेशगी धन देने हेतु, उसे निकालने और बांटने के लिए, कोई सन्तोषजनक तरीका अपनाएं ।

बनारस तथा अलीगढ़ विश्वविद्यालय

- *४८ { श्री भक्त दर्शन
श्री सरजू पाण्डेय :
श्री ज० ब० सिंह :

क्या शिक्षा मन्त्री १ मई, १९६३ के तारंकित प्रश्न संख्या ११२७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) बनारस हिन्दू विश्वविद्यालय तथा अलीगढ़ मुस्लिम विश्वविद्यालय के साम्प्रदायिक नामों को हटाने के बारे में क्या निश्चय किया गया है ; और

(ख) निर्णय करने में इतनी देरी के के क्या कारण हैं ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) और (ख). विषय अभी भी विचाराधीन है ।

Oil Wells

- *49. { Shri Heda:
Shri P. R. Chakraverti:
Shri Sideshwar Prasad:
Shri P. C. Borooah:

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

(a) whether it is a fact that Oil India has an ambitious plan of drilling a number of wells in Assam;

(b) if so, the main features of this plan giving the number of wells, and the target of oil to be produced; and

(c) what total capital investment would be involved?

The Minister of Mines and Fuel (Shri Alagesan): (a) and (b). The following is the drilling programme of Oil India Limited:—

1963	30 wells
1964	29 wells
1965	.. 28 wells

The production targets of Oil India Limited at present are as follows:—

1962	0.8 million tonnes
1964	.. 2.50 million tonnes
1965	.. 3.00 million tonnes

(c) The total capital investment involved is estimated to be about Rs. 14.15 crores during the period mentioned above.

मैट्रिकुलेट विद्यार्थियों के लिए व्यावसायिक पाठ्यक्रम

- *५०. { श्री सरजू पाण्डेय :
श्री ज० ब० सिंह :
श्री प्र० च० बरुआ :
श्री बिशन चन्द्र सेठ :
श्रीमती रेणुका बड़कटकी :

क्या शिक्षा मन्त्री १ मई, १९६३ के तारांकित प्रश्न संख्या ११२२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) मैट्रिकुलेट विद्यार्थियों के लिये व्यावसायिक पाठ्यक्रम की जो योजना विचाराधीन थी उसके बारे में इस बीच क्या प्रगति हुई है ;

(ख) क्या प्रस्तावित समिति इस बीच बना ली गई है ; और

(ग) यदि हां, तो समिति के कौन कौन सदस्य हैं तथा समिति के निर्देशपद क्या हैं ?

शिक्षा मंत्री (श्री ज० ब० च० श्रीनाली) :

(क) से (ग) तक इस प्रश्न के लिए नियुक्त समिति की सदस्यता तथा समिति जिन विषयों पर विचार करेगी उनका ब्योरा देते हुए एक विवरण सभा पटल पर रख दिया गया है। (पुस्तकालय में रखा गया, देखिये संख्या एल टी० १३६०१६३)

Commonwealth Universities Conference in London

- *51. { **Shri Tridib Kumar Chaudhuri:**
Shri Sidheshwar Prasad:
Shri Maniyangadan:
Shri Sivamurthi Swami:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the University of Calcutta has registered a strong protest with his Ministry about the manner in which the Indian Universities Delegation to the Commonwealth Universities Conference held in London in July was selected and that the Syndicate of the University has passed a resolution protesting against the arbitrary manner of this selection;

(b) whether it is also a fact that no representatives from the Universities of Calcutta, Madras and Bombay were included in the Delegation; and

(c) who made the selection of the Delegation and what was its basis?

The Minister of Education (Dr. K. L. Shrimali): (a) A copy of the resolution passed by the Syndicate of the Calcutta University protesting against the exclusion of their Vice-Chancellor was received in this Ministry.

(b) The Vice-Chancellors of the Universities of Calcutta and Madras attended the Conference.

(c) The selection was made by the Government of India in its discretion, keeping in view the need for economy in expenditure on foreign travel during the present National Emergency.

स्वाधीनता संग्राम का इतिहास

*५२. श्री प्रकाश वीर शास्त्री : क्या वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्रों यह बताने की कृपा करेंगे कि :

(क) भारतीय स्वाधीनता संग्राम का दूसरा खण्ड कब तक प्रकाशित हो जायेगा ;

(ख) इसके प्रकाशन पर कितना धन व्यय हुआ है ; और

(ग) क्या इसका ध्यान रखने के लिए कार्यवाही कर ली गई है कि इसमें कोई गलती न रह जाये ?

वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्रों (श्री हुमायून् कबिर) : (क) उम्मीद है कि पाण्डुलिपि चालू साल के आखीर तक तैयार हो जाएगी ।

(ख) इसके छप जाने के बाद ही इस बात का पता चलेगा ।

(ग) जी, हाँ ।

Barauni Firing

*53. { Shri S. M. Banerjee:
Shri Sidheshwar Prasad:
Shri P. R. Chakraverti:
Shri Raghunath Singh:
Shri Maheswar Naik:

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

(a) whether it is a fact that there was a firing on workers in Barauni on the 16th June, 1963;

(b) the number of casualties as a result of firing;

(c) the reason for the demonstration; and

(d) the demands of the workers?

The Minister of Mines and Fuel (Shri Alagesan): (a) Yes, Sir.

(b) Two workers were killed and two were injured.

(c) Retrenchment of workers by the Sub-contractor and attempts on the part of other workers to rescue persons arrested for staging violent demonstrations.

(d) The workers demanded the reinstatement of the retrenched persons, increase in wages, overtime payment, festival holidays, leave and annual bonus and no retrenchments before the completion of the project.

Dacoit Menace

*54. { Shri R. S. Pandey:
Shri Sham Lal Saraf:
Shri D. D. Pari:
Shri Birendra Bahadur Singh:
Shri Bhagwat Jha Azad:
Shri Balkrishna Wasnik:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Governments of U.P., Rajasthan and Madhya Pradesh have submitted any joint scheme for eliminating the dacoit menace in their areas; and

(b) if so, what steps Government propose to take in this respect?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) and (b). Information is being collected and will be laid on the Table of the House in due course.

Sapru Committee on Higher Education

*55. Shri P. K. Deo: Will the Minister of Education be pleased to state:

(a) whether Dr. P. N. Sapru Committee appointed to examine the provisions of the Constitution regarding higher education has submitted their report;

(b) the terms of reference of the Committee; and

(c) the findings of the Committee?

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

(b) The terms of reference of the Committee are:

- (i) to examine the provisions of the Constitution regarding the responsibility of the Central Government in the field of Higher Education with a view to finding out the extent to which the Centre could assume greater responsibility in this field; and
 - (ii) to suggest appropriate steps to be taken for the purpose.
- (c) Does not arise.

All Party Hill Leaders' Conference

***56. Shri Swell:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that on instruction from the Prime Minister, the Assam Governor met representatives of the All Party Hill Leaders' Conference sometime in June last;

(b) whether the discussion he had was fruitful; and

(c) whether as a result, the Assam Governor has forwarded any concrete proposal for the consideration of the Central Government?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): (a) At the end of their interview with the Prime Minister on June 10, 1963, leaders of the All Party Hill Leaders' Conference requested him for further discussions. The Prime Minister suggested that they should see the Governor of Assam before meeting him again. Accordingly, some All Party Hill Leaders' Conference leaders met the Governor on June 18, 1963.

(b) and (c). The talks which the Governor of Assam had with the representatives of the All Party Hill Leaders' Conference were exploratory in nature. No concrete proposals have yet emerged but the matter is under consideration.

Government Holidays

***57. Shri H. N. Mukerjee:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that two sets of holidays are likely to be declared this year in India as Durga Puja (Dussera), Diwali and Holi holidays; and

(b) if so, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) and (b). Due to the occurrence of one Kshayamasa and two Adhikamasas, an unusual phenomena coming after 141 years, there is some difference of opinion as to the dates on which Dussera and Diwali festivals should be celebrated in 1963. It is for the States to declare their own holidays and they do so having regard to the local practice and the days on which the festivals are actually celebrated.

Coal Washeries

***58. Shri Mohammad Elias:** Will the Minister of Mines and Fuel be pleased to state:

(a) the considerations upon which the price of coal of various grades is determined;

(b) the considerations on which the price of washery products is determined; and

(c) the number of coal washeries at present in Bihar and West Bengal and those proposed to be opened in the Fourth Plan period?

The Minister of Mines and Fuel (Shri Alagesan): (a) The price structure of coal was examined in detail by the Coal Price Revision Committee appointed by Government in 1957. The present prices are largely based on the recommendations of that Committee. These prices take into account the average cost of production in a colliery working under normal conditions, and include a reasonable margin

of profit. Elements of expenditure like Wages, Salaries, Labour amenities, Stores, power costs, Royalty, Cesses, Depreciation, etc. are reflected in the price structure.

(b) No price has been fixed for the washed coal produced by the captive washeries of the Steel plants. In other cases the price is determined by taking into account the cost of raw coal, the operating cost of the washery plant, and the receipts from the sale of middlings which are a bye-product of the washery.

(c) There are 7 washeries at present in West Bengal and Bihar. During the Third Plan, it is proposed to set up 4 new washeries and to effect substantial expansion in three existing ones. The number of washeries for the Fourth Plan has not been decided yet, but it is estimated that the total washing capacity will have to be of the order of about 55 million tonnes, against the provision for a capacity of about 24 million tonnes in the current Plan.

Petro-Chemical Industries

- *59. {
 Shri Yashpal Singh:
 Shri R. G. Dubey:
 Shri P. C. Borooah:
 Shri Bhagwat Jha Azad:
 Shri Warrior:
 Shri Vasudevan Nair:
 Shri M. N. Swamy:
 Shri Subodh Hansda:
 Dr. P. N. Khan:
 Shri P. Venkatasubbaiah:
 Shri A. V. Raghavan:
 Shri Pottekkatt:
 Shri Sarjoo Pandey:
 Shri J. B. Singh:
 Shri P. R. Chakraverti:
 Shri Balkrishna Wasnik:
 Shri Vishram Prasad:

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

(a) whether Government propose to develop the Petro-Chemical industries in India; and

(b) if so, whether any foreign assistance has been sought and with what result?

The Minister of Mines and Fuel (Shri Alagesan): (a) Government recognise the need to encourage the development of petro-chemical industries in India. A number of schemes based on natural gas/naphtha have already been approved/licensed and several others are under examination.

(b) So far no foreign assistance has been sought specifically for this purpose.

Industrial Coal

- *60. {
 Shrimati Renuka Barkataki:
 Shri Basumatari:
 Shri Yashpal Singh:
 Shri Rameshwar Tantia:
 Shri Bishanchander Seth:

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

(a) whether any decision has been taken on the proposal regarding the movement of Industrial Coal through dumps;

(b) if so, when the scheme is likely to be implemented; and

(c) if already implemented, what are the areas of operations?

The Minister of Mines and Fuel (Shri Alagesan): (a) and (b). It has been decided that all coal, including Industrial Coal, should as far as possible, move in block rakes to the consumers' sidings or, where this is not possible, it should move in full rakes to suitable dumps, from where individual consumers should draw their supplies. In the implementation of this decision, about 78% of the coal loading from the West Bengal/Bihar coalfields is now being done in full train loads. The question of supplies through dumps thus arises only in respect of the residual consumers. A sub-committee, which includes representatives of both the producers and consumers as well as Government

is now examining this question. The report of this committee is expected shortly.

(c) The scheme of dumps and of movement in block rakes is intended to cover the entire country, except in isolated cases where, for operational reasons, the scheme may not be feasible.

Detective Training

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

(a) the steps so far taken to provide Special Detective training to the staff working in the Intelligence Department of the Ministry of Home Affairs; and

(b) whether any institutions for the said purpose have been set up and if so, where?

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

(a) No special Detective training is given to the staff working in the Central Intelligence Bureau as the organisation is not concerned with the detection of crime.

(b) Does not arise.

राजनैतिक पीड़ित

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

(क) उनके मंत्रालय को जनवरी, १९५७ से मार्च, १९६२ तक राजनैतिक पीड़ितों के कुल कितने प्रार्थना-पत्र देश भर से प्राप्त हुए ;

(ख) उनमें से कितने प्रार्थना-पत्र उक्त अवधि में राज्य सरकारों के पास आवश्यक कार्यवाही के लिये भेजे गये ;

(ग) कितने प्रार्थना-पत्रों पर केन्द्रीय सरकार ने निर्णय किया ; और

(घ) अब तक कुल कितने राजनैतिक पीड़ितों को सहायता अथवा पेन्शन मिल चुकी है और कितने प्रार्थना-पत्र अब भी विचाराधीन हैं ?

गृह-कार्य मंत्रालय में उपमंत्री (श्रीमती चन्द्रशेखर) : (क) प्रथम जनवरी, १९५७ से ३१ मार्च, १९६२ तक ६,५८१ प्रार्थना-पत्र ।

(ख) तथा (ग). राजनीतिक पीड़ितों की सहायता तथा पुनर्वास राज्य सरकारों का सीधा उत्तरदायित्व होने के कारण राजनीतिक पीड़ितों से प्राप्त हुए सहायता के प्रार्थना-पत्र राज्य सरकारों को उनकी सहायता की अपनी योजनाओं के अधीन विचारार्थ भेज दिये जाते हैं । उनके द्वारा सिफारिश किये गये विशिष्ट मामलों में गृह मंत्री के विवेकानुदान से छोटी नक़द राशि के रूप में सहायता दी जाती है । प्रथम जनवरी, १९५७ से ३१ मार्च, १९६२ तक की अवधि में २६२० राजनीतिक पीड़ितों को गृह मंत्री के विवेकानुदान से आर्थिक सहायता दी गई ।

(घ) प्रथम जनवरी, १९५६ से ३१ जुलाई, १९६३ तक गृह मंत्री के विवेकानुदान से ३६६३ राजनीतिक पीड़ितों को सहायता दी गई । इस अनुदान से पेंशन आदि के रूप में आवर्ती सहायता नहीं दी जाती । प्रथम अगस्त, १९६३ को राजनीतिक पीड़ितों को सहायता के इकतीस प्रार्थना-पत्र शेष थे ।

लुमुम्बा विश्वविद्यालय में दाखिला

१२२. श्री सरजू पाण्डेय : क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) सोवियत संघ के लुमुम्बा विश्व-विद्यालय के लिये १९६१ से अप्रैल, १९६२ तक कुल कितने अभ्यर्थियों के प्रार्थना-पत्र प्राप्त हुए ;

(ख) कुल अभ्यर्थियों में से कितने शिक्षा के लिये चुने गये ; और

(ग) इस समय कुल कितने विद्यार्थी उक्त विश्वविद्यालय में शिक्षा पा रहे हैं और उनकी शिक्षा का विषय क्या है ?

वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री (श्री हुमायूँ कबीर) : (क) ८८० ।

(ख) ६२ ।

(ग) इंजीनियरी	३८
कृषि	४
चिकित्सा	४
खनन	४
रसायन शास्त्र	४
गणित	१
रूसी भाषा	१
इकोनॉमिक प्लैनिंग	२

कुल जोड़	५८
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दिल्ली के अध्यापकों की सेवा-निवृत्ति की आयु

१२३. श्री सिद्धेश्वर प्रसाद : क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राजधानी शिक्षक संघ, दिल्ली ने प्राथमिक तथा माध्यमिक स्कूलों के अध्यापकों की सेवा-निवृत्ति की आयु बढ़ाने के लिए जापन दिया है ; और

(ख) यदि हां, तो इस सम्बन्ध में क्या फैसला किया गया है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) जी, हां ।

(ख) विषय दिल्ली प्रशासन के शिक्षा निदेशालय में विचाराधीन है ।

Council of Scientific and Industrial Research

124. **Shri Siddheshwar Prasad:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that the proposal to make changes in the bye-laws of the Council of Scientific and Industrial Research for the reconstitution of the Board of Scientific and Industrial Research has been under active consideration of Government; and

(b) if so, the decision taken thereon?

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

(b) Does not arise.

Education Tours of Orissa Students

125. { **Shri Ramachandra Ulaka:**
Shri Rama Chandra Mallick:

Will the Minister of Education be pleased to state:

(a) whether any aid or grant was sanctioned to Government of Orissa during 1962-63 for conducting educational tours of students within as well outside that State;

(b) if so, the details thereof;

(c) whether the amount was fully utilised by Government of Orissa during the same period; and

(d) the amount given or proposed to be given during 1963-64 for the same purpose to Orissa State?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). For the year 1962-63, a sum of Rs. 2,200 was placed at the disposal of Orissa State for giving grants for educational tours within India.

(c) No grant was released by the State Government owing to the National Emergency and the withdrawal of Railway concessions for educational tours.

(d) No grant has been given nor do we propose to give any to the Orissa Government during 1963-64 because the whole scheme has been kept in abeyance due to National Emergency.

'Sun Temple' at Konark

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

(a) whether the Central Government have given any financial help to Orissa for protection of 'Sun Temple' at Konark in Orissa during the last five years; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) No, Sir, as the 'Sun Temple' at Konark is a centrally protected monument.

(b) Does not arise.

S.C. and S.T. Agriculturists in Orissa

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

(a) the actual amount spent on Scheduled Caste and Schedule Tribe agriculturists in Orissa State during 1962-63; and

(b) the number of such agriculturists benefited thereby?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandra-sekhar): (a) and (b). The information has been called for from the State Government. A statement giving the required information will be laid on the Table of the House when it becomes available.

Criminal Procedure Code

128. { **Shri Dhuleshwar Meena:**
 Shri Ramachandra Ulaka:

Will the Minister of Home Affairs be pleased to state the number of cases involving Sections 107 and 151 of Criminal Procedure Code in which more than ten dates have been given by the Delhi Magistrates in 1962-63?

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

The number of cases pending under section 107, 151 Cr. P.C. in which more than ten dates have been given in 1962-63, is 304.

Janata Colleges in Delhi

129. { **Shri Dhuleshwar Meena:**
 Shri Ramachandra Ulaka:

Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 1969 on the 29th August, 1962 and state:

(a) the progress of evaluation of the two Janata Colleges in Delhi by the National Fundamental Education Centre; and

(b) the estimated annual expenditure for running these two colleges?

The Minister of Education (Dr. K. L. Shrimati): (a) The evaluation report in respect of Janata College for Men at Alipur has been completed and the same is proposed to be placed for consideration before the Advisory Council of Social Education constituted by the Government of India, Ministry of Education. The question of evaluating the working of the Janata College for Women will be taken up after the report of the Janata College for Men has been considered.

(b) Rs. 73,000.

Central Libraries

130. { **Shri Dhuleshwar Meena:**
 Shri Ramachandra Ulaka:

Will the Minister of Education be pleased to state:

(a) the number of libraries maintained and managed by his Ministry as at the end of July, 1963 and their location; and

(b) the number of books added to them during 1962-63?

The Minister of Education (Dr. K. L. Shrimati): (a) and (b). The informa-

tion is being collected and will be laid on the Table of the House.

Allahabad Pre-Examination Coaching Training Centre

131. { Shri Dhuleshwar Meena:
Shri Ramachandra Ulaka:

Will the Minister of Home Affairs be pleased to state:

(a) the number of students belonging to Scheduled Castes and Scheduled Tribes admitted in the University of Allahabad Pre-Examination Coaching Training Centre during 1962-63, State-wise; and

(b) the number of such students recruited to I.A.S. and I.P.S. from the above Centre during the same period?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandra-sekhar): (a) and (b). A statement is laid on the Table of the House. [Placed in Library. See No. LT-139/63].

U.G.C. Grant to Utkal University

132. **Shri Rama Chandra Mallick:** Will the Minister of Education be pleased to state:

(a) the total grant and loan given to the Government of Orissa, to the Utkal University and to different colleges thereunder during 1962-63 by the University Grants Commission; and

(b) the earmarked grant or loan already given or to be given during 1963-64 to them?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The University Grants Commission does not sanction any loans at all; it does give grants to Universities but not to State Governments. The total grants

paid by the Commission to Utkal University and its affiliated colleges are:

UTKAL UNIVERSITY

1962-63

Rs. 16,82,421

1963-64

(till 29-7-1963)

Rs. 1,76,360.

AFFILIATED COLLEGES

1962-63

Rs. 13,124

1963-64

till 29-7-1963

Rs. 40,099.

The funds of the Commission are not earmarked institution-wise. The amounts of grants payable during the remaining part of 1963-64 would depend upon the progress of the schemes already approved or the schemes that may be approved hereafter.

Coal supplied to Orissa

133. **Shri Rama Chandra Mallick:** Will the Minister of Mines and Fuel be pleased to state:

(a) the quantity of coal of different varieties supplied to the State of Orissa in 1962-63 and 1963-64, so far; and

(b) the total annual requirement of Orissa State?

The Minister of Mines and Fuel (Shri Alagesan): (a) and (b). The figures of the allotted quota and despatches of different varieties of coal for Orissa State during 1962-63 and 1963-64 (upto June, 1963) are given below:—

(Figures in Wagons)

	1962-63		1963-64 (upto June 63)	
	Quota Despatches		Quota Despatches	
Soft Coke	840	825	210	196
Hard Coke	162	311½	48	103½
Other Coals	5737	4562	1341	1971½
TOTAL	6739	5698	1599	2270

Includes ad-hoc allotments outside quota.

Welfare of S.C. and S.T. in Assam

134. Shri N. R. Laskar: Will the Minister of Home Affairs be pleased to state:

(a) whether any scheme for the welfare of Scheduled Castes and Scheduled Tribes has been formulated for the State of Assam in the Third Plan period under the Centre as well as the State Sector;

(b) if so, the details thereof and the total amount sanctioned for the entire plan period; and

(c) the schemes that have been completed and the amount spent during the first two years of the Third Plan?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) to (c). Yes; two statements giving the details of the schemes formulated, total amount sanctioned for the entire Third Plan period and the expenditure incurred during 1961-62 and 1962-63, separately for the State Sector and Central Sector are laid on the Table of the House. [Placed in Library. See No. LT-1392/63.]

Grants to Voluntary Educational Organisations

135. Shri S. N. Chaturvedi: Will the Minister of Education be pleased to state the schemes under which grants are made to Voluntary Educational Organisations for expansion or improvement of existing institutions or starting new ones in the field of pre-primary, basic or secondary education or education of girls?

The Minister of Education (Dr. K. L. Shrimali): Copies of the relevant schemes entitled:

(1) Scheme of Assistance to Voluntary Educational Organisation;

(2) Scheme of Assistance to Voluntary Educational Organisations engaged in the field of Women's education are available in the Library of the House.

Aid to Multi-purpose Schools

136. Shri S. N. Chaturvedi: Will the Minister of Education be pleased to state:

(a) the aid and facilities provided by Government for the opening of multi-purpose schools with scientific, technical and vocational subjects in the rural areas; and

(b) whether these are available directly from the Central Government or only through State Governments?

The Minister of Education (Dr. K. L. Shrimali): (a) Under the Third Plan, the State Governments have been offered Central assistance at the rate of 50 per cent. for strengthening of existing multi-purpose schools, including those in rural areas.

(b) Through the State Governments.

Photographs of Taj Mahal

Shri Yashpal Singh:

Shri P. K. Ghosh:

137. Shri Kapur Singh:

Shri Kesar Lal:

Shri Mohan Swarup:

Shri Onkar Lal Berwa:

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

(a) whether Government have decided not to allow the professional photographers to take photos of Taj Mahal;

(b) if so, the reasons therefor; and

(c) whether such restrictions are going to be applied to other monuments also?

The Deputy Minister in the Ministry of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) No, Sir.

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

Evening Colleges

128. { Shri Yashpal Singh:
Shri Warrior:
Shri Vasudevan Nair:
Shri N. R. Laskar:
Shri A. V. Raghavan:
Shri D. C. Sharma:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that it has been decided to open at least one evening college in every State for employed persons;

(b) if so, in how many States such colleges have started functioning; and

(c) whether the duration of the courses in these colleges would be longer than in regular colleges?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir. A scheme for giving grants for starting of Evening Colleges is, however, under consideration.

(b) Does not arise.

(c) The Expert Committee on Correspondence Courses and Evening Colleges has not made any recommendation regarding the duration of the courses in Evening Colleges. It is left to the organisers to draft their own rules and regulations according to local conditions.

Oil Refinery at Cochin

129. { Shri Yashpal Singh:
Shri Bishanchander Seth:
Shri P. C. Borooah:
Shri A. K. Gopalan:
Shri Warrior:
Shri Vasudevan Nair:
Shri M. N. Swamy:
Shri D. C. Sharma:
Shri Vishwanath Pandey:
Shri Morarka:
Shri Ravindra Varma:
Shri Kolla Venkaiah:
Shri Onkar Lal Berwa:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:
Shri Bishwanath Roy:
Shri Himatsingka:

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

(a) whether it is a fact that 11-member site-selection Committee appointed by Government has selected the site for establishing an oil refinery in Cochin;

(b) if so, when the construction is likely to start; and

(c) how much land would be required for the purpose and the progress made so far in setting up the refinery?

The Minister of Mines and Fuel (Shri Alagesan): (a) Yes. The area in which the refinery is to be located has been tentatively selected. A decision regarding the actual site will be taken after assessing the soil and other technical data.

(b) Construction work will be taken in hand after the site has been selected.

(c) Approximately 500 acres of land will be required for the refinery.

A Company, in terms of the Agreement entered into between the Government of India and the Phillips Petroleum Company, is being incorporated. Arrangements have been completed in regard to raising of funds that will be required by the Company. The State Government are taking steps to acquire the land for the refinery.

Shortfall in Technical Education

140. Shri Shree Narayan Das: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that the Planning Commission has indicated that there has been a shortfall in technical education;

(b) if so, the reasons therefor and the circumstances that have led to the situation; and

(c) the nature and extent of shortfall in the matter of technical education?

The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir): (a) No, Sir; there is no shortfall in respect of the physical targets. In fact, the targets have been revised upward and they will be fulfilled.

(b) and (c) Does not arise

अन्वमान की अनुसूचित जातियों तथा अनुसूचित आदिमजातियों के विद्यार्थियों को छात्रवृत्तियां

१४१. श्री नवल प्रभाकर : क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि देश के अन्य भागों में अनुसूचित जातीय तथा अनुसूचित आदिम जातीय विद्यार्थियों को छात्रवृत्तियां दी जाती हैं, किन्तु अन्वमान के विद्यार्थियों की योग्यता के आधार पर छात्रवृत्तियां दी जाती हैं ;

(ख) यदि हां, तो इसके क्या कारण हैं ; और

(ग) यह योग्यता कौन निर्धारित करता है ?

शिक्षा मंत्री (डा० का० लाल शीमली) :

(क) अन्वमान और निकोबार द्वीपसमूहों के अनुसूचित आदिम जाति के विद्यार्थियों को छात्रवृत्तियां उनकी आर्थिक स्थिति के आधार पर दी जाती हैं, योग्यता के आधार पर नहीं । (इन द्वीप समूहों में अनुसूचित जातियां नहीं हैं)।

(ख) और (ग) ये प्रश्न नहीं उठते ।

Chinese Internees

142. { **Shri Hari Vishnu Kamath:**
Shri Bhagwat Jha Azad:
Shri Bhakt Darshan:
Shri P. C. Borooah:
Shri Yashpal Singh:
Shri Bibhuti Mishra:
Shri D. C. Sharma:
Shri Hem Barua:
Shri Raghunath Singh:
Dr. L. M. Singhvi:
Shri P. Venkatasubbaiah:
Shri Subodh Hansda:
Shri P. R. Chakraverti:
Shri P. K. Deo:
Shri Sarjoo Pandey:
Shri J. B. Singh:
Shri Mohan Swarup:
Shri P. C. Deo Bhanj:
Shri P. K. Ghosh:
Shri Kapur Singh:
Shri Kesar Lal:
Shri Buta Singh:
Shri G. Mohanty:
Shri Birendra Bahadur Singh:
Shri Rameshwar Tantia:
Shri Ramachandra Ulaka:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1120 on the 1st May, 1963 and state:

(a) the number of Chinese internees who have refused to return to China;

(b) the reasons given by them for such refusal; and

(c) whether Government propose to let them settle down in India?

The Minister of State in the Ministry of Home Affairs (Shri Hajar-navis): (a) 594.

(b) No reasons have been given by them.

(c) Yes; except those whose presence at liberty is considered prejudicial to Security.

Conference on Para-Psychology

143. { Shri Bishanchander Seth:
Shri Yashpal Singh:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that India also participated in the International Conference on Para-Psychology which was held in New York;

(b) if so, who represented India;

(c) what were the subjects discussed; and

(d) the decisions arrived at, and whether it is also a fact that Indian representative had to go to other countries for study before attending the Conference?

The Minister of Education (Dr. K. L. Shrimali): (a) According to the information received from Indian Embassy, Washington, no International Conference on Para-Psychology was held in New York.

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

Summer Institute of Mathematics for Secondary School Teachers

144. Shri P. C. Borooah: Will the Minister of Education be pleased to state:

(a) whether a Summer Institute of Mathematics for Secondary School Teachers was organized this year at Delhi University; and

(b) the benefits which have accrued and are likely to accrue from organization of the institute?

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

(b) Greater knowledge amongst teachers and educators about new trends in the curriculum of school Mathematics and methodology of teaching.

785 (A) LSD-3.

Price of Coal

145. { Shri P. C. Borooah:
Shri Yashpal Singh:
Shri P. R. Chakraverti:
Shri Indrajit Gupta:
Shri Maheswar Naik:

Will the Minister of Mines and Fuel be pleased to refer to the reply given to Starred Question No. 918 on the 17th April, 1963 and state:

(a) the decision since taken on the proposal to increase prices of coal; and

(b) the reasons necessitating such increase?

The Minister of Mines and Fuel (Shri Alagesan): (a) and (b). No decision has so far been taken. The matter is still under consideration.

Export of Coal to Pakistan

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

(a) the amount of coal exported to Pakistan during each of the quarters in 1962 and 1963 so far;

(b) the total coal raisings in the country during each of these quarters;

(c) the country's indigenous requirements of coal during each such period, how far these requirements were met; and

(d) how much of coal was spared for export during each quarter?

The Minister of Mines and Fuel (Shri Alagesan): (a) Exports of coal to Pakistan during each of the quarters in 1962 and 1963 were as under:—

(Figures in million tonnes)

	1962	1963
1st quarter	0.266	0.307
2nd quarter	0.306	0.258
		(approx.)
3rd quarter	0.335	—
4th quarter	0.262	—
TOTAL:	1.169	0.565

(b) Output of coal during 1962 and 1963 was as under:—

(Figures in million tonnes)

	1962	1963
1st quarter	15·011	17·294
2nd quarter	14·958	16·900
		(approx.)
3rd quarter	14·917	—
4th quarter	16·662	—
TOTAL	61·548	34·194

(In tonnes)

	1962			1963		
	Nepal	Japan	Total	Nepal	Japan	Total
1st quarter	4,000	5,000	9,000	4,000	—	4,000
2nd quarter	5,000	4,000	9,000	6,000	5,000	11,000 (approx)
3rd quarter	5,000	5,000	10,000	—	—	—
4th quarter	3,000	5,000	8,000	—	—	—
TOTAL	17,000	19,000	36,000	10,000	5,000	15,000

Delhi Traffic Advisory Committee

147. **Shri R. G. Dubey:** Will the Minister of Home Affairs be pleased to state whether the 7-man Traffic Advisory Committee constituted by him has submitted any report containing their suggestions to improve the traffic system in New Delhi?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): The Committee has submitted its report on July 18, 1963

Indo-Soviet Cultural and Scientific Exchanges

148. { **Shri R. G. Dubey:**
Shri Bishanchander Seth:
Shri Yashpal Singh:
Shri Onkar Lal Berwa:
Shri Vishram Prasad:

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

(a) the outcome of his recent visit to Soviet Russia regarding the reported talks he had with the Soviet officials in connection with the programme of cultural and scientific ex-

(c) During 1962 the country's own requirements of coal were fully met so far as important consumers are concerned. In 1963 not only are all these requirements being fully met, but consumers are so well-stocked with coal that they have been reluctant to take supplies for some time.

(d) Details of exports to countries other than Pakistan during 1962 and 1963 are given below:—

changes between India and Soviet Russia; and

(b) what are the particular features of the proposed cultural agreement?

The Minister of Scientific Research and Cultural Affairs (Shri Hamayan Kabir): (a) and (b). Cultural Agreement between India and U.S.S.R. was signed in February, 1960 to promote closer contacts between the two countries in the cultural, scientific, technical and educational fields. Under this Agreement, annual programmes are chalked out by a Joint Committee of representatives of the Indian and the Soviet Governments and accordingly the programme of exchanges for the year 1963-64 was finalised at Moscow on May 7, 1963.

Engineering Course

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

(a) whether it is a fact that the duration of course for students now studying in the Third and Fourth years of the Five Year Degree course of Engineering has been curtailed by reducing the holidays and vacations and by working extra time; and

(b) if so, the period, by which the course is proposed to be curtailed?

The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir): (a) On the recommendations of the All-India Council for Technical Education, the final and pre-final year courses have been accelerated wherever possible by reducing the vacations and holding the examinations earlier. There is, however, no reduction in the actual duration of the degree courses.

(b) Due to the acceleration of the courses, graduates will pass out three to four months earlier.

Welfare of Scheduled Tribes

150. { Shri P. Kunhan:
Shri Imbichibava:

Will the Minister of Home Affairs be pleased to state:

(a) the progress so far made in implementing the centrally sponsored schemes at Attappadi for the welfare of the Scheduled Tribes; and

(b) the expenditure incurred so far in this connection?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) One Tribal Development Block has been started at Attappadi during 1962-63. The progress made in this Block is shown in the statement laid on the Table of the House. [Placed in Library. See No. LT-1393/63].

(b) Rs. 1.38 lakhs.

Selection for Tokyo Games

151. { Dr. U. Misra:
Shri Dinen Bhattacharya:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Olympic Association has agreed to scale down the standard for the Tokyo selections; and

(b) if so, the details thereof?

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

(b) Does not arise.

General Education Programme

152. { Shri Warior:
Shri Dinen Bhattacharya:
Shri M. N. Swamy:
Shri Vasudevan Nair:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the General Education Programme introduced in 1956-57 by his Ministry on the recommendation of the University Grants Commission has not yet been implemented in several universities;

(b) if so, the reasons therefor; and

(c) the names of universities which have not yet implemented the programme?

The Minister of Education (Dr. K. L. Shrimati): (a) to (c). The information is being collected and will be laid on the Table of the House.

Education and Emergency

153. { Shri Bibhuti Mishra:
Shri N. R. Laskar:
Shri Vishwanath Pandey:
Shri Vasudevan Nair:
Shri D. J. Naik:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Union Government have written to the State Government to restore the cuts made in their education budgets as a result of the emergency; and

(b) if so, the reaction of the State Governments?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir. The Education Minister wrote to all the State Chief Ministers to consider allocations for education in the light of the important contribution that education can make to the national cause and suggested the pace of development in Education should not be allowed to be slowed down.

(b) The State Governments were sympathetic to carrying out the suggestion made, subject to the limitation of their resources.

"China Today"

154. { **Shri D. C. Sharma:**
Shri P. K. Deo:

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

(a) the number of issues of copies of the 'China Today' proscribed during the current year so far for containing material detrimental to the security and integrity of India; and

(b) the action taken in all such **Kabir**: (a) and (b). Out of 149 Junior

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

(a) Four issues of 'China Today' dated the 22nd February, 29th March, 6th April and 24th May, 1963 were proscribed under Rule 45 of the Defence of India Rules.

(b) The action taken in all such cases was to prohibit the further sale and distribution of the issues, including extracts and translations and to forfeit to Government every copy or its translation. In terms of the Order, every person possessing these issues was also directed to deliver them to local police authorities. Copies of the proscription order were forwarded to all State Governments and Union Territories for action on the above lines.

Training Institutes for Officers

155. { **Shri D. C. Sharma:**
Shri Subodh Hamsda:
Dr. P. N. Khan:
Shri Onkar Lal Berwa:

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

(a) whether States have been asked to consider the question of establishing training institutes for their Class I and II officers;

(b) whether the Ministry of Home Affairs is preparing schemes for establishing institutes and courses of training in consultation with the National Academy of Administration; and

(c) if so, the details thereof?

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

(a) Yes.

(b) and (c). The Ministry of Home Affairs have suggested to the Governments of the States where Training Institutes exist at present, to consider introducing a foundational course for their Class I and II officers on the pattern of the Foundational Course run at the National Academy of Administration, Mussoorie.

Junior Technical Schools

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

(a) the progress made by the States in setting up of junior technical schools;

(b) the number of schools that are functioning at present; and

(c) how far these schools will help in meeting the shortage of technical personnel at lower levels?

The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir): (a) and (b). Out of 149 Junior Technical Schools provided in the Second and Third Five Year Plans

of the States, 75 schools have been set so far.

(c) The Schools train skilled workers for the engineering industry. The output from each School is about 60 candidates and it is proposed to raise it to about 100 per year.

Voluntary Sanskrit Institutes

157. { Shri D. C. Sharma:
Shri Vishwanath Pandey:

Will the Minister of Education be pleased to state:

(a) whether it has been decided to continue the scheme for financial assistance to voluntary Sanskrit institutes and pathasalas during 1963-64;

(b) if so, the allocations made for the purpose; and

(c) the purposes for which it is proposed to be utilised?

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

(b) Rs. 2.00 lakhs.

(c) Grants to voluntary Sanskrit institutions are given for the following purposes:—

(a) setting up and developing Sanskrit institution/pathasalas,

(b) running Sanskrit teaching classes,

(c) training and appointing Sanskrit Pracharakas,

(d) setting up, running or strengthening of Sanskrit Libraries and Reading Rooms,

(e) purchase of propaganda equipment for propagating Sanskrit,

(f) organising lectures of prominent Sanskrit scholars, Sanskrit elocution contests, Sanskrit debates, Sanskrit dramas etc.,

(g) preparing Bilingual Dictionaries with Sanskrit as one of the languages,

(h) preparation and publication of Sanskrit manuscripts,

(i) preparation and publication of Sanskrit Journals and Magazines,

(j) institution of prizes for students studying Sanskrit,

(k) construction of building, repairs of building or expansion of building in rare and exceptional cases,

(l) organising approved Sanskrit Conventions,

(m) research in Sanskrit, and

(n) any other activity which may be found conducive to the enrichment, propagation and development of Sanskrit.

Union Ministers

158. { Shri Kapur Singh:
Shri Kesar Lal:
Shri Solanki:
Shri Buta Singh:
Shrimati Renu
Chakravartty:
Shri Badi:

Will the Minister of Home Affairs be pleased to state:

(a) the number of Union Ministers and Ministers of States who went abroad during May-June, 1963;

(b) the countries visited by them;

(c) the purpose of their visit; and

(d) the amount of money spent by them?

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

(a) to (d). The information is given in the statement laid on the Table of the House. [Placed in Library. See No. LT-7394/63].

Foreigners Registration Office

159. { Shri Kapur Singh:
Shri Kesar Lal:
Shri Buta Singh:
Shri Solanki:

Will the Minister of Home Affairs be pleased to state:

(a) whether complaints have recently been made by some foreigners against the working of the Foreigners' Registration Office at Delhi; and

(b) if so, what action has been taken by the Government of India?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) and (b). Yes. But enquiries have revealed that the inconveniences complained of were due to non-observance of visa and other regulations applicable to foreigners.

हरिजनों के लिए कुएं

१६०. श्री बाल्मोकी : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) जुलाई, १९६३ के अंतिम सप्ताह तक हरिजनों के प्रयोग के लिये कितने कुएं खोदे गये ; और

(ख) सबसे अधिक कुएं किस राज्य में खोदे गये हैं ?

गृह-कार्य मंत्रालय में उपमंत्री (श्रीमती चन्द्रशेखर) : (क) और (ख). राज्य सरकारों/संघ राज्य क्षेत्रों के प्रशासनों से सूचना मांगी गई है। प्राप्त होने पर अपेक्षित सूचना का एक विवरण सभा-पटल पर रख दिया जायगा।

Singareni Collieries Company

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

(a) when the Civil Engineering Works for the setting up of 18 megawatt thermal Station at Ramagudam

by the Singareni Collieries Company will be undertaken;

(b) the total quantity of power required by the Singareni Collieries Company for achieving the target of 3.56 million tonnes by 31st March, 1964;

(c) how much of this power will be from their own generating plants; and

(d) the quantity likely to be supplied by the State Governments?

The Minister of Mines and Fuel (Shri Alagesan): (a) These are expected to be started by February/March, 1964.

(b) 13,500/14,000 K.W. (Estimated)

(c) 9,000/9,500 K.W.

(d) The Andhra Pradesh State Electricity Board is now supplying 3,200 KW. Negotiations with the State Electricity Board are going on for an additional supply of 1,000/2,000 KW. power still needed.

Coal deposits in Andhra Pradesh

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

(a) whether large deposits of coal exist in certain areas in Uulug Taluk, Warangal District, Andhra Pradesh;

(b) if so, when the drilling operations will be undertaken to determine the extent of coal available; and

(c) whether this work will be undertaken by the Indian Bureau of Mines or the Singareni Collieries Company?

The Minister of Mines and Fuel (Shri Alagesan): (a) Occurrence of coal has been reported near villages Korsali and Pungonda in Uulug Taluk, Warangal district, Andhra Pradesh.

(b) and (c). Drilling operations are proposed to be undertaken by the Geological Survey of India during 1963-64. The Singareni Collieries Company expect to commence drilling

operations in a portion of the area falling within their lease-hold early in 1964-65.

राष्ट्रीय साइकिल चैम्पियन प्रतियोगिता में दुर्घटना

१६३. श्री भक्त बशॉन : क्या शिक्षा मन्त्री १० अप्रैल, १९६३ के तारांकित प्रश्न संख्या ८१२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) गत २४ मार्च, १९६३ को राष्ट्रीय साइकिल चैम्पियनशिप प्रतियोगिता में जो दुर्घटना हुई थी, उसके लिये उत्तरदायी व्यक्तियों को दण्ड दिलाने में अब तक क्या प्रगति हुई है ; और

(ख) मृत व्यक्तियों के परिवारों को मुआवजा अथवा वित्तीय सहायता देने व दिलाने में क्या प्रगति हुई है ?

शिक्षा मन्त्री (डा० का० ला० श्रीमाली) :

(क) मामले की पुलिस-जांच पूरी हो चुकी है और चालान न्यायालय में भेज दिया गया है ।

(ख) स्वर्गीय सर्वश्री प्रकाश सिंह और एम० कनिन्नाप्पन के परिवारों को निम्नांकित सहायता दी गई है :—

(१) रेल मन्त्री के कल्याण और सहायता फण्ड से प्रत्येक परिवार को १०००.०० रुपये का अनुदान दिया गया है ;

(२) रेलवे खेल नियन्त्रण बोर्ड ने अपनी निधियों में से प्रत्येक परिवार को ६,०००.०० रुपये की तदर्थ राशि दी है ;

(३) स्वर्गीय श्री कनिन्नाप्पन के मामले में दक्षिण रेलवे की स्टाफ बेनिफिट फण्ड कमेटी ने ५००.०० रुपये का अनुदान स्वीकृत किया है ; और

(४) दोनों मृत व्यक्तियों की विधवाओं को नौकरी दे दी गई है ; श्रीमती सिंह को उत्तरी रेलवे में एक तदर्थ क्लर्क के रूप में और श्रीमती कनिन्नाप्पन को दक्षिण रेलवे में एक अस्पताल पारिचारिका के रूप में ।

उत्तर प्रदेश और बिहार के बीच सीमा-विवाद

१६४. श्री भक्त बशॉन : क्या गृह-कार्य मन्त्री २० मार्च, १९६३ के तारांकित प्रश्न संख्या ५१३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि उत्तर प्रदेश व बिहार के सीमा-विवाद को निबटाने के लिये जिन श्री सी० एम० त्रिवेदी को नियुक्त किया गया था, उन्होंने इस विषय में क्या प्रगति की है ?

गृह-कार्य मन्त्री (श्री लाल बहादुर शास्त्री) : श्री त्रिवेदी उत्तर प्रदेश तथा बिहार की सरकारों के साथ इस विषय पर पत्र व्यवहार कर रहे हैं । हाल में वह सम्बन्धित जिले धारा और बलिया जाने वाले हैं जहाँ पर वह स्थानीय परिस्थितियों और समस्याओं को छुद भी देखेंगे ।

Use of Hindi

- | | | |
|------|---|----------------------|
| 135. | { | Shri Maniyangadan: |
| | | Shri P. K. Ghosh: |
| | | Shri Kapur Singh: |
| | | Shri Y. N. Singha: |
| | | Shri Buta Singh: |
| | | Shri Yashpal Singh: |
| | | Shri Heda: |
| | | Shri Bibhutj Mishra: |

Will the Minister of Home Affairs be pleased to state:

(a) whether the Departmental heads under the various Union Ministries have issued to all their employees orders calling upon them to use Hindi for certain official purposes; and

(b) if so, for what purposes Hindi is to be used exclusively?

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

(a) and (b). Heads of Central departments and offices have from time to time issued office instructions regarding the progressive use of Hindi, in addition to English, for certain official purposes as provided in Home Ministry's O.M. No. 16/7/61-OL, dated 27th March, 1961. It is not envisaged that Hindi should be used exclusively. All Ministries have, however, been requested to make efforts that as far as possible, letters received in Hindi are replied to in Hindi.

Basic Education

166. { Shri Sham Lal Saraf;
Shri A. N. Vidyalkar;
Shri Harish Chandra Mathur;

Will the Minister of Education be pleased to state:

(a) whether it is contemplated to revise the present pattern of basic education;

(b) whether it is also proposed to introduce an agricultural bias in this new pattern; and

(c) what other changes, if any, are contemplated to be brought about in the present system?

The Minister of Education (Dr. K. L. Shrimani): (a) to (c). The matter is under reference to the Standing Committee of Central Advisory Board of Education for Primary Education under the chairmanship of Shri U. N. Dhebar which is expected to submit its Report by March, 1964.

Laccadive

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

(a) whether citizens of India are prohibited from visiting or taking up their residence in the Union Territory of Laccadive; and

(b) whether this provision has been reviewed in the light of the Constitution of India?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) Section 33 of the Laccadive Islands and Minicoy Regulation, 1912 provides—

The State Government may by order.

- (a) prohibit any person from visiting or taking up his residence in an island of which he is not a native; and
- (b) require any person to leave an island of which he is not a native and may make such rules as they deem fit to carry out the purposes of this section.

Section 2 of the Amindivi Islands (Restriction on entry and Residence) Regulation, 1949 provides—

The State Government may, by order:

- (a) prohibit any person who is not a native of any island to which this Regulation applies, from visiting it or taking up his residence therein without a permit from an officer authorised by the State Government in this behalf, or
- (b) require any person who is not a native of any such island to leave it, and may make such rules as they deem fit to carry out the purposes of this Regulation.

(b) Yes.

बुन्देलखण्ड क्षेत्र का भूतत्वीय सर्वेक्षण

१६८. { श्रीमती सावित्री निगम :
श्री म० सा० द्विवेदी :

क्या खान श्रीर इंजन मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश के बुन्देलखण्ड क्षेत्र का जो भूतत्वीय सर्वेक्षण किया गया था उसका

क्या प्रतिफल निकला और क्या यह सच है कि इस क्षेत्र में उच्चकोटि की कांच बनाये जाने वाली बालू की बहुत लाभदायक खानें मिली हैं ; और

(ख) क्या चांदी की खान और कोयले की खान पाई जाने की सम्भावना है और क्या निकट भविष्य में कोई सघन सर्वेक्षण करने का विचार सरकार कर रही है ?

खान और ईंधन मंत्री (श्री अल्लगेशन) :

(क) मिट्टी, कांच-रेत और पाइरो-फिलाइट के सुकार्य निक्षेपों का पता चला है। स्फोदिज (Bauxite) कच्चे तांबे, सिक्के एवं चांदी, कच्चे लोहे, मोलिब्डेनाइट, चूना-पत्थर, डोलोमाइट, गेरू (Ochre) खड़िया मिट्टी, मुलनाना मिट्टी (fullers earth) की मामूली विद्यमानता का पता चला है। आसी में मुरारी और बालाबहट के बीच और बांदा में धनौरा तथा परीहई के बीच में कांच बनाने के लिए उत्तम बालू की विद्यमानता का पता चला है।

(ख) इस क्षेत्र में अभी तक चांदी धातु (Silver-ore) के पाये जाने का पता नहीं लगा है। बुण्डेलखण्ड क्षेत्र में कोयले का विद्यमानता के लिए शील समूह, अनुकूल नहीं है।

पाठ्य-पुस्तकें

१६६. { श्री म० सा० द्विवेदी :
श्री स० चं० सामन्त :

क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) पाठ्य-पुस्तक निर्माण के लिये जिस संघठन की स्थापना सरकार ने की थी उसके कार्य में क्या प्रगति हुई है ;

(ख) कितनी पुस्तकों के निर्माण लेखन एवं प्रकाशन में उक्त संघठन से सहायता प्राप्त हुई है ; और

(ग) उक्त संस्था पर अभी तक कुल कितना आवर्तक ग्रन्थवा अनावर्तक व्यय हुआ है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाला) :

(क) और (ख). एक विवरण सभा पटल पर रखा गया है [पुस्तकालय में रखा गया, देखिये संख्या एल० टी० १३६५।६३]

(ग) ६१,०००.०० रुपये (लगभग)।

उद्योगों के लिए भूमि का वितरण

{ श्री म० सा० द्विवेदी :
१७०. { श्रीमती सावित्री निगम :
श्री स० चं० सामन्त :

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

(क) दिल्ली में उद्योगों के लिये वृद्ध योजना में भूमिवितरण की क्या योजना है ;

(ख) उद्योग अभ्यर्थियों को किस आधार पर भूमि मिल सकेगी ; और

(ग) भूमि का क्या मूल्य निश्चित किया गया है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री हजरतबीस) : (क) दिल्ली की वृद्ध योजना के अन्तर्गत लगभग कुल ५,८०० एकड़ भूमि को सन् १९८१ तक निम्नलिखित उद्योगों के उपयोग के लिये सिफारिश की गई है :—

- | | |
|-------------------------|------------|
| (१) विस्तृत उत्पादन . | ३,६०० एकड़ |
| (२) लाइट और सविस् | |
| उद्योग . | १,५८३ एकड़ |
| (३) विशेष उद्योग . | १०० एकड़ |
| (४) उद्योग तथा उत्पादन | |
| केन्द्र . | १६८ एकड़ |
| (५) फ्लटिड फैक्ट्रीज . | १६२ एकड़ |
| (६) पौटरी फैक्ट्रियां . | १०० एकड़ |

५,७४३ एकड़

(ख) और (ग). भूमि का वितरण और मूल्य निर्धारण सरकार द्वारा स्वीकृत 'दिल्ली में भूमि के उच्च स्तरीय अधिग्रहण, विकास तथा निपटान' की योजना के अधीन होगा, जिसकी मुख्य मुख्य बातें लोकसभा में २३ मार्च, १९६१ को श्री पी० जी० देव द्वारा दिये गये नियम १९७ के नोटिस के सम्बन्ध में सभा-पटल पर रखे गये विवरण में समाविष्ट हैं। संक्षेप में भूमि का वितरण लीज होल्ड (Lease-hold) और पूर्व निश्चित मूल्य पर, अर्थात्, अधिग्रहण की कीमत, विकास की कीमत तथा कुछ अतिरिक्त चार्ज को जोड़ कर निम्नलिखितों को दिया जायगा :—

(क) जिन उद्योगपतियों की भूमि दिल्ली के योजनात्मक विकास के अधीन अधिग्रहण की जा रही है ;

(ख) जिन उद्योगपतियों से उनकी फँदियाँ अपनी वर्तमान जगहों से हटाने के लिये कहा जा रहा है ; और

(ग) उद्योग सहकारी समितियाँ। अन्य लोगों को भूमि लीज-होल्ड (Lease-hold) बाजार भाव पर दी जावेगी।

Railway Fare Concession to the Deaf Mutes

171. { Shrimati Savitri Nigam:
Shri M. L. Dwivedi:

Will the Minister of Education be pleased to state:

(a) whether Government have received representations from All India Federation for Deaf regarding the Railway fare concessions to be given to the deaf mutes on the same pattern as has already been provided to the blind and their companions when they travel by the train; and

(b) if so, the action taken thereon?

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

not recently. The matter was however, considered in pursuance of a recommendation made by the National Advisory Council for the Education of the Handicapped in October, 1958, but it was not possible for the Government of India to allow railway concessions to the Deaf.

असम और बंगाल में तूफान

१७२. { श्री विठ्ठलनाथ पाण्डेय :
श्री ओंकार लाल बेरवा :
श्री प्र० चं० बरुआ :

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

(क) असम और बंगाल में २३ अप्रैल, १९६२ को जो तूफान आया था, उसमें कितने आदिमियों की मृत्यु हुई और कितने आदिमियों की सम्पत्ति नष्ट हुई और कितने रुपये का नुकसान हुआ ;

(ख) क्या राज्य सरकारों ने केन्द्रीय सरकार से सहायता मांगी थी ;

(ग) यदि हाँ, तो क्या सहायता केन्द्रीय सरकार ने प्रदान की ; और

(घ) क्या इस तूफान के साथ भूकम्प भी आया था ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हरजनवीर) : (क) असम या बंगाल में २३ अप्रैल, १९६२ को कोई तूफान नहीं आया। परन्तु असम में गोलपाड़ा जिले के बुड़ी सब-डिवीजन के कुछ भागों में तथा बंगाल के कूच-बिहार जिले के तूफानगंज सब-डिवीजन में १९ अप्रैल, १९६३ को एक तूफान आया था। इससे हुई क्षति का एक विवरण संलग्न है।

विवरण

उन राज का मरे	उन व्यक्तियों की
संख्या नाम व्यक्तियों	संख्या जिनकी
	की सम्पत्ति नष्ट हो
मर्या	गई
१ असम	६६ २५०० परिवार
२ बंगाल	३६ ५७४३ व्यक्ति

(ख) जी नहीं ।

(ग) प्रश्न ही नहीं उठता ।

(घ) जी नहीं ।

Paper Technology and Polytechnical Schools

173. Shri Vishwanath Pandey: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that Swedish Government will provide substantial aid for opening the schools of paper technology and two polytechnical schools in Uttar Pradesh;

(b) if so, the total amount of aid given by the Swedish Government; and

(c) when the schools will be opened?

The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir): (a) and (b). The Swedish Government has agreed to assist in the establishment of a School of Paper Technology at Saharanpur. The assistance comprises equipment worth Rs. 15 lakhs, the services of six Swedish experts and facilities for the training of Indian staff in Sweden.

(c) The School will start as soon as the buildings and other facilities are ready.

विश्ववायतन् योगाश्रम, नई दिल्ली

१७४. श्री विश्वनाथ प्रसाद : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विश्ववायतन् योगाश्रम नाम का आश्रम जन्तर मन्तर रोड, नई दिल्ली पर चल रहा है तथा उसकी एक शाखा जम्मू में भी है ;

(ख) क्या यह सच है कि उसको केन्द्रीय सरकार सहायता देती है यदि हां, तो पिछले तीन वर्षों में कितना-कितना रुपया अलग-अलग शाखाओं को दिया गया ; और

(ग) क्या जम्मू शाखा के हिसाब में कोई गड़बड़ी पाई गई है , यदि हां, तो उसका ब्योग क्या है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) जी, हां ।

(ख) जी, हां । योग आश्रम को अब तक भारत सरकार से निम्नांकित सहायता मिली है :—

वर्ष	दिल्ली केन्द्र द्वारा प्राप्त अनुदान	वैष्णव देशी केन्द्र (जम्मू)
१९६०-६१	४०,०००	कुछ नहीं
१९६१-६२	३०,०००	६२,०००
१९६२-६३	२७,४०८	कुछ नहीं

(ग). कुछ शिकायतें प्राप्त हुई हैं और उनकी जांच की जा रही है ।

नकशे की जल्दी

१७५. श्री मोहन स्वरूप : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार द्वारा करोलबाग (दिल्ली) स्थित (क्लिफ्टन

एण्ड कम्पनी के प्रबन्ध में छापा गया एशिया का एक नकशा जप्त कर लिया गया ; और

(ख) यदि हां, तो उस नकशे में क्या त्रुटियां पाई गईं और उनका विस्तृत विवरण ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हजरतबीस) : (क) जी हां ।

(ख) उस नकशे में उत्तरी सीमा गलत बताई गई थी ।

आयल इंडिया लिमिटेड

१७६. श्री मोहन स्वरूप : क्या खान और ईंधन मंत्री या बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आयल इण्डिया लिमिटेड में भारत सरकार व बर्मा आयल की आधे आधे की साझेदारी है;

(ख) यदि हां, तो भारत सरकार के हिस्से का मूल्य क्या है;

(ग) अब तक आयल इंडिया लिमिटेड का लक्ष्य क्या रहा है; और

(घ) क्या उस लक्ष्य की पूर्ति हो गई है?

खान और ईंधन मंत्री (श्री झलगेशन) :

(क) जी, हां ।

(ख) १४ करोड़ रुपये ।

(ग) वर्तमान में आयल इण्डिया लि० ने अपने विद्यमान तेल क्षेत्रों से प्रति वर्ष कच्चे तेल के ३ मिलियन मीटरी टन उत्पादन की योजना बनाई है ।

(घ) १९६५ तक इस लक्ष्य के प्राप्त होने की सम्भावना है ।

कालेज की फीस

१७७. श्री सरजू पाण्डेय : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि विश्वविद्यालय अनुदान आयोग ने कालेजों से सिफारिश की है कि वे शिक्षा के अतिरिक्त शुल्क की वसूली बन्द कर दें; और

(ख) यदि हां, तो इस मुद्दाव पर कानूनों की क्या प्रतिक्रिया है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) और (ख). जी नहीं । विश्वविद्यालय अनुदान आयोग ने दिल्ली विश्वविद्यालय से अनुरोध किया है कि वह अपने सम्बद्ध कालेजों में लिये जाने वाले शुल्क के संबंध में सामान्य एकरूपता की नीति लागू करने की सम्भावना पर विचार करे । विषय विश्वविद्यालय के विचाराधीन है ।

आयोग की सलाह पर दिल्ली विश्व-विद्यालय ने निर्णय किया है कि दिल्ली में ऐसा कोई भी कालेज जिस को आयोग से अनुरक्षण अनुदान मिलता हो, विद्यार्थियों से भवन-शुल्क नहीं लेगा ।

Geomagnetic Research

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

(a) whether Government have come to any decision to embark on a joint Indian and Soviet Geomagnetic Research particularly in magnetic disturbances in equatorial zones; and

(b) if so, how far India will benefit from such a joint move?

The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir): (a) This Ministry is not aware of any proposal for a joint Indian and Soviet Geomagnetic Research particularly in magnetic disturbances in equatorial zones. However, a joint programme on geomag-

netic research involving the use of the Soviet non-magnetic ship Zarya has been proposed as part of the programme of the International Quiet Sun Year.

(b) Since I.Q.S.Y. (1964-65) is a cooperative venture by many countries in the world, all participating countries (which includes India) will benefit from such cooperative investigations.

Sanskrit Education in Assam

179. { Shrimati Jyotsna Chanda:
Shri Sidheshwar Prasad:

Will the Minister of Education be pleased to state:

(a) whether Government have received any scheme from the Government of Assam for the development of Sanskrit education in the State;

(b) if so, steps taken in that respect; and

(c) whether Government have any proposal for the development of Sanskrit and also for ameliorating the condition of Sanskrit teachers in the State of Assam?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). During 1962, the Government of Assam submitted a scheme for Reorganisation of Sanskrit Education in the State. The scheme contemplated setting up of one Sanskrit College and 50 Sanskrit Vidyalayas to be run as Government aided institutions under the management of Committees of the institutions. The State Government have been advised to ask the institutions concerned to apply for grant under the Ministry's scheme of financial assistance to voluntary Sanskrit organisations/institutions and pathasala.

Government have also under consideration the general question of pay scales and status of Sanskrit teachers in the country.

Exploration in Chandra Ketugar

180. { Shri C. K. Bhattacharyya:
Shri P. K. Deo:

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

(a) whether his attention has been drawn to the report of the explorations of the Directorate of Archaeology in Chandra Ketugar, West Bengal;

(b) whether any step has been taken to preserve it; and

(c) whether there is any proposal to bring it under the Preservation of Old Monuments Acts?

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

(b) and (c). Yes, Sir. A preliminary notification has already been issued under the Ancient Monuments and Archaeological Sites and Remains Act, 1958.

Education Supervision

181. { Shri Sidheshwar Prasad:
Shri P. R. Chakraverti:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that a seminar on 'Education Supervision' was held in April, 1963 under the auspices of the Council for Study of Educational Administration; and

(b) if so, what issues were discussed in that seminar?

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

(b) (i) Concept of Supervision,

(ii) Current practices of Supervision in Delhi,

(iii) Problems pertinent to improving instructional practices at school through supervision; and

(iv) Broadening the Inspector's role.

इंडिया इंटरनेशनल सेन्टर, दिल्ली

१८२. { श्री सिद्धेश्वर प्रसाद :
श्री प्र० २० चक्रवर्ती

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विश्वविद्यालय अनुदान आयोग ने "इंडिया इंटरनेशनल सेन्टर" नामक संस्था को दिल्ली में भवन-निर्माण के लिए ७.२५ लाख रुपये दिये थे; और

(ख) यदि हां, तो ऐसी और किन किन संस्थाओं को आयोग के द्वारा कितना कितना अनुदान दिया गया है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :

(क) विश्वविद्यालय अनुदान आयोग ने "इंडिया इंटरनेशनल सेन्टर" के सहयोगी संस्थापक सदस्य बनने के लिये २०,००० रुपये प्रत्येक विश्वविद्यालय के हिस्सा से ३८ विश्वविद्यालयों को ७.६० लाख रुपये की राशि १९५९-६० से १९६१-६२ वर्षों तक दी ।

(ख) विश्वविद्यालयों के अतिरिक्त, विश्वविद्यालय अनुदान आयोग अन्य किसी संस्था को सीधे ही अनुदान नहीं देता है ।

बिहार के शिक्षकों को पेन्शन

१८३. श्री सिद्धेश्वर प्रसाद : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बिहार राज्य सरकार ने शिक्षकों के लिए पेन्शन की व्यवस्था करने का निश्चय किया है ;

(ख) यदि हां, तो इस की मुख्य बातें क्या हैं ;

(ग) क्या बिहार सरकार ने यह कदम केन्द्र के सुझाव पर उठाया है और इस में केन्द्र की ओर से किसी प्रकार की सहायता भी दी जायेगी; और

(घ) क्या अन्य राज्यों में भी इसी प्रकार की कार्यवाही की गई है अथवा करने का प्रचार है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) :
(क) जी हाँ ।

(ख) भारत सरकार के पास उपलब्ध सूचना के अनुसार बिहार सरकार ने अभी ब्योरे तैयार नहीं किए हैं ।

(ग) भारत सरकार ने अध्यापकों के लिए राज्य सरकारों को "त्रिसुत्रीय लाभ योजना" (जिस में पेन्शन भी शामिल है) की सिफारिश की थी । इस प्रयोजन के लिये तीसरी पंचवर्षीय योजना में केन्द्रीय सहायता की व्यवस्था है ।

(घ) राज्य सरकारें इस सुझाव पर विचार कर रही हैं और कुछ अन्य राज्य इसे पूर्णतया या आंशिक रूप से अपना लेंगे ।

Enrolment of Boys and Girls in Schools

184. { Smt. Renu Chakravartty:
Shri Kolla Venkaiah:

Will the Minister of Education be pleased to state:

(a) the comparative figures for new enrolment of boys and girls in primary and secondary schools in three years of this Plan, Statewise;

(b) how these figures stand in percentage to the total number in that school-going age-group;

(c) whether Government propose to devise means to find out how much is being spent financially on girls' and how much on boys' education; and

(d) whether any added sums are going to be allocated for special incentives for girls' education both in Primary and Secondary stage?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b) Two statements are laid on the table of the House. [Placed in Library. See No. LT-1396/63].

(c) A working formula in this regard has been furnished to the State Governments.

(d) Special programmes for girls' education are included in the State Plants and earn per cent assistance from the Centre.

Oil Resources in Rajasthan

185. Shri Karni Singhji: Will the Minister of Mines and Fuel be pleased to state the result of the aerial magnetic survey carried out to explore the oil resources in Rajasthan extending over an area of 20,000 square miles which included a portion of Bikaner?

The Minister of Mines and Fuel (Shri Alagesan): Aeromagnetic Survey was carried out in Western Rajasthan in 1956 to obtain an idea of the thickness of sedimentary rocks in this region. The survey, which covered 17,000 sq. miles lying partly in Bikaner and partly in Jaisalmer districts, indicated that the thickness of sediments in the western and north-western parts of the Jaisalmer District is fairly high. Further exploratory work in Jaisalmer has accordingly been undertaken.

Andamans and Nicobar Islands

**186. { Shri Dhuleshwar Meena:
Shri Ramachandra Ulaka:**

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 285 on the 6th March, 1963 and state:

(a) whether Government have since considered the proposal to acquire one passenger-cum-cargo ship and one cargo ship for augmentation of means of communications between the mainland and the Andaman and Nicobar Islands; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): (a) and (b): The matter is still under consideration.

U.K. Expert of Civil Defence

**187. { Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:
Shri Bhakt Darshan:**

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 139 on the 27th February, 1963 and state:

(a) whether Government have since considered the Report submitted by the U.K. Expert on civil defence; and

(b) if so, the details of the decisions taken?

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

(b) It will not be in the public interest to give details of the decisions taken.

Archival Legislation Committee Report

**188. { Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:**

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 307 on the 21st November, 1962, and state:

(a) whether Government have since considered the recommendations of the Archival Legislation Committee and taken decisions thereon; and

(b) if so, the details thereof?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir. A large number of the recommendations have been considered and decisions taken thereon.

(b) Five statements containing decisions taken are placed on the Table of the House. [Placed in Library, See No. LT-1397/63].

Himalayan Expedition

189. Shri R. S. Pandey: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Government are sponsoring any Himalayan expedition during 1963-64; and

(b) if so, the estimated expenditure on such expedition?

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

(b) Does not arise.

Journalism Courses in Universities

190. Shri Warior: Will the Minister of Education be pleased to state:

(a) the names of Universities and other institutions in India which provide courses in Journalism;

(b) which of these provide facilities for research in Journalism;

(c) whether such Universities and institutions receive grants from the Central Government for these courses; and

(d) if so, the grants paid during the last two years?

The Minister of Education (Dr. K. L. Shrimali): (a) The following Universities provide courses in Journalism:

- (i) Calcutta University
- (ii) Gujarat University (Shri H. K. Arts College, Ahmedabad)
- (iii) Madras University
- (iv) Mysore University.
- (v) Nagpur University (Hislop College, Nagpur)
- (vi) Osmania University
- (vii) Punjab University.

In addition, the Press Institute of India provides short term training courses in Journalism.

(b) The Press Institute of India has provision for research facilities.

(c) No, Sir. However, a grant has recently been approved by the University Grants Commission for a Master's Degree Course in Journalism

at the Hislop College, Nagpur University; No payment has, however, been made so far.

(d) Does not arise.

Co-ordination in Research Work

191. Shri A. N. Vidyalkar: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether there is any co-ordinating agency to link up and co-ordinate research work being carried on at various Universities and research institutions;

(b) if so, the name of the agency; and

(c) whether he will be pleased to place on the Table the current year's research programme and allocation of tasks to different institutions?

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

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

Registration of Discoveries

192. Shri A. N. Vidyalkar: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether new discoveries made at various research centres are promptly registered and patented under the Indian Patents Act; and

(b) if not, the reasons therefor?

The Minister of Scientific Research and Cultural Affairs (Shri Hamayun Kabir): (a) All the patentable discoveries made by the National Laboratories under the Indian Patents Act are processed expeditiously and there is no delay.

(b) Does not arise.

Sindhis

193. **Dr. M. S. Aney:** Will the Minister of Home Affairs be pleased to state:

(a) the total number of Sindhis shown in the Census Report of 1961 and their number in each of the Indian States and Union Territories separately; and

(b) the total number of persons speaking Sindhi language?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) The Questionnaire for the 1961 Census did not include any item in regard to Caste or Community on Groups except in the case of Scheduled Castes and Scheduled Tribes.

(b) The provisional figures for persons speaking Sindhi language are:—

(i) as mother-tongue—978,970 (excluding Goa, Daman and Diu) and

(ii) as subsidiary language—70,948 (excluding Goa, Daman, Diu and Manipur).

Cheating by Chit Funds

194. { **Shri Jashvant Mehta:**
Shri P. R. Patel:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government are aware that several cases of cheating by the organisation of chit funds were registered with the Delhi police during the recent months; and

(b) what step Government have taken to see that these cases are disposed of as early as possible?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) Yes. 9 cases of cheating have been registered against the organisers of Chit Fund Companies.

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(b) Every effort is being made to dispose of these cases expeditiously.

Correspondence Courses

195. **Shri Maheswar Naik:** Will the Minister of Education be pleased to state:

(a) the progress made so far in Universities and Colleges in regard to providing facilities for education through correspondence courses; and

(b) whether any assessment has been made of the efficiency and efficacy of the system?

The Minister of Education (Dr. K. L. Shrimali): (a) Correspondence Courses have been started only in Delhi University with effect from September, 1962.

(b) It is too early to make an assessment of an experiment of this type.

Development of Border Areas

196. **Shri A. N. Vidyaiankar:** Will the Minister of Home Affairs be pleased to state:

(a) the funds allotted by his Ministry for the development of border areas district-wise since November, 1962;

(b) the district-wise break-up of the funds utilised so far;

(c) the district-wise plans of work undertaken and achievement made so far; and

(d) the percentage of migratory population proposed to be settled in their own hill areas?

The Minister of State in the Ministry of Home Affairs (Shri Hajar-navis): (a) Development schemes involving total outlays indicated below have been approved by the Ministry of Home Affairs since November, 1962:—

(Rs. in lakhs)

*Uttarkhand Division	657.513
Ladakh District:	35.886
Lahaul District	16.564

*District-wise break-up not available.

(b) to (d). The information is being collected from the State Governments concerned and will be laid on the table of the House as soon as received.

Staff of Delhi Government Schools

197. Shri Bade: Will the Minister of Education be pleased to state:

(a) whether it is a fact that Government School Teachers' Association, Delhi approached the Director of Education, Delhi for confirmation of 80 per cent of the Government staff, which is long overdue;

(b) if so, the steps being taken in this regard; and

(c) when they will be confirmed at the latest?

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

(b) Steps are being taken to convert the temporary posts into permanent ones. Confirmation of the eligible staff to the extent of available permanent posts will be made as soon as the temporary posts have been made permanent.

(c) Though no exact date can be indicated, this will be expedited.

National Foundation for Teachers Fund

198. Shri Bade: Will the Minister of Education be pleased to state:

(a) the number of families granted aid from the National Foundation for Teachers Fund, whose earning members employed as Teachers under Directorate of Education, Delhi died;

(b) whether any representations have been received by the Director of Education, Delhi in regard to non-payment of the aid; and

(c) the steps being taken in this regard?

The Minister of Education (Dr. K. L. Shrimall): (a) None.

(b) and (c). Some applications for assistance from the National Foundation for Teachers' Welfare have been received. The collections made so far have been almost entirely invested in the National Defence Bonds and the assistance programme has yet to be commenced. This is likely to be decided by the General Committee of the Foundation in the near future.

Government School Teachers' Association, Delhi

199. Shri Bade: Will the Minister of Education be pleased to state:

(a) whether it is a fact that Government School Teachers' Association, Delhi has not been given the grant in the current year by Education Directorate, Delhi;

(b) when this present body was elected; and

(c) for how many years it will work?

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

(b) The present working Committee of the Association is reported to have been elected on 4-11-1962.

(c) According to the constitution of the Association its tenure is reported to be one year.

Hard Coke for Punjab

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

(a) the quantity of hard coke that was asked by the Punjab Government for the Engineering Industries for 1963;

(b) the quantity allotted and supplied so far;

(c) whether it is a fact that due to the non-supply of hard coke most of the Engineering Industries units have suffered a great set-back in the production of essential materials; and

(d) if so, the reasons for such short supply to this State?

The Minister of Mines and Fuel (Shri Alagesan): (a) and (b). As against the Punjab Government's estimated requirement of 8280 wagons of hard coke during 1963, the Coal Controller has made an allotment of 2949 wagons for 1963. During the period January-June 1963, the total quantity of hard coke supplied to Punjab was 1580 wagons.

(c) and (d). It is possible that some industrial units which were set up without ascertaining in advance that the requisite quantities of hard coke will be available have suffered a handicap for want of hard coke. But to the extent possible, *ad hoc* allocations are made from time to time in order to help such industrial units.

Child and Social Welfare Programmes Punjab

201. Shri Daljit Singh: Will the Minister of Education be pleased to state:

(a) whether any financial assistance was given by the Central Government to voluntary organisations in Punjab for the programmes of Child Welfare and Social Welfare during 1962-63 and 1963-64 so far; and

(b) if so, the details thereof?

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

(b) The information is given in the statement laid on the Table of the House. [Placed in Library, See No. LT-1398/63].

Scholarships to Scheduled Castes and Scheduled Tribes

202. Shri Daljit Singh: Will the Minister of Education be pleased to state:

(a) the total number of Central Government Scholarships awarded to the Scheduled Caste and Scheduled Tribe students in Punjab during 1962-63 under the schemes of the Ministry of Education;

(b) the amount thereof; and

(c) in which month of the year it was awarded?

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

(a) Scheduled Castes	.	.	4,396
Scheduled Tribes	.	.	7
(b) Scheduled Castes	.	Rs. 16, 92, 117	
Scheduled Tribes	.	Rs. 37, 575	

(c) Scholarships were awarded within the financial year 1962-63 and no specific month was prescribed.

Bhaskarpara Coal Mining Project

203 { Shri S. C. Samanta:
Shri B. K. Das:
Shri M. L. Dwivedi:

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

(a) whether the National Coal Development Corporation has finalised the plan for execution of Bhaskarpara Coal mining project in Surguja District of Madhya Pradesh;

(b) if so, the target of annual output;

(c) whether the total reserve has been calculated; and

(d) what would be the cost of the project?

The Minister of Mines and Fuel (Shri Alagesan): (a) to (d). A Project Report for the development of Bhaskarpara Colliery in Surguja district of Madhya Pradesh, with a production target of 0.5 million tonnes per year, has been approved by the Board of Directors of the National Coal Development Corporation. The total reserves are estimated to be about 31.5 million tonnes of which about 10.5 million tonnes are 'proved'. The initial investment on the mine is expected to be of the order of Rs. 3.1 crores.

Supply of Oil to Ceylon

204. Shri R. Barua: Will the Minister of Mines and Fuel be pleased to state:

(a) whether it is a fact that the Government of India have offered to supply oil to Ceylon at lower rates than the world level; and

(b) if so, the reasons therefor?

The Minister of Mines and Fuel (Shri Alagesan): (a) No, Sir.

(b) Does not arise.

Pipe Line in Gujarat Area

205. Shri R. Barua: Will the Minister of Mines and Fuel be pleased to state:

(a) whether any pipe lines are proposed to be laid in Gujarat area;

(b) if so, their number and location;

(c) foreign exchange involved; and

(d) when the work is likely to be completed?

The Minister of Mines and Fuel (Shri Alagesan): (a) Yes, Sir.

(b) The following five pipelines are proposed to be laid:

	Length Kilo- metres
(i) Cambay-Dhuwaran power Station	26 ..
(ii) Ankleshwar-Uttaran Power Station	42 ..
(iii) Ankleshwar-Baroda Gas Line	98 ..
(iv) Ankleshwar-Baroda crude oil line	98 ..
(v) Baroda-Ahmedabad Products Line	85 ..

(c) Rs. 193·82 lakhs.

(d) December, 1964.

Non-Indians in Government Service

206. Shri Rama Chandra Mallick: Will the Minister of Home Affairs be pleased to state the number of non-Indians appointed to Class I, II and

Class III posts by the administrative Ministries during the period 1st July, 1961 to 30th June, 1963?

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): The information is being collected and will be laid on the Table of the House in due course.

Pre-primary Education

207. Shri D. J. Naik: Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Union Government, in view of huge wastage and stagnation in primary education, have engaged experts to draw up a new pattern for pre-primary education;

(b) if so, what will be the pattern of pre-primary education; and

(c) whether that new pattern would be introduced in selected areas?

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

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

उत्तर प्रदेश में टेक्निकल संस्थाएँ

२०८. श्री राम सेवक यादव : क्या वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश के जालौन और झांसी जिले के प्रधान स्थानों में केन्द्रीय सरकार की सहायता से टेक्निकल संस्थाएँ स्थापित की जा रही हैं;

(ख) यदि हाँ, तो उन पर कुल कितना धन खर्च किया जाने वाला है; और

(ग) इन योजनाओं को कार्यान्वित करने में कितना समय लगेगा ?

वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य मंत्री (श्री हुमायून् कबिर) : (क) झांसी में १९६० में एक पोलिटेक्नीक स्थापित किया गया था । जालौन में पोलिटेक्नीक शुरू करने का कोई सुझाव नहीं है ।

(ख) और (ग). झांसी पोलिटैक्नीक का तखमीना, इमारत और साजसामान के लिए २२ लाख रुपए और आवर्ती एक साल का ३.६७ लाख रुपए है।

Gauhati Oil Refinery

209. { Shri P. C. Borooah:
Shri Sezhiyan:

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

(a) whether the Kerosene Unit of the Gauhati Oil Refinery has been closed, if so, since when;

(b) the reasons for closure of this unit; and

(c) the action taken to revive its working?

The Minister of Mines and Fuel (Shri Alagesan): (a) Yes, Sir. There have been frequent shut-downs since April, 1962 when this unit initially started operating, the longest being from 2-2-1963.

(b) Prolonged mechanical trouble in the compressors and corrosion of other connected equipment.

(c) A team of Rumanian experts led by the Rumanian Deputy Minister of Petroleum is already in Gauhati for carrying out a comprehensive check-up and putting the Kerosene Unit into satisfactory operation.

Thermal Station at Neyveli

211. Shri Sezhiyan: Will the Minister of Mines and Fuel be pleased to state:

(a) whether Government have received any proposal to increase the capacity of the thermal station at Neyveli;

(b) if so, the details thereof; and

(c) the reaction of Government thereto?

The Minister of Mines and Fuel (Shri Alagesan): (a) to (c). The

capacity of the thermal power station at Neyveli will be increased from 2,50,000 K.W. to 4,00,000 K.W. during the Third Five Year Plan period. A proposal for the further expansion of the capacity from 4,00,000 K.W. to 6,00,000 K.W. during the Fourth Five Year Plan is under consideration of the Government.

12 hrs.

RE: MOTION FOR ADJOURNMENT AND CALLING ATTENTION NOTICES

Mr. Speaker: There is an adjournment motion by Shri Tridib Kumar Chaudhuri and Shri A. K. Gopalan, held over yesterday, and five Calling Attention Notices by Shri Raghunath Singh, Shri Hem Barua, Shri A. N. Vidyalankar, Shri Mohan Swarup and Shri S. M. Banerjee. The Prime Minister is going to make a statement now.

12.01 hrs.

STATEMENT ON AGREEMENT WITH VOICE OF AMERICA

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): The need to strengthen All-India Radio's external broadcasts had been repeatedly brought to Government's notice and this need became more urgent after the Chinese aggression towards the end of 1962, more particularly in the context of the vicious and venomous propaganda against the Government of India by Chinese broadcasting services directed in various languages to bordering areas of India and to various Indian regions, as well as the countries in South East Asia and Africa. A decision was taken in November, 1962 to explore the possibility of obtaining high powered transmitters on reasonable terms from countries where such transmitters were available.

[Shri Jawaharlal Nehru.]

The preliminary enquiries made in pursuance of the decision to explore the possibility of acquiring a high powered transmitter showed that the only transmitter of this kind readily available was with the Voice of America, who mentioned in March, 1963 the possibility of their offering the transmitter on certain terms to the Ministry of Information and Broadcasting. As we felt strongly the need for a high powered transmitter to counteract the Chinese propaganda, the Government of India decided to ascertain the terms and conditions on which such a transmitter could be acquired from the Voice of America.

Discussions between the officials of the Government of India and the U.S. officials concerned continued, with some intervals, from March to June, 1963. While it was known that the possibility of Voice of America broadcasts being made through the transmitter under Indian control presented a difficulty, it was agreed to go ahead with the discussions and see what the terms and conditions relating to the offer were.

I was consulted on two or three occasions but did not go into the whole matter at any particular stage. The matter was, however, briefly mentioned to me before the agreement was signed and, in that context, I must assume responsibility.

Immediately thereafter, it became clear that this arrangement was not in consonance with our general policy and will, if further pursued, not only make Indo-U.S. relations a subject of controversy inside India but will prejudice our main objective of counteracting anti-Indian propaganda broadcast from Chinese radio. We have taken up these matters with the U.S. authorities and are discussing with them how the difficulties mentioned above can be met. These discussions are going on. Any decision will have to be in consonance with our basic policies.

Shri Tridib Kumar Chaudhuri (Bengaluru): May I ask a question?

Some Hon. Members rose—

Shri Nath Pai (Rajapur): A couple of questions should be allowed.

Mr. Speaker: Hon. Members will appreciate that be it an adjournment motion or a 'Calling attention notice', no discussion can be anticipated if we know that there is a possibility of or an opportunity for another discussion coming up where these points can be raised and discussed. Now that we have fixed the motion for no confidence to come up on the 19th, 20th and 21st August, and since there are no specific reasons or limitations as to which subjects can be discussed, there is every opportunity for every hon. Member to discuss all these things there. These motions will be held over till that discussion is over and then it will be seen whether all these discussions have taken place adequately or not. If they are not discussed then I will consider it.

Shri Priya Gupta (Katihar): On a point of order, Sir. You have just now pointed out that this question of the Voice of America transmitter can be discussed along with the 'No-confidence motion' . . . (Interruption).

Mr. Speaker: Let us hear the point of order.

श्री प्रिया गुप्ता : आप ने कहा कि आपने जो नोकनफिडन्स मोशन एडमिट किया है और जिस के लिए आप ने तीन दिन का समय दिया है, उस के सिलसिले में वाइस ब्राफ अमेरिका की बहस की जा सकती है। मगर सब पार्टियों का तो वह मोशन नहीं था। वाइस ब्राफ अमेरिका का मोशन तो कम्युनिस्ट पार्टी ने रखा था। हम ने नहीं रखा।

How can you deny us the right to discuss regarding Voice of America? This ruling of yours does not apply to us, but only to the Communist Party.

अध्यक्ष महोदय : मुझे कहने की इजाजत दीजिये। आप जरा बैठ जाइये। कम्युनिस्ट पार्टी की तरफ से जो मोशन दिया गया था उस में वाइस ग्राम अमरीका का जिक्र था।

श्री प्रिय गुप्त : वह तो ड्राप आउट हो गया।

अध्यक्ष महोदय : मुझे कह लेने दीजिये। दूसरी जो तहरीक दी गयी उस में कोई हद नहीं लगायी गयी, कोई रीजन्स नहीं दिये गए। उस में कोई सबजेक्ट भी बाहर नहीं किया हुआ है। सिर्फ दो लाइन का मोशन है और मेरे अपने ब्याल से उस में कोई लिमिटेशन नहीं है। इसलिए उस में कोई मेम्बर कोई भी सबजेक्ट उठा सकता है। उस में किसी किस्म की पाबन्दी नहीं है। जो मोशन कम्युनिस्ट पार्टी का था उस के सपोर्ट में ५० आदमी खड़े नहीं हुए, इसलिये वह भूव नहीं हो सका, लेकिन जो मोशन एडमिट हुआ है उस में कोई हदबन्दी नहीं है कि कौन सा सबजेक्ट लिया जायगा। वह बगैर किसी लिमिटेशन के है, उस में किसी खास सबजेक्ट का जिक्र नहीं और न कोई रीजन्स दिए गए हैं। उस को एडमिट किया गया है। उस के बारे में मैंने कहा है :

I will hold them over till that discussion is over. If these subjects are also discussed then there will be no opportunity given and I will reject them. If they are not adequately discussed then I will certainly give an opportunity.

Shri Priya Gupta: To save time, my Party may or may not discuss the Voice of America transmitter question during "No Confidence Motion Discussion". So, why debar us the chance now?

Mr. Speaker: If there is an opportunity, it is not material whether any Party or individual discusses it or not. If an opportunity is afforded to the House, any hon. Member can discuss it. If he does not discuss it, he is precluded from taking it up.

श्री स० मो० बनर्जी (कानपुर) : आप ने जो रूलिंग दिया है उस को तो मैं मानता हूँ। लेकिन मेरा निवेदन यह है कि जो प्रतिश्वास प्रस्ताव सदन के सामने है वह स्पष्ट नहीं है। मान लीजिए उस की बहस शुरू होने के पहले इन दो चार दिनों में कोई चीज देश में हो जाए, वाइस ग्राम अमरीका को छोड़ कर कोई दूसरी घटना किसी हड़ताल आदि के सिलसिले में हो जाए, वह चीज भी उस में आवेगी या नहीं। अगर कोई ऐसी घटना देश में हो जाए तो उस के बारे में भ्रम से सवाल उठाया जा सकता है। मैं समझता हूँ कि आप के इस रूलिंग से मेम्बरों का राइट काफी करटेल हुआ जायगा।

अध्यक्ष महोदय : मैं किसी हार्डपाथ-टिकल सवाल का जवाब देने के लिए तैयार नहीं हूँ। जो चीज मेरे सामने है उस का जवाब मैंने दिया। जब कोई नई घटना होगी तो उस के बारे में कहा जाएगा। अभी जो चीज सामने है उस का जवाब दे दिया।

श्री स० मो० बनर्जी : डिफेंस ग्राम इंडिया रूल्स को किस नाजायज तौर पर इस्तेमाल किया जा रहा है यह आप उस में एलाऊ करेंगे या नहीं?

अध्यक्ष महोदय : आप बैठ जाइए।

Shri Kapur Singh (Ludhiana): Sir, I want to make a very short submission on the ruling which you have given. I think there exists a distinction and this distinction must be recognised, namely, the distinction between the discussion of a subject and the seeking of information on a subject. What is going to come up before the House by way of No-Confidence Motion is a discussion subjects. Here, when we want to ask a few questions from the hon. Prime Minister, we want to seek information. They are two different things. They should not be confused.

Shri Tridib Kumar Chaudhuri: I was also going to say the same thing.

[Shri Tridib Kumar Chaudhuri.]

It has been the general practice that on Calling Attention motions or statements like this, one question each is allowed to Members who table the motions. You have allowed it.

Mr. Speaker: It is just possible I might allow them subsequently instead of allowing each one question just at this moment. I am holding them over. Probably, there might be an occasion when it might be adequately discussed. Why should hon. Members be so impatient at this moment? That is all I wanted to submit. Probably, I might allow them later.

Shri Hem Barua (Gauhati): My name is also there. May I also make a submission on this? You were very nice, very considerate, in allowing us to put supplementary questions. Now you have just thought it advisable to depart from that practice on the ground that you might allow us supplementary questions at some future date. But the questions will lose much of the edge, much of the sharpness because those questions are correlated to the statement that the Prime Minister has made. It will lose much of the edge and sharpness.

Mr. Speaker: I do realise it. The hon. Member is not one of them who can be tamed. Therefore, he should not have any fear at all. That is not the purpose at all. I hope Mr. Hem Barua would realise it. What I am just referring to is that there would be an opportunity and probably the Members would utilise it. There is no question of duplicating it again and again. If the opportunity is not utilised, I will provide the opportunity. That is what I am submitting. The delay of four days does not matter at all.

Shri Nath Pai: I agree with you. You are going to provide an opportunity for this. I think the discussion would be more purposeful and meaningful if at this stage a few pertinent questions are asked so that the discussion does not take place on something vague and amorphous but in the

light of answers we get from him. The discussion can be more to the point.

Mr. Speaker: That will be duplication. The hon. Member should realise it.

✓
डॉ० राम मनोहर लोहिया (फर्रुखाबाद) : अविश्वास के प्रस्ताव को देने वाले दो तरह के लोग हैं। एक पछतावे के साथ दे रहे हैं और दूसरों का मन पिछले पन्द्रह वर्ष से पका हुआ है। इसलिए यह जरूरी है कि यह अविश्वास के प्रस्ताव की बहस बहुत बड़ी बड़ी व्यापक बातों पर खड़ी जाय। तीन दिन की बहस में यह तो बड़ा मुश्किल होगा कि मैं पहले कह दूँ कि कुछ लोगों को ज्यादा मन पर रुकावट है।

दूसरी बात मुझे इस सम्बन्ध में यह भी कहनी है कि अविश्वास का प्रस्ताव आने में अभी कुछ दिन है। बहुत सी ऐसी चीजें हो रही हैं जिन से युद्ध कोप पर और युद्ध प्रयत्नों पर बड़ा प्रतिकूल असर पड़ रहा है। कल, परसों में हो सकता है कि मामला बहुत बिगड़ जाय।

अध्यक्ष महोदय : जब कोई मामला होगा तब देखा जायगा। मगर वायस आफ अमेरिका के बारे में प्राइम मनिस्टर ने कहा है कि उस पर अभी गौर किया जा रहा है। चार दिन की देर से उस में कोई चीज नहीं बिगड़ जायगी।

Mr. Speaker: Papers to be laid on the Table. (Shri Krishnamachari).

श्री बागड़ी (हिसार) : श्रीन ए प्वाइंट आफ आर्डर, सर।

श्री राम सेवक यादव (बाराबंकी) : एक जानकारी के तौर पर मैं पूछना चाहता हूँ। प्रश्न सामने वायस आफ अमेरिका का था। क्या आप की यह व्यवस्था दूसरे जो स्यगन प्रस्ताव हैं उन के सम्बन्ध में भी है?

अध्यक्ष महोदय : उन का जवाब आप को अलहदा मिलेगा। सब के जवाब में नहीं है। कइयों पर लागू होती है और कइयों पर नहीं लागू होगी।

श्री राम सेवक यादव : आप ने कहा कि कुछ घटनायें घट रहीं हैं। बम्बई में जैसी महत्वपूर्ण घटना घट रही है उस का सुरक्षा प्रयत्नों पर असर पड़ रहा है

अध्यक्ष महोदय : अब इसमें कोई चीज नहीं ला सकते। अगर कोई चीज हो तो आप उसे मेरे सामने लायें।

श्री राम सेवक यादव : अध्यक्ष महोदय . . .

अध्यक्ष महोदय : आर्डर, आर्डर
(Interruptions)

श्री प्रिय गुप्त : बम्बई के तीस हजार सिविक एम्प्लॉयज स्ट्राइक कर रहे हैं। यह बहुत ही अरजेंट मॉटर है।

अध्यक्ष महोदय : आर्डर, आर्डर।

श्री प्रिय गुप्त : सुरक्षा प्रयत्नों पर इस का बड़ा प्रतिकूल असर पड़ रहा है

Mr. Speaker : I will ask Mr. Priya Gupta to resume his seat.

श्री बागड़ी : अध्यक्ष महोदय, बम्बई की हड़ताल हाउस के सामने है। एडजोर्नमेंट भोशन उस के सामने आया : ३०,००० आदमी जो इस देश के सब से पिछड़े हुए लोग

अध्यक्ष महोदय : प्वाएंट आफ आर्डर आप का क्या हुआ ? आप सिर्फ अपना प्वाएंट आफ आर्डर बतलायें।

श्री बागड़ी : वाक्यात बयान कर के मैं उसे बता रहा हूँ क्योंकि तभी सदन उसे समझेगा

अध्यक्ष महोदय : जी नहीं, सारे वाक्यात को इस तरह से डिसकस ही करना चाहिये।

This is no point of order. He should come straight to the point.

श्री बागड़ी : अध्यक्ष महोदय, मेरा यह प्वाएंट आफ आर्डर है कि सदन के सामने यह चीज आई हुई है कि ३०,००० लोग बम्बई में हड़ताल पर हैं। ४००, ५०० व्यक्ति वहां पर गिरफ्तार हो चुके हैं। वहां पर काफी टेंशन है और हो सकती है कि वहां पर गोलियां चलने की नौबत भी आ जाय और ऐसी नाजुक घड़ी में देश की हालत बिगड़ जाय .

अध्यक्ष महोदय : कोई प्वाएंट आफ आर्डर नहीं है खाली मॅम्बर साव अपनी बात करना चाहते थे। अब माननीय सदस्य बैठ जायें।

Shri Jashvant Mehta (Bhavnagar): On a point of order, Sir. You have given a ruling and by your ruling you are setting up a new convention in this House. Under rule 197, when a calling-attention-notice is given, the Members who have tabled it and also others are allowed to ask questions. That is the convention that the House has accepted so far. But, now, you are setting up a new convention that Members cannot ask questions. May I know under what rule you are giving this ruling?

Mr. Speaker: I am not establishing any new conventions. This is because if an adjournment motion is admitted, then on that the whole discussion would take place, and the calling-attention-notice may not separately be discussed. I have only requested the Members just to wait till we have discussed the other motion. Probably, all those things would be discussed. In this particular matter, I have said that there would be no harm in that because, as the Prime Minister has said, these discussions are still going on. That is why I have said that. It is not absolute in any case. I am not laying down anything fresh.

Shri Ranga (Chittoor): By this time, all the questions could have been asked and the answers given.

Shri Nath Pai: May I make a submission, Sir? I am sorry. I do not want to reopen anything that you have already said as not being open before the House. A very small and humble submission is none-the-less called for. I very respectfully want to submit to you that you may consider the desirability of introducing a degree of marginal elasticity in the rules of procedure, because these rules of procedure were framed when we were not confronted with an invasion, and when we try to seek information on matters which are of vital importance, you should be pleased to introduce a degree of elasticity in the rules, and a strict or rigid adherence to the rules may not help. It is in this faith that I have submitted this adjournment motion on this strike in Bombay. I would like that you give us an opportunity. I would not challenge you...

Mr. Speaker: I have said it several times, and in fact, I have said it every day, that I would request hon. Members that if on some occasion they are not satisfied with the decision that has been conveyed to them, they can come to me and discuss; the individual Member concerned can come and discuss with me. In this way, if every Member were to rise like this, what can I do? I receive about thirty or forty such notices, and if everyone of the Members who have tabled an adjournment motion takes up his individual motion of which he has given notice, can I answer them all? Or, is it possible at all to answer them?

Sir Nath Pai: I made a general submission and not only about mine.

Mr. Speaker: Very well, I shall take that into account.

Shri Bagri rose—

Mr. Speaker: Order, order. Papers to be Laid on the Table.

12-18 hrs.

PAPERS LAID ON THE TABLE

STATEMENT ON VISIT TO CANADA, THE USA AND THE UK IN MAY-JUNE, 1963

The Minister of Economic and Defence Co-ordination (Shri T. T. Krishnamahari): I beg to lay on the Table a statement on my visit to Canada, the USA and the UK in May-June, 1963. [Placed in Library, see No. Lt—1378/63].

डा० राम मनोहर लोहिया (फर्रुखाबाद): अध्यक्ष महोदय, मेरा एक व्यवस्था का प्रश्न है। वायस ग्राफ अमरीका का मामला यह समझा गया कि वह खत्म हुआ इसलिए उस को मैं इस समय खत्म किये देता हूँ। लेकिन अब एक दूसरी व्यवस्था का प्रश्न है....

अध्यक्ष महोदय : क्या यह उस के सम्बन्ध में है जो कि पढ़ा गया है ?

डा० राम मनोहर लोहिया : दोनों के बीच में है। (इंटरप्शंस)

अध्यक्ष महोदय : दोनों के बीच ; और कुछ नहीं आ सकता है। डा० लोहिया अब बैठ जायें और हाउस में जो बिजनेस चल रहा है उस को आगे चलने दें।

डा० राम मनोहर लोहिया : मैं आप का हुक्म मानता हूँ, लेकिन मैं ने आप की नियामावली रात के दो बजे तक पढ़ी है और... (इंटरप्शंस)

ANNUAL REPORT OF NATIONAL COUNCIL OF EDUCATIONAL RESEARCH AND TRAINING AND AUDITED ACCOUNTS

The Minister of Education (Dr. K.L. Shrimali): I beg to lay on the Table a copy of the Annual Report of the National Council of Educational Research and Training for the period from September 1, 1961 to March 31,

1962, together with the audited accounts. [Placed in Library, see No. LT-1379/63].

NOTIFICATIONS UNDER COPYRIGHT ACT AND SALAR JUNG MUSEUM ACT

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): I beg to lay on the Table:

- (i) a copy of the International Copyright (Third Amendment) Order, 1963 published in Notification No. S.O. 1279 dated the 4th May, 1963 under section 43 of the Copyright Act, 1957. [Placed in Library, see No. LT-1380/63].
- (ii) a copy each of the following Rules under sub-section (3) of section 27 of the Salar Jung Museum Act, 1961:—

- (a) The Salar Jung Museum (Amendment) Rules, 1963 published in Notification No. G.S.R. 1230 dated the 20th July, 1963.

- (b) The Salar Jung Museum (Second Amendment) Rules, 1963 published in Notification No. G.S.R. 1231 dated the 20th July, 1963.

[Placed in Library, see No. LT-1381/63].

NOTIFICATIONS UNDER MINES AND MINERALS (REGULATION AND DEVELOPMENT) ACT AND REPORT OF COMPTROLLER AND AUDITOR GENERAL OF INDIA ON THE ACCOUNTS OF THE COAL BOARD

The Minister of Mines and Fuel (Shri Alagesan): I beg to lay on the Table:

- (i) a copy each of the following Rules under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957:—

- (a) The Mineral Concession (Second Amendment) Rules,

1963 published in Notification No. G.S.R. 805 dated the 11th May, 1963.

- (b) The Mineral Concession (Third Amendment) Rules, 1963 published in Notification No. G.S.R. 843 dated the 18th May, 1963.

- (c) The Mineral Concession (Fourth Amendment) Rules, 1963 published in Notification No. G.S.R. 842 dated the 18th May, 1963.

[Placed in Library, see No. LT-1382/63].

- (ii) A copy of Report of the Comptroller and Auditor General of India on the Accounts of the Coal Board for the year 1961-62, under sub-section (2) of section 12 of the Coal Mines (Conservation and Safety) Act, 1952.

[Placed in Library, see No. LT-1383/63].

PAPERS UNDER COMPANIES ACT

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): I beg to lay on the Table:

- (i) a copy each of the following papers under sub-section (1) of section 619A of the Companies Act, 1956:—

- (a) Annual Report of the Orissa Road Transport Company Limited, Berhampur, for the year 1961-62. [Placed in Library, see No. Lt-1384/63].

- (b) Director's Report of the Orissa Road Transport Company Limited, Berhampur, for the year 1961-62 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library, see No. Lt-1385/63].

[Shri S. V. Ramaswamy]

- (ii) a review by the Government on the working of the above Company. [Placed in Library, see No. Lt—1386/63].

12-23 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTY-SECOND REPORT

Shri Krishnamoorthy Rao (Shimoga): I beg to present the 22nd Report of the Committee on Private Members' Bills and Resolutions.

12-23½ hrs.

MOTION RE: ASSOCIATION OF
RAJYA SABHA WITH PUBLIC
ACCOUNTS COMMITTEE

Shri Tyagi (Dehra Dun): I beg to move:

"That this House recommends to Rajya Sabha that they do agree to nominate one member from Rajya Sabha to associate with the Committee on Public Accounts of this House for the unexpired portion of the term ending on the 30th April, 1964, in the vacancy caused by the resignation of Shri Nawab Singh Chauhan from Rajya Sabha and communicate to this House the name of the member so nominated by Rajya Sabha."

Mr. Speaker: The question is:

"That this House recommends to Rajya Sabha that they do agree to nominate one member from Rajya Sabha to associate with the Committee on Public Accounts of this House for the unexpired portion of the term ending on the 30th April 1964, in the vacancy caused by the resignation of Shri Nawab Singh Chauhan from Rajya Sabha and communicate to this House the name of the member so nominated by Rajya Sabha"

The motion was adopted.

12-24 hrs.

BUSINESS ADVISORY COMMITTEE

SEVENTEENTH REPORT

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move:

"That this House agrees with the Seventeenth Report of the Business Advisory Committee presented to the House on the 13th August 1963".

Mr. Speaker: Motion moved:

"That this House agrees with the Seventeenth Report of the Business Advisory Committee presented to the House on the 13th August, 1963."

Shri S. M. Banerjee (Kanpur): I have read the Report. I have two or three suggestions to make. One is that in this Report, I do not find any place for discussion of sugar. When we tabled so many questions and gave notice of adjournment motions, we were told...

Mr. Speaker: I have requested the hon. Member...

Shri S. M. Banerjee: I am not talking of adjournment motions. There is a regular motion before this House.

Mr. Speaker: Why does he presume that I am confusing. He wants to say that there is no mention in this Report, in this allotment of time, about a discussion on sugar. Am I right?

Shri S. M. Banerjee: Yes.

Mr. Speaker: Then I have understood him correctly. I would tell him that it is only the question of allotment of time for these particular items that is before the House. If some time has not been allotted to any other subject, that is a different thing altogether. Let us first see whether he has any objection to this allotment. Then I will give him an opportunity to say something.

Shri S. M. Banerjee: The 7th item is about a discussion of the progress of the Third Five Year Plan for which only 14 hours have been allotted. I suggest that it should be at least 20 hours because we have to discuss all plans and their phases.

Shri Hari Vishnu Kamath (Hoshangabad): By your leave, I invite your attention to proviso (2) of rule 290 and crave your indulgence for only five minutes to say a few words with regard to item 10 of this Report. Item 10 relates to the motion of no-confidence in the Council of Ministers to be moved by Shri J. B. Kripalani. I submit in all humility, but with all earnestness at my command, that apart from its intrinsic importance, the Motion has undoubted historic significance....

Mr. Speaker: Is he going to say something about the time allotment. I can allow that only now.

Shri Hari Vishnu Kamath: I am just trying to convince you that more time is required.

Mr. Speaker: We can only discuss allotment of time now.

Shri Hari Vishnu Kamath: Unless I state my reasons, how can you appreciate my point.

Mr. Speaker: At this time, if I were to allow discussion of the merits....

Shri Hari Vishnu Kamath: I am not discussing the merits of the Motion.

Mr. Speaker: Shri Kamath should realise that at this moment, merits should not be discussed.

Shri Hari Vishnu Kamath: I will not take more than five minutes.

Shrimati Renu Chakravartty (Barrackpore): May I say that this Party's representative was there in the Business Advisory Committee meeting. We sometimes have to agree to certain allotment of time less than what our parties want. Since we have accepted that convention, I do not understand why the PSP leaders constantly get up

and make these suggestions after having agreed to it in the Committee.

Shri Hari Vishnu Kamath: I try to understand the noble lady, but I fail to understand her. This is not a party matter.

Mr. Speaker: For his information I might tell him, and the Secretary of his party would bear me out, that yesterday it was on the express understanding that the parties that were represented there would agree to that allotment of time, that we entered into the compromise that is before the House, and if objection is to be taken, then the Minister also made it clear that he would not be bound by this allotment, because he wanted less time to be given. I had intervened and given that time. Therefore, I would request Shri Kamath to consult his own Party Secretary.

Shri Priya Gupta (Katihar): Since you have made a reference to me, may I say that you also agreed to exercise your privilege of extending the time beyond the three days if necessary?

Mr. Speaker: That would always remain. Why should he raise it now?

Shri Hari Vishnu Kamath: He came and told me what transpired at the committee meeting. That is why, expressly because of what he told me, I am raising it here, because he raised that point before the committee and his point was not approved by the committee, and therefore under the rules I am making this point here. It is not a party issue at all. If it is a party matter we will discuss it in the party and take whatever action is necessary.

Mr. Speaker: The Business Advisory Committee has been constituted simply for this purpose, so that we might agree to a time allotment there, and we have given representation to the different parties for this very reason that those parties at least should not raise it here again. If they are parties when they are there and individuals when they are here,

[Mr. Speaker]

there is no use having the Business Advisory Committee and all those meetings.

Shri Hari Vishnu Kamath: I entirely agree with you, but may I also submit in all humility that the House is supreme in every matter, and the House can consider the report of any committee that is presented to the House. Otherwise, why are the rules framed at all? Rule 290 has been framed for that express purpose.

Mr. Speaker: I am not challenging the right of the Member. He can move it, and the House is supreme. It can always alter it, there is no question about it. Nobody questions that authority of the House or even of the Member to raise a point, but I am just putting it before the hon. Member. If we call the representatives of the parties there, then it is hoped at least those parties that are represented there would not raise the same question which has been discussed there. They would at least agree to that allotment, and not as individual members of the same party raise the same question again, because then all the time spent there in the Business Advisory Committee is to no purpose.

Shri Nath Pai (Rajapur): I fully agree about the general convention, but may I point out, because we are being blamed much more than we deserve, that even when the Chief Whip who represents the ruling party comes here, it is not very seldom that members belonging to the ruling party get up and propose and you do not then raise a finger?

Mr. Speaker: He might raise it then. Shri Kamath has the floor.

Shri Hari Vishnu Kamath: I am raising this because there are precedents to it.

Mr. Speaker: Not a speech.

Shri Hari Vishnu Kamath: I am averse to making a speech, very much averse. I can assure you and the

House that I do not wish to make a speech on this matter, because it does not call for a speech. My submission, therefore, is that this motion in the name of Acharya J. B. Kripalani has got historic importance in that it is the first motion of its kind that has come before the House; and the House as well as your august self will recall with justifiable pride that other historic resolution moved by the Prime Minister himself on his last birthday soon after the Chinese invasion, which was passed with acclamation, pledging the House and the nation not to rest till the aggressors are driven out. Next week on Monday you will have another motion of equal importance, if not greater importance, and I plead with all earnestness and I hope both sides of the House will agree with me that this motion which is to be moved by Acharya J. B. Kripalani, another battle-scarred leader, in the name of practically the entire Opposition practically,—I said practically entire, because I cannot ignore friends on my extreme right—deserves, as I said yesterday, at least a full week; in the alternative I would submit that the three days allotted may be approved subject to the proviso or condition that the speeches of the Prime Minister and his colleagues would be excluded from the time allotted for the discussion of this motion.

श्री राम सेवक यादव (बाराबंकी) :
अध्यक्ष महोदय, जब कल बिजनेस एडवाइजरी कमेटी की बैठक हो रही थी तो मैं ही ऐसा आदमी था जो यह समझता था कि समय काफी नहीं हो जाए और ज्यादा समय न मांगा जाय और ज्यादा समय मांगना चाहते हुए भी मैं ने अन्त में सभी लोगों के करने के मुताबिक स्वीकृति दी। लेकिन आज की स्थिति में और कल की स्थिति में बड़ा अन्तर आ गया है। अभी जो यों पर काम रोको प्रस्मोव

अध्यक्ष महोदय : जो इन्होंने ने कहा है, इसी के बारे में आप

श्री राम सेवक यादव : मैं उसी के बारे में कह रहा हूँ। आज की आपकी व्यवस्था के बाद कुछ घटनायें आज घट सकती हैं और कुछ सोलह तारीख को घट सकती हैं और उन सब को अविश्वास के प्रस्ताव के साथ जोड़ कर के और उन को हेल्ड ओवर रख कर के यह समझना कि ये सब विषय उस के अन्दर आ जायेंगे, ठीक नहीं है। इस से जो मुख्य प्रश्न है, उस के साथ इंसाफ नहीं हो सकेगा। मैं चाहता हूँ कि या तो इस व्यवस्था को बदल दिया जाए कि जो तात्कालिक प्रश्न उठते हैं, उन पर तत्काल ही चर्चा हो जाये और निर्णय ले लिये जायें या फिर. . . .

अध्यक्ष महोदय : आप की तजवीज क्या है ?

श्री राम सेवक यादव : मेरे दो सुझाव हैं। या तो आप ने जो व्यवस्था दी है . . .

अध्यक्ष महोदय : मैं दो नहीं कह रहा हूँ।

श्री राम सेवक यादव : जो समय दिया गया है, यह एक वीक का कर दिया जाए, यह सुझाव यहां पर रखा गया है . . .

अध्यक्ष महोदय : इन की जो प्रोपोजल है, इस के बारे में आप को क्या कहना है ?

श्री राम सेवक यादव : उसी के बारे में मैं कह रहा हूँ। जो समय निश्चित हुआ है उस के बारे में हमें कोई एतराज नहीं है लेकिन शर्त यह है कि जो अभी प्रश्न उठेंगे या उठे हैं, उन पर तत्काल निर्णय ले लिया जाए, उन का तत्काल फैसला हो जाए उन पर तत्काल चर्चा हो जाए। यदि ऐसा होता है तो हमें कोई शिकायत नहीं है। वर्ना समय बढ़ा दिया जाना चाहिये।

श्री त्यागी (देहरादून) : मुझे दुख है कि जो एक बात समझौते से तय हो गई थी, उस के ऊपर इन को एतराज हो गया है, मेरे मित्रों को एतराज हो गया है। इन्होंने ने

जो एक हफ्ते का प्रस्ताव रखा है, इस का मतलब यह है कि जो समझौता वहां हुआ था, उस पर ये कायम नहीं रहे। मैं माफी चाहूंगा अगर मैं यह कहूं कि मेरी पार्टी भी इस बात में आजाद है कि वह भी उस पर कायम रहे या न रहे। अगर एक हफ्ते का प्रस्ताव है . . .

श्री नाथ पाई : दरख्वास्त है।

श्री हरि विष्णु कामत : नम्र निवेदन है।

श्री त्यागी : मैं हाउस से निवेदन करूंगा कि हमारी पार्टी को भी इस के बारे में पूरी छूट मिलनी चाहिये। मेरी राय है कि तीन दिन को घटा कर दो दिन कर दिया जाना चाहिये।

श्री नाथ पाई : बहस से क्यों डरते हैं ?

Mr. Speaker: Now, the motion before the House is that this House agrees with the Seventeenth Report of the Business Advisory Committee presented to the House on the 13th August, 1963. An amendment has been moved by Shri Kamath.

Shri Hari Vishnu Kamath: I am not pressing the amendment. I leave it to you entirely and to the House . . . (Interruptions). I am sorry at this cacophonous cacchination on such an important matter; it is very bad.

Shri Tyagi: I also withdraw in that case . . . (Interruptions).

Mr. Speaker: He says it is left to me. We are very serious. He should not make that appeal to me because we had discussed it so thoroughly in the Committee and I had given that decision. Now, he wants me to decide it again.

Shri Hari Vishnu Kamath: I am sorry, Sir; you have misunderstood me.

Mr. Speaker: All right. I will put it.

Shri Hari Vishnu Kamath: No, no . . . (Interruptions). No laughter. Have some sense of seriousness.

Mr. Speaker: What does he want now?

Shri Hari Vishnu Kamath: I leave it to you now and the time may be extended at your discretion, as usual, if the situation justifies it, when the debate goes on.

Mr. Speaker: I am surprised. Mr. Kamath has left it to me. That is exactly what I am telling. Already I have applied my mind and I have come to a decision. I shall put it to the House. The question is:

"That this House agrees with the Seventeenth Report of the Business Advisory Committee presented to the House on the 13th August, 1963."

The motion was adopted.

श्री राम सेवक यादव : अध्यक्ष महोदय, मेरा प्रधान मंत्री जी से एक निवेदन है। बहुत से लोग बार-बार आए हुए हैं। वह जाकर उन से मिलें और उन की बात सुन लें।

Mr. Speaker: Order, order. I am not concerned with what happens outside. Hon. Member knows it but again and again he interferes like this. We shall take up the next business.

12:36 hrs.

TEXTILES COMMITTEE BILL—
contd.

Mr. Speaker: We shall take up further consideration of the following motion moved by Shri Asoke K. Sen on the 13th August, 1963, namely:—

"That the Bill to provide for the establishment of a Committee for ensuring the quality of textiles and textile machinery and for matters connected therewith, be taken into consideration."

Out of 1 hour and 3 minutes, 28 minutes have been taken.

Shri D. C. Sharma may continue his speech.

Shri D. C. Sharma: (Gurdaspur): Mr. Speaker, I was submitting very respectfully that it should have been one of the provisions of this Bill that every textile firm and every firm that manufactures this type of machinery should set apart a specified sum for research in connection with these matters.

Now, I come to clause 8 of this Bill. There are three types of Committees contemplated. My feeling is that this overprescription of committees will not work to the advantage of this textile committee. I feel that there should be provision for only one committee and so far as *ad hoc* committees are concerned, they may be called into being whenever there is any particular need.

Under clause 9 the Central Government has taken all the powers for appointments. Of course they will prescribe regulations but my submission is that these appointments should be made by the Union Public Service Commission because if it is done like that they will not suffer from any taint of nepotism or things like that. There is a wholesome provision in some Bills that the appointments should be routed through the Public Service Commission and I hope the hon. Minister will try to do the same in this case also.

I think the powers given to the officers under clause 11 are too general, too wide and too vague. They are authorised to do anything they want. Of course it is said that they will examine the quality of the textiles, the suitability of the textile machinery, etc. But no brakes have been applied so far as this power is concerned. Absolute power, we know, is not good in the context of democracy and I do not see any reason why these inspectors should have that kind of unbridled power. We know all about these inspectors; we are familiar with them and we know that they

are to be found in every department of our Government. The unlimited powers which are given to these inspectors will not be conducive to the good working of this committee. We know that there is a Director General of Supplies and Disposals and there are Inspectors there. Sometimes it is said that these inspectors also need to be inspected and that they do not always carry out their duties to the best of their ability. Inspectors should not be given so much of power.

I now come to clause 14. It says that the Committee may by general or special order in writing direct that all or any of the powers or duties, which may be exercised or discharged by it shall, in such circumstances and under such conditions, if any, as may be specified in its order, be exercised or discharged also by any officer or employee of the Committee specified in this behalf in the order. I like this delegation of power and I think democracy means delegation of power, but I find that this is not really delegation of power but it is almost investing the people with powers of sub-dictators. I am certainly opposed to any kind of provision like this; I do not think we want to create sub-dictators. I think this is not the right kind of thing. This delegation is not in the proper interests of the people. This is not delegation but it is suicide. The committee will have to commit suicide with this delegation of power. I think this is not a very wholesome provision.

Then I come to clause 17. What is the punishment that is going to be given to those persons who violate the provisions of this Act? They are tampering with our exports. They are giving us sub-quality products; they are giving us sub-standard things. What is the punishment that you are going to give them? One year or fine or both. I think the punishment should be made so deterrent that these persons are not able to play with the textile business. One year is nothing. I do not know how much the fine will

be. Perhaps the fine will be in accordance with the whims of somebody. I think that the punishment should be made very deterrent and it should be at least three years' imprisonment and a fine of Rs. 10,000 also.

Then I come to clause 18. Of course this clause is very good because any person who is found guilty will be hauled up and prosecuted. But then the provisions which are given here are subject to other provisions and those provisions practically take away the power which is given by this Bill so far as this clause is concerned. I think this clause should be made more tight and it should be made more forthright and more unequivocal, and anybody, the director or any member of the company or member of the firm who is found guilty of any malpractice should be dealt with most promptly and most severely.

Then I come to clause 22. I find that this clause is a strange clause which I have not found in any Bill of this kind. Of course we have a provision in all Bills for delegated legislation and we always give people the power to make these rules which are to be made in accordance with the provisions of the Bill. But I find that this Bill happens to be only a skeleton Bill because everything is left to the rule making authority. Almost all things are left to the rule-making power of the administration. What is going to be the number of members is to be decided by the rules, but there should have been a provision in the Bill so far as the number is concerned. What is going to be the term of office is also left vague. This will be left to the rule-making power of the Government. What is going to be the allowance, what is going to be the disqualification for membership, etc., all these are left to the rule-making powers of the Government. I do not mind if the rules are prescribed, but things such as the number of members, the filling of vacancies among the members, the term of office of the members should be mentioned in the Bill itself. I do not know why this

[Shri D. C. Sharma]

Bill is so vague and why precautions have not been taken in order that this Bill stands on a firmer ground than it does. For instance, the method of appointment, the conditions of service and the scales of pay should be mentioned in the Bill, but unfortunately they are to be decided by the regulations to be made by the Committee. The form in which the Committee shall prepare its annual statement of accounts will be provided in the rules. Everything is to be given in the rules.

Now, I am reminded of a reporter who was sent to report a meeting. He never went there, and when he came to the office, he put in a notice in the newspaper which he represented that "a meeting was held at such and such a place and at such and such a time; Mr. so and so presided over the meeting. The rest will follow." So, no account of the meeting was given. Similarly, here is a Bill which appropriates to itself more powers of rule-making, more powers of regulations, than has been given in any Bill, that we have passed in this House. Formerly, we used to deal with rules, but in this Bill we are also going to deal with regulations.

Mr. Speaker: The hon. Member should finish now.

Shri D. C. Sharma: I shall finish in two minutes. I think bureaucracy will work havoc with this Bill. When they are going to frame rules and regulations they will be framed in such a way that the spirit of this Bill becomes almost nullified if not completely nullified.

Then there is the wonderful provision in clause 23(3) which reads as follows:

"The Central Government may, by notification in the Official Gazette, amend, vary or rescind any regulation which it has sanctioned, and thereupon the regula-

tion shall have the effect accordingly, but without prejudice to the exercise of the powers of the Committee under sub-section (1)".

The powers may be there, and it is a democratic procedure. But I cannot understand why they are going to frame regulations and rules in such a great hurry. They may want power after some time, but they want such powers only for a temporary occasion. Therefore, I feel that the objects of this Bill are very, very laudable. Every Member of the House will welcome this Bill which will promote our exports of our textiles and our textile machinery. I am very happy that our country can manufacture textile machinery from A to Z. All these are very laudable objectives, but I think the Textiles Committee which we are contemplating, according to the provisions of this Bill, and which is going to be the watchdog and which is going to implement the objectives of the Bill is very, very defective. I wish that this Bill had been referred to the Select Committee so that it could have come out of it in as perfect a form as is humanly possible. As it is I think there are so many loopholes in it that these provisions will not be acted upon thoroughly and completely by anybody. There will be so many gaps in it that it will not be able to do as much as is intended to be done for our textile trade and textile machinery.

Shri Dinen Bhattacharya (Serampore): Mr. Speaker, Sir, I fully support the Bill in principle, but while supporting the Bill, I want to mention certain points which may be kindly noted by the Government. The Textiles Committee which is going to be set up is meant to see that the standard of our textile goods is maintained properly and that our textile goods may get an easy market in the foreign countries and may compete in the foreign markets. But to maintain the standard, that is, to check up the quality, I want to suggest one thing

in respect of the personnel of the Committee that is to be formed as per this Bill. If the Government is really serious about quality, then the actual, and the real manufacturer, must be taken into confidence, and their representative must have a place in the Committee. Everybody knows how the things are done in the textile mills. From our personal experience also we can say that when we purchase a cloth which bears a mark that it contains 80 counts yarn, actually if you examine it properly, you will find that it contains not 80 counts yarn but only 60 counts yarn. So, if we want to check this sort of pilferage, only the actual weaver or the actual worker can check it and not some experts coming from outside. So my humble suggestion is this: If possible—and it is possible in every respect—the actual workers' representatives must be taken in the Committee.

Secondly, I am worried about the price of cloth and textile goods, *Commerce*, which is a journal of the industries, has come out with an article on 20th July, 1963 under the head line: "Cotton mills production cost rise: suitable revision of selling price overdue". I am apprehending that in the name of standardisation and checking the quality of production the employees are trying to raise the price of cloth. In the article given in *Commerce* dated 20th July you will find that they are pleading to raise the price of cloth. Already the price of cloth has gone up and there should not be any more rise in the price of cloth. If the price of cloth is raised further, that will create a serious condition in the internal market which will cause a serious harm to the industry as a whole.

My next point is regarding another thing which the employers are trying to do. For a long time they have been trying to reduce the cost of production at the cost of the workers. They are raising the demand for modernisation. I am not against modernisation as such, but the condition

that is existing in our country at present from the point of view of employment potentiality should also be taken note of. What is happening in our country today? The process has already started whereby in the name of moderation large number of workers are being retrenched regularly, and that is causing an extra burden on the employment problem in our country. My suggestion, therefore, is that this point also should be noted while keeping an eye on improving the quality of production and promoting the export trade in textile goods. These are all good things, but the points that I have mentioned should also be noted.

With these suggestions, Sir, I support the Bill.

Shri P. R. Ramakrishnan (Coimbatore): Mr. Speaker, Sir, this Textiles Committee Bill actually envisages the introduction of quality control in the textile industry. Normally, Sir, this Bill would not have really come. If there had been perfect competition where prices would have determined what goods to be produced and what the quality of the goods would be, normally this kind of Bill would not be necessary. But because the textile industry had enjoyed a certain amount of protection in the country and because the internal prices have been very attractive there is no need for the industry to keep up the quality of goods and also the price structure. Because of this the industry itself did not take up the problem of organising a similar committee for maintaining the quality and also for doing research for improving the quality of its products. So the Government had to come in and form a committee of this nature actually to introduce and implement a sort of an impost on the industry itself, a regulation to bring about the quality of the product so that the stagnation which has set in the production of textiles in the country may be removed.

Many advances have been made in the textile industry after the Second

[Shri P. R. Ramakrishnan]

World War. Different patterns, different designs and a number of new textile fibres have been introduced. In the field of textile machinery also a lot of improvements have been made. I remember, in 1950, there were textile machines running only at 10,000 RPM. Today they are running at 18,000 RPM which means that rate of production has been very high. When such higher speeds are called for, naturally, higher techniques of production of machinery are also called for to implement that kind of speeds in the machines.

So, Sir, the Bill also envisages the promotion of research as a centralised organisation. Individuals may carry on research, but only to a limited extent. This Bill, by bringing in this Textiles Committee, will actually give birth to a central organisation where intensive research can be carried on. Sometimes the textile machinery manufacturers or the producers of textile goods are unaware of what is happening in other countries. They do not and sometimes they cannot keep themselves in touch with what is happening in other countries. But by bringing in this Committee, because of its composition, because of its importance it can bring in fresh knowledge to the industry and disseminate to the people, who are normally not well informed. I am sure it is possible to convey even to the smaller manufacturers the idea of quality at equitable prices and also the idea of how such goods could be produced at cheaper prices.

Sir, our exports, as you know, have reached a point of stagnation. Textiles formed a substantial part of our exports hitherto, but now there is stagnation. Probably there are many reasons why this kind of stagnation has set in. The under-developed countries have been developing their own textile industry. Also, the internal prices ruling in India are quite attractive and therefore there is re-

sistance on the part of the industry to export textile products outside at low prices. It is also possible that some of the textile goods that have been exported did not come up to the standard expected of them and there is, probably, diffidence on the part of foreign buyers to buy Indian products. There are, as I said many reasons for this stagnation. By bringing in this kind of a regulation in the industry for quality control I am sure we will be able to infuse in the foreign buyers a sort of confidence. Hereafter it is not the manufacturers or the seller who is giving the guarantee, but it is the Government which will be giving the guarantee through standards laid down by this Committee. The Committee not only lays down standards but also actually supervises the quality of goods and certifies that the goods are up to a certain quality. It is much more than any guarantee that any seller or any manufacturers' organisation can give. So the foreign buyer will have confidence in our goods, and I am sure this will be a move to increase our exports because the exports will bear the mark of the guarantee of Government for quality.

There are today three research organisations in India assisting the textile industry. There is one located in Coimbatore, another in Ahmedabad and a third in Bombay doing research in textiles. When this Committee envisages doing research in textile fibres and also in textile machinery, I do hope it will give enough weightage to the existing organisations and not duplicate the facilities that are already available. It is easy to expand the existing facilities rather than try to set up new facilities elsewhere. The introduction of quality control implies that the raw material that goes into the production also comes up to that standard. I do hope that this Committee will take necessary steps to assure the industry that such quality

raw material is also available. This is a laborious task.

13 hrs.

As I look at the formation of the Committee I am very happy that the Government is going to nominate the Chairman of the Committee. The Textile Commissioner would be the Vice-Chairman and an ex-officio member. A Joint Secretary to the Government would also be there. Since the Textile Commissioner is today handling all these problems, he is quite conversant with all aspects of this problem. With his assistance, I am sure the Committee would be able to function well. Normally, we expect that the chairman would be a technical man who can assist the committee in the formulation of policies and their implementation with the help of other technical people.

Clause 18(2) says:

"Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any negligence on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly."

This is rather a harsh provision. It is not always, every director is aware of every problem. A step might have been taken by a clerk with or without the knowledge of the director. Of course, it is stated in clause 19:

"No prosecution for any offence punishable under this Act shall be instituted except by or with the consent of the Central Government."

I hope this provision has been introduced so that if the director of any company says that he is ignorant of any such violation of Government rules and he has signed it as a matter of course without any knowledge of violation, the Government would be able to go to his rescue and redress his complaint. I hope this clause has been introduced so that affected people can appeal and justice is done in genuine cases.

On the whole, this Bill is very well drafted. The previous speaker has made a complaint that the qualifications of the personnel are not mentioned here. I hope it is implied that only technical people, people connected with the textile industry and textile machinery manufacturing industry should be selected as members of this Committee. If so, I agree with that suggestion. I welcome this Bill and I am sure this Bill will bring about larger exports of better quality products at competitive prices.

Shri Sham Lal Saraf: (Jammu and Kashmir): I have read this Bill and I have certain reservations in my mind, which I would like the hon. Minister to clarify in his reply before I decide whether I should support it or not.

The Ministry of Commerce and Industry had been functioning as one unit when we met here last time. When we are meeting here this time we find that the Ministry has been bifurcated into the Ministry of Industry and the Ministry of International Trade. Under this Bill, a board or committee will be constituted to which powers are being delegated for a specific purpose. I have read this Bill and to me it seems to be lop-sided. I hope the hon. Minister would explain it in his reply because it has not been made clear in the Bill itself. Since there are already some boards existing under this Ministry, rather under the previous Ministry of Commerce and Industry, dealing with the fibre industry, both natural and artificial, it should have been made

[Shri Sham Lal Saraf]

clear that there will be no lop-sidedness or over-lapping. For instance, there are already in existence the Khadi Commission the Handloom Board, the Central Silk Board and the Handicrafts Board which are dealing with fibre industry in some way or other. Also, as I understand it, the Textile Commissioner has been the main figure and around him the whole thing revolves. So, as far as the functioning of this Board is concerned, I feel there will be some sort of lop-sidedness and some conflict might arise later.

I will explain it a little further. As far as the manufacture of textile machinery is concerned, I heartily welcome this Bill. But, as far as the other functions of this Committee are concerned, even though a new name, new shape and new form has been given to the old textile fund, I think it is desirable that the functioning of this Board in relation to the other existing boards is made very clear. Once that is done, I think there will be no ambiguity. Today, the Handloom Board is also entrusted with export. The Central Silk Board is doing some research. At the moment, the export of fabrics is being dealt with by the Textile Commissioner. So, there seems to be some lacuna in this Bill which may be made clear by demarcating the functions of all boards dealing with this problem.

Secondly, as far as the allocation of funds to this Committee is concerned, I would submit that while constituting such boards they should be permitted to prepare their budgets according to which grants should be given to them. Now those committees are empowered to collect fees, accept grants from persons, render service to exporters for a consideration and what not. From the financial point of view, I think it is not desirable. I would personally suggest that whenever they require any money, they should go to the concerned Ministry or the Finance Minis-

try for funds. I admit that it is an autonomous body. Even then, as far as the income of the body is concerned, it should go to the Exchequer. It should not be going directly to the body constituted under this Bill, because that is wrong budgetting. If committees or boards constituted under the various statutes are allowed to collect funds of their own, levy fees of their own and spend the money their own way, I would submit that it is wrong budgetting. It should be changed.

Then, as one of my friends has suggested just now, I do not know what difficulty can there be in mentioning either the maximum or minimum number of members of the board. It should be mentioned in the statute as to what the composition of the members of the board will be, wherefrom the members would be drawn, how they would man the board and so on. You should know the maximum or the minimum number. I will be happy if the minimum number were mentioned and as regards the maximum it may be left to the Government as to how they will fill it up.

Then, again, there is another ambiguity. It is all right that the Government will frame rules under this Bill when it is passed and that will empower this Committee, under those very rules, to function. But unless and until some sort of a picture of its constitution, its working and what not is given in this Bill, I feel that the Bill should indicate all that.

Apart from that, today our export effort has gained the greatest importance in the country. The efforts that are being put in are really laudable and very, very welcome, more particularly the hard labour that our energetic hon. friend, the Minister in charge, is putting in for making it a success. He is being helped by all concerned in the Government and

outside. Now, some agencies for export have been set up, as the hon. Minister knows. Will they be under this Committee? Will all the work be taken up by this Committee or will others also be there? If they are there, it is all right. But there is no mention here of that. I do not know if it comes within the rules; but I personally feel that some mention should have been made of that here also.

With regard to the manufacture of machinery, there is no doubt about it that we have made tremendous progress in this respect, but still there are certain failings. I would remind the hon. Minister that formerly in the State of Jammu and Kashmir we were able to manufacture a lot of silk reeling machinery but later on it transpired that there were a few fittings, which were insignificant otherwise but were very important, which we could not get anywhere in the country and through his good offices we could get them from Japan. Fitted with those fittings that machinery can compete with any machinery in the world. So, we should keep in view also to what the industry side is doing. I hope, while replying to the debate on this Bill, the hon. Minister will tell us what progress is being made with regard to that. The Ministry of International Trade does not deal with international trade alone but it is dealing with a number of other items also. So, he will kindly throw some light on that also so that it is absolutely clear to the House as to what progress we are making that way. The textile industry for which this Bill is meant specially has varied and diversified items for export, like cloth, embroideries, garments etc. etc. keeping that in view this also will be a very important point. It is not only that we should control the manufacture of machinery, that is, its quality etc., but we should also see to diversification, whether diversified machinery is

there, both in the private sector as well as in the public sector. That will be very important.

I wish that these points were made clear. I feel, as I happen to know the working of Shri Manubhai Shah's mind, he must not have lost sight of these things. But when we look into the Bill as a whole, we find that a few lacunae are there. I hope, the hon. Minister will clarify all these points in the course of his reply to the debate and would also see whether this Bill needs to be brought up-to-date. But the purpose behind this Bill is laudable and very welcome. With these few remarks, I support the Bill.

Mr. Speaker: Shri Banerjee. Hon. Members will kindly be brief now because the time allotted for the Bill will expire at about 1.30, but I will extend it by half an hour.

Shri S. M. Banerjee (Kanpur): May I submit that yesterday we saved some time because many Bills collapsed? So, we can extend the time for it.

Mr. Speaker: I am extending it by half an hour; even then, we should finish it by 2 o'clock. So, hon. Members should be brief.

Shri S. M. Banerjee: Sir, I rise to support this Bill and I am sure that after the adoption of this Bill with some of the amendments which hon. Members have suggested and after the formation of this Committee the quality of our textile goods will improve and we shall be able to compete with those countries which have entered the field of our exports, like, China, Japan and many other countries. I am sure, our goods will be definitely better than theirs.

While I support this Bill I take this Bill I take this opportunity for bringing to the notice of the hon. Minister, who knows them very well, better than me, the conditions of certain textile mills specially in UP.

[Shri S. M. Banerjee]

The textile mills in Kanpur which was supposed to be the Manchester of India once upon a time excite horror and pity. Two mills which were closed down are now able to function with the great help of the hon. Minister and his Ministry. Two schemes have been introduced for these mills which are full of outmoded machinery and where it has become impossible for the textile units to function.

13.17 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

The textile magnates of that particular place know it very well that the life of that one particular mill is almost finished and that it will be impossible for them to continue any more unless it is modernised. I would like to know from the hon. Minister whether the millowners of Kanpur have applied for any loan or technical aid from the Centre for modifying their mill so that in UP also not only medium and coarse cloth is produced but we are also able to produce the fine and superfine varieties like that in Ahmedabad, Bombay and other places and they also get a share in it; also, they can boost up our exports to other countries.

The whole difficulty is that there are many committees appointed to go into the working of the Kanpur textile mills. Unfortunately, none of the reports have so far been implemented.

As the hon. Minister knows very well, a committee headed by the ex-Chief Minister of UP who is now the Governor of Rajasthan, Shri Sampurnanand, was appointed. The Sampurnanand Committee submitted its report long ago. Still the textiles magnates have not accepted that report. That report suggested some increase in the wages of the textile workers as in Bombay, but that also suggested some increase in the work load and efficient functioning of the textile

mills. I am mentioning this case in this House with the request to the hon. Minister that he will use his good offices to see that this report is accepted not only in the interest of the working class of the textile industry but in the larger interest of the textile industry of UP and for their own existence.

Now in UP, as you know, it is very difficult to approach any Minister because we do not know whether he or she is likely to remain as a Minister or not. There is a crisis in UP. The crisis is greater in the Ministry than in the textile industry or in any other industry. Therefore I take this opportunity to request the hon. Minister to ascertain from the State Government of UP whether they are using their influence to see that this report is accepted. If this report is accepted by the textile mills of Kanpur, I am sure, Kanpur will also have a good hand in exporting some very good material of quality to other countries.

About the formation of the Committee I have a feeling that if this Committee wishes to improve the quality of textile goods, a representative of workers should also be included in the Committee. The hon. Minister has introduced in many units the scheme of participation of labour in management, but it is surprising that in the textile industry, with the exception of one or two units, this particular scheme has not been introduced anywhere. Now that a Committee is being formed which will check upon quality, will guide the mills as regards their efficient functioning, will provide them with technical knowledge and will guide them technically, I do not know why this has been left out and why a representative of the textile workers has not been included in it. There are workers' representatives who have got a complete knowledge of the working of the textile industry. If those workers are not found in a par-

ticular unit or in other units, then the representatives from outside, maybe the textile leaders of the Indian National Trade Union Congress or the All-India Trade Union Congress—these are two big organisations—should have been associated. I have had discussions with textile leaders of Ahmedabad and Bombay. They know everything. They know how quality can be improved and all that. They know the ins and outs of the textile industry. It will be a tragedy if those representatives are not taken on the Committee. I hope the hon. Minister will kindly consider this matter and also use his good offices to see that Kanpur textile mills do not suffer for want of proper aid from the Centre. The report of the Sampurnanand Committee should be accepted.

There is another point which I would like to mention for the benefit of the hon. Minister and for the benefit of the industry. The industries of Kanpur have to compete with other units in the country. In U.P. the electricity charges are much more than those obtaining in Bombay or Madras. This is a genuine difficulty of the mill-owners of Kanpur who suffer on account of this. They have been raising this issue before the State Government and also before the Central Government. I would like to know from the hon. Minister whether any effective steps have been taken in this direction.

My last point is the one which was raised by my hon. friend Shri Dinen Bhattacharya. He read an article from *Commerce*, that the textile industrialists are requesting the Government to increase the price of cloth. I am afraid, if the prices are raised, then there will be a growing discontent in the country which is already there. The prices should not be allowed to rise. The Government is now trying to hold the price line of essential commodities and cloth also comes under the purview of essential commodities. I am sure the Government will not yield to the pressure of the magnates of the textile industry and will not

allow further increase in the price of textile goods. It will not be liked by the people who are already hard-hit because of the rising cost of living and I hope the hon. Minister will kindly safeguard the interests of the consumers more than those of capitalists whose interests are already safeguarded in the hands of this Government.

Dr. Sarojini Mahishi (Dharwar North): Mr. Deputy-Speaker, Sir, the textile industry in India is a growing industry. Even though it started its career only as a small enterprise, it has now grown into a composite industry consisting of spinning, weaving, dyeing and printing. This industry associates itself with not less than 9 lakh workers. That was in the year 1960. It is still growing and not less than Rs. 125 crores are being invested in the industry.

Now, I do not know whether this particular Bill, which deals with the constitution of the Textiles Committee which will be nominated for ensuring the quality of textiles for consumption within the country and also for the quality of machinery manufactured and the export of this particular machinery, will extend its jurisdiction to the handloom industry also, as was referred to by one of my friends. The Handloom Board is dealing with the handloom industry. There are units where I find the handlooms, the pitlooms, the automatic looms and powerlooms working. Now, these different units are experiencing a sort of handicap for want of yarn the supply of which is not given to them in proper time and for want of a proper organised market also for the sale of the goods. The handloom weavers in some parts of Mysore State are experiencing a sort of difficulty in getting the particular yarn for the manufacture of these textiles and also for the sale of these particular textile goods. Therefore, these handloom weavers are now in a very sorrowful state and I hope the Committee will extend its jurisdiction to the extent of removing the difficulties

[Dr. Sarojini Mahishi]

of these weavers, the handloom weavers and the indigenous weavers also in the country.

India is a country where different parts specialise in different things. There are certain specialities in the textiles. One part of the country specialises in fine texture, another part in fine designs and still another part in zari designs and such other things. I hope the Committee will try its level best to keep on these particular specialities of the different weaving sections in the country.

India was importing a lot of textiles from Japan and U.K. in the pre-War days and even subsequent to War. But now that much quantity is tapering down. In 1947-1949 not less than 94 million yards were imported, but in 1960, we find, the figure was reduced to something like 4 million yards only. It is a good thing. But at the same time we shall have to see that proper encouragement and protection is also given to the indigenous workers. The Tariff Commission had said that better association should be created between the consumers and the producers and that the prejudices as regards the Indian textiles and the use of Indian textile machinery should be removed. It can be done only by bringing the association of the two, the consumers and the producers, and creating some understanding between the two. The efforts are being made. But I do not know how far they have succeeded. Of course, the Committee that was constituted under the Cotton Textile Ordinance Fund in the year 1944 has been able to do so. The present Committee which will be constituted under this Bill has its jurisdiction extended to all types of textiles, namely, silk, cotton, half silk and all these things. But that particular Committee which was created under the Ordinance Fund catered only to the cotton textile workers and the cotton textile industry. Therefore, I hope this Com-

mittee will have a better jurisdiction and will have better powers also. Under clause 8 of this Bill, the Committee has got powers to appoint standing committees and also *ad hoc* committees for executing certain orders or carrying out special duties also. But under section 22, the Central Government has retained to itself the powers of fixing up the number of members, the qualifications of members, etc. I do not know whether it would have been better if the Government would have put all these things, the details also, in this particular Bill. Anyway, the Committee has got better powers and I hope it will cater to all the needs of the whole of the textile industry in the country.

There is one thing more. The textile industry consisting of the different sections—I mean, spinning, weaving and all these things—was started by private enterprises. Most of them, as the experience shows, are working well. But in my State, I am sorry to find that cooperative spinning and weaving mills which were started with a very high hope, that the cooperative spinning and weaving mills will be able to cater to the needs of greater sections and will be able to absorb a number of workers, have not been proving so very successful. I know 'Cooperation' is a State subject. But in spite of that, in order that the textile industry should be encouraged, I hope the Central Government will certainly look into these matters and give some proper guidance also. Many cooperative spinning and weaving mills complain that the remuneration of the particular manager appointed by the State Government cannot be paid as it is very high. Of course, in course of time, we wish that the co-operative mills will be a profitable concern. But even after a few years, we find that they have not been able to make up the necessary loss also. On the other

hand, in the case of private enterprises, we find that the necessary amenities and facilities that are to be given to the workers according to the Factories Act or according to the particular labour welfare rules, are not being given to the labourers. They are being exploited.

As regards the textile inspectorate that is going to be appointed, no doubt, the millowners and the associations of the textile weavers do appreciate the appointment of the textile inspectorate, but then the inspection by that inspectorate is not very much appreciated sometimes by those very people because they do not like to implement the necessary rules and give the proper facilities and amenities to the workers. Whereas the directors in the co-operative sector are finding it difficult to see that proper benefits and amenities are given to the workers and proper remuneration is given to the manager, in the private enterprise, proper amenities are not at all given to the workers. I hope that the textile committee will look into this matter and see that proper amenities and benefits are given to the workers and that proper technical guidance etc. is also given to the cooperative mills which were started with great hope but which have not been able to do well, at least as far as my State is concerned. I make myself bold to say this with the little experience that I have got in the field. Therefore, I hope that this committee will extend its jurisdiction and look to the efficiency of working of the co-operative textile mills and also extend its help to the handloom and other indigenous weavers. The committee has no authority to prevent a particular quality of textile from being exported; of course, it has to recommend to Government, and Government can prevent the particular quality of textile from being exported in the interests of increasing our exports and also gaining the good-will of the other countries. Therefore, this committee will have very wide powers.

This committee is also an all-India committee. I do not know how far

it will be able to work at the State level. I do not know whether there will be a similar committee at the State level also for the different States. But then, this committee will, of course, extend its jurisdiction and will give proper guidance to the whole country and also look to the interests of the indigenous weavers.

I appreciate this particular Bill, and I hope that the committee would be able to do a great work for the country.

Shri V. B. Gandhi (Bombay Central South): This is a timely measure. It seeks to ensure quality of Indian textiles and textile machinery, and as such, I welcome it. No one, I know, is more alive to the urgency of doing something for our export trade than our Minister in charge of international commerce.

We know that the competition in the export markets for Indian products is growing, and we know that a lot has to be done for our export trade, and we ought to start doing it immediately. In the matter of competition, Japan is an old competitor about whom we know something. But China is a comparatively new competitor, and China is a competitor whom we should not ignore or under-rate. We really do not know yet the kind of business ethics in which China believes.

It is a welcome sign that the Mill-owners' association as well as the manufacturers of textile machinery in this country have appreciated the need of setting up some kind of a quality control machinery, and they have actually asked for an independent inspectorate for indigenous textile machinery. The Tariff Commission also has made certain recommendations which favoured the setting up of independent and impartial investigation of all complaints from the consuming industries about the quality of indigenous products.

The Cotton Textiles Fund Committee is to be abolished or replaced and the new Textile Committee is to be re-constituted. The ordinance of 1944 is

[Shri V. B. Gandhi]

to be repealed. The new textile committee is going to be made more effective. Its powers are going to be more clearly defined and very much enlarged. In fact, it is going to be constituted into a statutory body. This new textiles committee will have its scope of functions very much widened; it will not only deal with cloth and yarn as formerly but it will also function in the sphere of ensuring the quality of textiles of all kinds, cotton, wool, silk, artificial silk, fibres etc.

Throughout this whole measure, we can clearly see that the emphasis is on quality control and that is as it should be. We know that in the export world a new climate has come over all the export markets today. This new climate gives first place to quality, and quality before everything else. Even Japan whom we considered in the past as a country that believed in cheap products has accepted the new philosophy of 'Quality First'. It is a very gratifying sign of the times that our manufacturers also have recognised the need and the value of quality control as a necessary aid in export promotion.

Now, I shall briefly deal with some of the provisions in the Bill. First, I shall refer to clause 3 in which the constitution of the textile committee is provided for. In this connection, I would only say that some provision should be made for representation to be extended to representatives of trade interests. As the provision now stands, there are to be an unspecified number of Members to be nominated by Government, who have special knowledge and practical experience in matters relating to the textile industry and textile trade. But I would suggest that the Central Government may consider taking some representatives of the trade and industry in consultation with bodies like the Millowners' Association or the Indian Cotton Mills Federation.

Then, coming to clause 17(1) I would very strongly recommend that the scope of the standard-fixing agency should be made more flexible. It

should be widened and not limited or narrowed, as it appears at present in the clause on prohibition of export, namely clause 17(1).

Going on to clause 17(2), which deals with contravention of the order prohibiting the sale and export of substandard products, it provides for punishment with imprisonment or fine or with both. We should not take any objection to the provision of this punishment in this sub-clause, item (i). But in the subsequent item (ii), we find that for the second or subsequent offence, the punishment is such as would make imprisonment inescapable. This should be looked into because after all, I think there is sufficient provision in the earlier clause to enable magistrates to deal suitably with offences.

Coming to clause 18(1) which deals with offences by companies, I certainly would not take any objection to the clause as it stands. I think it is both adequate and necessary. But coming to 18(2), I should submit that such a provision is unnecessary. Nothing more is to be gained except harassment to people in responsible positions. After all, the people we have to deal with people who are in a position to be directors of textile mills. One result—I would not be surprised—of such a severe provision of punishment would be that responsible people would shrink from accepting directorships of textile mills.

I would make an appeal to this Ministry which deals with international commerce and with men in high position in the commercial world to try and be a model in the matter of moderation in punishment. We have to instil mutual respect between those who function in the industry and those who regulate on behalf of Government these matters of industry. In the matter of this desire for severe punishment, I should only end by saying that it is a kind of appetite that grows on what it feeds.

श्री काशी राम गुप्त (अलवर)

उपाध्यक्ष महोदय, इस बिल का स्वागत करते हुए मैं इस की शब्दावली की ओर मंत्री महोदय का ध्यान आकर्षित करना चाहता हूँ। ऐसा लगता है कि यदि इस शब्दावली में कुछ हेरफेर न किया गया तो कुछ व्यावहारिक और वैधानिक कठिनाइयाँ पैदा हो सकती हैं।

पृष्ठ ८ पर कम्पनी की डेफ़ीनीशन इस प्रकार दी गयी है :

"company" means a body corporate and includes a firm or other association of individuals".

जहाँ तक अब तक की जानकारी है कम्पनी में कानूनी तौर पर लिमिटेड कम्पनी या कोऑपरेटिव सोसाइटीज शामिल हो सकती हैं, किन्तु कोई फर्म या एसोसियेशन ग्राफ इंडीवीजल्स कम्पनी में शामिल हों यह उल्लेख कानूनी दायरे से बाहर है। इसलिए मेरा माननीय मंत्री महोदय से निवेदन है कि इस विषय पर वह प्रकाश डालने की कृपा करें। कारपोरेट सेक्टर में यदि इस की व्यवस्था नहीं की जाएगी तो इस में कठिनाई पैदा होने की आशंका है।

धारा १८ में जो कम्पनी को शामिल किया गया है वह ठीक है लेकिन जहाँ तक उन को दंड देने का प्रश्न है, जो दंड का विधान पृष्ठ ७ के ऊपर धारा १७ में है वह इस प्रकार है :

"for the first offence with imprisonment for a term which may extend to one year or with fine or with both";

"for the second or a subsequent offence with imprisonment for a term which may extend to one year and also with fine".

कम्पनी पर फाइन तो लागू हो सकता है उध के डाइरेक्टर्स या अन्य लोगों पर सजा और फाइन दोनों लागू हो सकते हैं, लेकिन

किसी कम्पनी पर सजा भी लागू हो सकती है यह समझ में नहीं आता। चूँकि धारा १८ में कम्पनी को भी शामिल किया गया है और इस में सजा का विधान है इसलिये यदि इस में सुधार न किया गया तो कठिनाई की सम्भावना है।

तीसरे जो पीनल सैक्शन है उस में सभी लोग आ जाते हैं। वास्तव में यदि यह बिल केवल टैक्सटाइल की मैशिनरी के लिए लागू किया जाता तो ज्यादा अच्छा होता। अब डीलर्स में बहुत से लोग आ जाते हैं। रिटेल डीलर भी आ जाते हैं। अगर उत्पादक के साथ डीलर को भी पकड़ा जाएगा तो बड़ी परेशानी पैदा हो जाएगी। यह ठीक है कि धारा १८ में यह लिखा है कि जो यह साबित कर सकेगा कि उस का उस से सम्बन्ध नहीं है तो उस पर यह लागू नहीं होगा। लेकिन अच्छा होता कि स्पष्ट तौर से यह लिख दिया जाता कि यह धारा उत्पादकों और उन से सम्बन्धित लोगों पर लागू होगी और इस से आगे जो पकड़ा जाता है उस का सम्बन्ध मिल से होगा न कि डीलर से। इस नुक्स को ठीक किया जाए तो ठीक रहेगा।

पृष्ठ तीन पर जो "टैक्सटाइल्स" लिखा है उस के सारे प्रासेस उस में शामिल होने चाहियें। क्योंकि टैक्सटाइल पूरा होने के बाद ही होता है। इसलिये इस में मिल के अन्दर जो प्रासेस होगा उस को साफ तौर से लिखा जाना आवश्यक है।

पृष्ठ ३ पर जो उप धारा एच है उस में लिखा है :

"collect statistics for any of the above-mentioned purposes from manufacturers of, and dealers, in textiles".

जैसा मैं ने पहले निवेदन किया उत्पादकों के साथ डीलर्स को शामिल नहीं किया जाना चाहिये। इस से आंकड़े इकट्ठा करना सम्भव नहीं होगा। ज्यादा से ज्यादा आप इस में

[श्री काशी राम गुप्त]

उत्पादक के सेल्स एजेंट को शामिल कर सकते हैं। इस में से डीलर्स को निकाल देना चाहिये।

वास्तव में जो टेक्सटाइल है वह स्वयं में बहुत ही पेचीदा बात है। मुझ से पहले श्री शराफ ने तो बताया है कि उस के लिए अनेक बोर्ड बने हैं। किन्तु उस को भी इस में लाया गया है। इस लिये मेरा कहना है कि यह बहुत ही विचारणीय विषय है।

यह जो कमेटी बनी है इस में जो चेयरमैन रखा है उस की व्याख्या नहीं की गई है कि यह चेयरमैन किस प्रकार का होगा। क्या सरकार कोई आई० ए० एस० अफसर बिठा देगी या वह कोई टेक्नीकल आदमी होगा और उस की क्या क्या योग्यता होगी यह इस में नहीं बताया गया है। इस के साथ साथ इस में मैम्बरों की तादाद भी नहीं लिखी गयी है। कम से कम यह तो लिखना चाहिये था कि इस में इतने मेम्बर होंगे। यह भी बताने की कृपा करें कि ये मेम्बर सरकारी ही होंगे कि बाहर के लोग भी इस में होंगे जिन को इस विषय का यथेष्ट ज्ञान हो।

अभी मुझ से पहले माननीय मित्र श्री एस० एम० बनर्जी ने एक बात की तरफ ध्यान दिलाया था कि जो मजदूरों की यूनियन्स हैं उन के जो तजुबेकार लोग हैं वे भी इस में काम दे सकते हैं। यह बिल्कुल सही बात है लेकिन वह तभी हो सकता है जब कि विशेष तौर से यह निर्धारित कर दिया जाय कि अमुक अमुक अनुभव प्राप्त आदमी हों। केवल वे पदाधिकारी हो जायें इस से काम नहीं चलता है। उस में यदि केवल पदाधिकारी आयेंगे तो उस के कारण वहां की राजनीति आने की सम्भावना है। इसलिए वे लोग अनुभवी हों और एक अनुभव का मापदंड हो इस की बहुत अधिक आवश्यकता है।

अन्त में मैं मंत्री महोदय का ध्यान टेक्सटाइल कमेटी बिल के पेज ५ पर ११ (१) क्लॉज में लिखे हुए शब्दों की तरफ दिलाना चाहता हूं।

"The Committee may, on application made to it or otherwise, direct officer specially authorised in that behalf to examine the quality of textiles or the suitability of textile machinery for use at the time of manufacture or while in use in a textile mill and submit a report to the Committee."

अब जहां तक टेक्सटाइल मशीनरी की बात है वह तो सही है लेकिन जहां तक टेक्सटाइल्स की क्वालिटी या सूटैबिलिटी का सवाल है वह उस के सारे प्रोसेस में देखेगा अथवा केवल जो उस का आखिरी प्रोसेस होगा, उस को देखेगा, इस के बारे में कोई स्पष्टीकरण नहीं है। इसलिये यह बहुत जरूरी हो जाता है कि इस बारे में रूल्स में नियमों में प्रोवाइड किया जाय, समाविष्ट किया जाय अथवा यहां पर लिखा जाय। अगर यहां पर इस बारे में लिखा जाय तो मुझे कोई आपत्ति नहीं है। यहां लिखना ज्यादा अच्छा होगा कि टेक्सटाइल के इंस्पेक्शन के मतलब क्या होंगे? उस के सब प्रोसेस को देखेंगे अथवा उन के पूरी तौर से पूरा होने के बाद ही देखेंगे? यह तय होना इसलिये जरूरी है कि टेक्सटाइल में अनेक बातों का समावेश है। उस में क्वालिटी का समावेश है, डिजाइन का समावेश है और भी बहुत सी बातें उस में आती हैं। चूंकि इस का केवल एक्सपर्ट ही नहीं होता है अपितु देश के अन्दर भी इस की खपत होती है इसलिए यह एक और भी बड़ी समस्या हो जाती है। हमारी हजारों तरह की डिजाइन हैं, हजारों तरह की क्वालिटीज हैं। उन का निर्धारण करना और फिर एक स्टैंडर्ड बनाना बहुत बड़ी समस्या हो जेगी। इसलिये उस समस्या के बारे में नियम बनाते समय बहुत कुछ देखना पड़ेगा।

मैं ने इस सम्बन्ध में कानून की कुछ व्यवहारिक कठिनाइयाँ बतलाई हैं। एक वैधानिक प्राप्ति कानून की है और वह यह है कि कम्पनी ला के अन्दर अभी तक जितने भी कानून बने हैं उन में यह फर्म इत्यादि शब्द नहीं आता है। वह बिल्कुल अलग है। अच्छा होता कि फर्मों के लिए एक अलग उप-धारा बनाई जाती जिस से यह कानूनी अड़चन आगे चल कर हम को पेश न आती और हाई कोर्ट में सुप्रीम कोर्ट में या अन्य किसी अदालत में इस अड़चन का मुकाबला न करना पड़े। बस मुझे इतना ही निवेदन करना था। धन्यवाद।

Shri Priya Gupta (Katihar): I support the Bill introduced by Shri Manubhai Shah, and have a few observations to make.

I suggest that the committee envisaged in the Bill be on a zonal basis and take as its members representatives of organised labour, of consumers and of exporters. The number of members should have been announced. I do not agree with the previous speaker who suggested that the nomenclature of the labour representatives in the committee should be laid down. Organised labour knows who will represent it in the committee, because only a technical man can open his lips in the committee. In the constitution of the committee I desire that organised labour should be allowed to have its own nominees.

There are many interests in the country. So, the committee should be constituted in such a way that the interests of no particular group in the industry are hampered and that no group is discriminated against.

This committee has jurisdiction over improvements on existing textile machinery. Workers are the first to come as animate objects after the inanimate machines. So, when new machinery is introduced, training should be given beforehand to the workers by the mill owners. Each

organisation must provide for a training institute for the workers to cope with the advanced type of machinery to be introduced in the mills.

This committee replaces the committee created under the Cotton Textiles Fund Ordinance, 1944. The employees of that committee should be given preference in the matter of absorption in this committee, and the age limit, if any, fixed for new recruits should be relaxed in their case so that they are not affected.

A very important function of this committee should be to lay down the production of individual mills for meeting internal consumption and export, and this should be based on some principles.

This committee may also take under its purview the question of dyeing, so that co-operatives and handlooms may get benefit out of it.

For the purpose of co-ordinating the working of this committee, there should be consumers' representatives' committees all over India on a zonal basis and at the Centre to advise from time to time regarding the working of this committee.

I hope these suggestions will be taken into consideration by the hon. Minister.

The Minister of International Trade (Shri Manubhai Shah): I am grateful to the hon. Members for the uniform support they have given to this Bill. I have also had the good fortune to discuss this matter with several other Members who could not participate in the debate today and also the representatives of the textile industry of this country before I came to the House with this Bill. In all our talks, it is the good luck of this industry and the country that those who are today engaged in this vital industry of the country are almost unanimous that such a Bill is overdue.

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The main purpose of this Bill is to make the country quality-conscious in one of the largest manufactured consumer goods of this country, namely all varieties of textiles. Several attempts had been made in the past in a halting way by which a few testing laboratories here and there were established to check at random the quality of Indian textiles, particularly textiles produced in the cotton textile industry. Now, as several hon. Members have pointed out, this is a very comprehensive Bill which takes under its umbrella every variety of cloth produced in this country, whether it is woollen or silk or art silk or synthetic fibre or cotton textiles, handlooms or any variety which goes into the making of a fabric.

We are all aware that India is one of the biggest producers of cotton textiles in the world. In the last 16 years since independence, the cotton textile industry of this country has so much enlarged and progressed that today we have one of the largest number of cotton spindles for any country in the world even larger than Japan. We have about 15.5 million spindles. Another 2 to 3 million will come during the Third Plan making the cotton textile industry of India the largest textile industry of the world. It is true that in other countries synthetic and man-made fibres have extended greatly and if you take the whole vista naturally we would not be the first. But we are the largest in respect of cotton mill-made fabrics and even Japan which is supposed to be a big competitor has only 66 per cent. of ours. United States also comes lower. I mention this to show the urgency of the situation and the magnitude of the task facing this committee. If we have to make this country quality conscious we will have to see that the committee is carefully chosen. All the comments made by the hon. Members will be considered by the Government. There are people in different spheres of life, in trade, in technology, in the labour

unions, good technicians and people who know the art of textile manufacture and trade and research workers and economists and we will try and see that a really high-powered competent committee is constituted.

14 hrs.

Last session I brought here a Bill which is being debated in the Rajya Sabha today—the Export (Inspection and Quality Control) Bill. It was to inspect all goods before they were exported. In this case, here, we have taken both external and internal trade. It is our firm belief that as time goes by, the country must become quality conscious even for internal consumption and unless the quality for internal consumption improves you cannot *suo moto* improve the quality of goods for external consumption. Our textile fabrics, rayon, cotton, woollen, earn more than Rs. 65 crores in foreign exchange and this year it may go up to Rs. 70-75 crores. With such large export earnings it is imperative that the fabrics produced in the country must be quality-tested. An hon. lady Member enquired whether we have enough provision of laboratories for this purpose—the co-operative sector, the handloom sector, etc. It is our intention to organise this committee properly so that within three or four years in every producing centre, either through trade or industry or co-operatives or through Government and this Committee, we should have a proper testing laboratory. It is not that we have none now. Under the export scheme incentives are not allowed to those fabrics which go without quality control. That is the present stipulation and we are now doing what is called sample checking of a large percentage of goods which are exported but it is now our intention that a much larger percentage of these goods should be properly checked and tested.

Shri Saraf asked whether this committee's functions will overlap with

those of any other. I can assure him that it is not so. The other boards are developmental boards, the All-India Handloom Board, Handicrafts Board, Cotton Textile Consultative Board, etc. This committee is for quality control and inspection. The hon. Members would see the objective that we have in clause 4 of the Bill. We want to undertake, assist and encourage scientific work, technological and economic research in textile industry and textile machinery. That clause gives further details. Therefore, this committee is not going to function for the promotion or development or grant of money or assistance as the Handloom Board or the Silk Board is doing. It has got well defined functions and there will be no overlapping. I can also assure the House that if there are any loose ends it will be the function of this Ministry to see that the proper task is performed through the proper agency. It will be the residuary function of the Ministry and it will be our endeavour to see that there is no overlapping.

We have also included the textile machinery here because unless and until proper designing of industrial machinery takes place you cannot produce a fabric of standard variety. We have included in this cotton textiles, woollen textiles, silk and various other aspects of the textile industry. Therefore, we should see that the industry has to use machinery of the highest international standard. The specifications have been given.

Shri Sham Lal Saraf: There should be diversification.

Shri Manubhai Shah: There are four research institutions for this purpose. The fourth one is coming up in Kanpur, the Northern India Textile Research Association. With these institutions, the industry is well poised for a scientific approach towards technological problems and it will be the committee's task to see that these four associations, Ahmedabad, Coimbatore, Bombay and Kanpur, are properly co-

ordinated for the developmental and research activities. That is a feature which we have brought in here.

Many hon. Members were anxious about the loss of foreign markets. Over the last 10-15 years there has been a decline in the trend. I have had several occasions to explain the situation here. This is the simplest and the first industry which any independent country the moment it becomes free wants to start. Most of the countries of Asia and Africa where Indian cloth used to go before want to set up their own industry just as we want to industrialise and to set up heavy machine building plants, etc. Only yesterday, I had a talk with the Prime Minister of Somali who wants to develop the textile industry in his country. We are allowing Indian nationals to go and put up textile mills in Nigeria, Ethiopia, Lagos, Cambodia, etc. We have about nine such proposals before us where Indian industrialists want to put up a joint venture of cotton textile industry. We must realise this now. Export earnings on cotton textiles should not be over-estimated or over-anticipated. If we can export round about 500-600 million yards it should be the optimum that we can ask for. To think of 800 or 900 or 1000 million yards as was anticipated some years before is not realistic at all.

Shri Heda (Nizamabad): Why is our country the first victim? Why not Japan or the United Kingdom, for instance?

Shri Manubhai Shah: About the Japanese, I have statistics and I was coming to that point actually. It is the diversification that has assisted them as Mr. Saraf pointed out. Synthetics, woollens, mixed fabrics that is the direction in which we are now guiding the Indian textile industry. Cotton has to be rather augmented—I would not say, replaced—by new man-made fibres. In that direction Japan has really done dynamic work. We must also see that our industry does not depend upon cotton textile fabrics

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only, but all fabrics which go to furnish the apparel, in all parts of the world, and it is the joint approach which will give us more strength and optimism. If you go on working only on a solo or a single direction, where we know that the stumbling-blocks and stone-walls are being erected all round us, it will not be rather prudent or wise for us to concentrate our energy. We are, therefore, diversifying this trade. If you see the totality of the export, it is not at all a bad performance. On the contrary, we are steadily going up in that direction. This year, the rayon fabric export has worked out to about Rs. 10 crores which was not even a crore before five years. In the case of the woollen fabrics, it has registered about Rs. 2 crores which was hardly less than Rs. 10 lakhs before a few years. It is our intention that through the development of such committees such as this, we give a push to various types of textiles along with cotton textiles.

Another aspect which we have to consider is the made-up fabrics. My recent tour of the continent and east European countries and also Burma convinces me that in those countries, particularly what you can call the affluent countries which are sophisticated countries where human labour is getting more and more scarce and more and more expensive, they would rather prefer to buy ready-made textiles, ladies' garments, men's garments, furnishing fabrics and properly prepared ready-made things, because the stitching labour, cutting labour, etc., is much more scarce. That is another direction in which our textile products should be exported; the things could be exported in finished form. These are the different aspects to which the cotton textile industry should look into. It is my request to the industry also that it will not be correct to concentrate only on the grey cloth because that earns us hardly 50 to 60 nP. a yard. It is better to bleach it; it is still better to print it and dye it, and it is still better to make it into a fabric

and have a mixed fibre, so that you can get managerial skill and earn a much larger foreign exchange than you could in selling an old, coarse medium fabric, unwashed, and sending it out from here, which neither brings foreign exchange nor a good name to the producer of cotton textiles and other textiles as our country today can command in the whole wide world.

Another aspect was mentioned by Shri Banerjee and that was about some cotton mills in Kanpur. I have discussed this matter with him any number of times. It is always on our cards that the Uttar Pradesh textile industry should have maximum help by way of contribution in all diverse ways, by pumping money, by giving them the loans, by import licence for the machinery; and we have thus tried to modernise them. I would request my hon. friend to extend his co-operation and also that of the unions to see that rationalisation process of the textile industry in that State particularly which is lagging behind very greatly, should be encouraged by him and his union. After all, the labour thrives or prospers if the industry prospers. We do accept that the industry should not make undue profits at the cost of labour, but, at the same time, if you stick to the old idea that the one doffer will mind only side and not the four sides, that the automatic loom will not come, that the old type of antiquated loom will continue, then, along with the lack of prosperity or rather the retardation of the growth of the whole industry, the labour also will get retarded.

Shri S. M. Banerjee: My submission was that recently, the Government of Uttar Pradesh appointed a commission under the chairmanship of Shri Sampurnanand, and....

Mr. Deputy Speaker: He should not make a second speech; the hon. Minister is replying.

Shri S. M. Banerjee: I only want to say that the recommendations of that

committee should be accepted in all fairness by the millowners in the larger interests not only of labour but of the country as a whole.

Shri Manubhai Shah: As far as the details of the Commission's recommendations are concerned, so many committees and commissions have gone into the aspect of Uttar Pradesh. So, I would not take them up here. What I say is, why should not a Northern India mill be as good as the Meenakshi Mills, Madurai. One of the world's best mills is here, in South India. Some of the best mills in the world are possessed by this country. 30 per cent. of the textile industry of this country is what may be called the *magnum opus* of the textile industry of the world. But where you resist the bringing of the automatic looms, where you resist the bringing of new types of machinery, which will not reduce labour, if I may say so, because expansion automatically envisages more employment, but, if the technological growth does not take place, if obsolescence is plaguing our industry, we cannot produce or progress. Therefore, it is my request to Shri Banerjee and his friends opposite to see that progress is made. When we mooted this question of automatic looms, I am glad to say that the I.N.T.U.C. on the whole has co-operated with us, but other friends have sometimes taken the extreme view and not assisted the modernization to the extent it should be necessary. I take this opportunity to request my hon. friend and through him all my hon. friends on the other side that they should fully co-operate in this matter, because this is of national importance, and here we want to expand the employment through this modernisation. I would like to tell the industry also that unless and until every industry makes up its mind that no machine should be kept for more than 10 years. . .

Shri Sham Lal Saraf: Shri Banerjee has got everything for the mere asking!

Shri Manubhai Shah: Sometimes easy money makes a man easy! But

that does not help progress. The point is that when the nation is in trouble, if the national textile industry is to survive and prosper,—not only survive but prosper and grow, you will have to modernise it and bring it up to the most up-to-date level which you can see in the rest of the world. I have seen factories where there are seven people for thousand spindles, and yet, I know some mills—some of them in the State which was referred to—they have 21 to 25 men per thousand spindles. It is wrong to believe that 25 men for thousand spindles will get more money than seven men for thousand spindles, because expansion will be mostly inefficient and the total development will be retarded and the country will suffer and also the industry as well as labour will suffer.

Therefore, it is very necessary that when this Bill is being considered and is to be approved by this august House, we must request the industry on the whole and all those associated with it that in the interests of the good name of the industry, modernisation should be ushered in with the maximum speed. The local manufacturers are already there. It will not be right for the textile industry of this country to insist that everything imported should be allowed to be used. Wherever the machinery is inferior, I am prepared to say "We will allow the import," but where the machinery is good we must give it a trial, and unless we give a trial to our own indigenous machinery for which we are going to recognise or prescribe a standard specification, it will not be proper to allow imports. Through this Committee, we are going to see that quality control is brought up at the stage of production even for internal use. This year, we have produced about Rs. 26 crores worth of machinery and about Rs. 14 crores worth of components of machinery, what is called the stores of the textile mills. If a country can produce Rs. 40 crores worth of goods per annum, it is necessary that our industry must try to see that the machinery which our people

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produce is modern. Let them be made by modern designs and let them do it by any other type of mechanisation. We should not only be so minded but we should encourage our producers to produce the best for the consuming textile industry. That is why we have brought machinery of textiles also under the provisions of this Bill.

There were one or two more points raised about the powers that are vested. I can assure some of the hon. Members who raised it that there can not be any regional committees in this matter. It is a national committee. There can be advisory committees for specific functions, and we have provided *ad hoc* committees. But we cannot have state-wise or region-wise committees, because this is a subject which requires very high technology, which requires co-ordination at all points of testing and control; otherwise it will be just going in the other direction. It is not like the Handloom Board where we can have a State Handloom Board; it is not like the Khadi Commission where we can have a State Khadi Board. This is a Central Committee on a subject which is of a highly technical nature. Certainly, there will be specialists, or *ad hoc* committees, say, for the textile machinery or silk, to look after this subject in a proper manner.

I am very grateful to my hon. friend Shri Gandhi for having suggested that some members of the millowners' associations and others should be included. That of course is the purpose; but not they alone can be there. There can and there should be technical experts and there should be friends from the labour unions who have intimate knowledge of this subject. A few of them can be there. There should be the trades people. There should be the stores people. So, it will have to be seen that properly competent, technically qualified people are represented on this Committee and to that extent, all the valuable suggestions made by different hon. Members

will be very carefully gone into by us when we implement the provisions of this Bill.

Then there was a question about the penalty. You will find that there are few Acts on the statute-book of India where we have tried to make both fine and imprisonment compulsory, because we find many times that a man who defaults. . .

Shri Kashi Ram Gupta: How can the company be imprisoned?

Shri Manubhai Shah: Company means an individual who is responsible for the mala fides.

Shri Kashi Ram Gupta: It is not given out in the Bill.

Shri Manubhai Shah: The word 'company' is defined: "either a director or a manager or a Secretary". It is put there. After all, a company is the corpus, but it has to be represented by somebody on whom you can fix the guilt. That is the normal process of law.

Shri Kashi Ram Gupta: According to this measure, you can punish the company along with the directors, but the company can be punished only in terms of money and not in terms of anything else.

Shri Manubhai Shah: In the Companies Act, who is responsible is well-defined. Under the Payment of Wages Act, the Indian Companies Act and so on, each party of the company who is responsible is properly defined. If a particular type of fabric is made, the maker also is defined as well as the manager who is directly in charge. It will be he who will be punished. Therefore, we have not merely let them off. Suppose a man commits a big fault, it is not that he will pay one lakh of rupees and get free. Therefore, in the case of first offence we have said—it is a new law and naturally we have to be careful—that the magistrate should decide whether the

punishment should be either this or that. But in the case of the second offence, if the offence is repeated, which we consider to be a very serious offence, where they try to pass the muck to the poor consumer of the country, we have said that both the penalty in terms of fine and imprisonment have to be prescribed.

Dr. M. S. Aney (Nagpur): That is a point fit for clarification in the rules.

Shri Manubhai Shah: That we will certainly do; I accept that.

There was also a point raised by Shri Sharma. I was trying to see him in the House and because he was not here I had avoided replying to him. He was mentioning yesterday about research and design. I can assure him that the foundation of a fabric is a design. After all, what is a textile fabric if it is not a design? Therefore the question of design is definitely an integral part of technological advancement. It is not that we are not doing any design work today. I can only tell him that if he sees the Indian Textile Exhibition held at Moscow, films on which are available now, he will be convinced. I was myself amazed to see the finest designs of Indian textiles exhibited there. Our people have been very careful in sending very good varieties and designs. Therefore, in the matter of designing we are not so inferior, but of course we have to improve a great deal and we have to have more and more designs whether it is in handicrafts, silk, wool or other things. At every stage we have to see that our designs are improved, and I can assure him that designing is the foundation of textiles. If India is to survive in the world market it is designs alone which will help us and make our cloth popular. I can assure my hon. friend that that aspect of the matter has been looked into.

Shri Kashi Ram Gupta: Company has been explained here as inclusive of registered firms and association of individuals. But generally the corporate sector is called company. Why

not use it here and say: "company and also firms . . ." instead of explaining it here, because this will create trouble?

Shri Manubhai Shah: We will provide that in the rules. There are many corporate bodies. There is the partnership, co-partnership, individual ownership and others. Here a company is defined. After all, a substantive legislation cannot take the place of rules. Under the rule making powers we shall provide that properly. After all, the law courts in this country would not recognise it unless you identify the culprit who is guilty. No law provides for all the contingencies in the main law itself. I can assure the hon. Member that we have very many legal wizards in this country and they will look into the proper niceties of the law.

With these words, Sir, I commend the motion to the House.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the establishment of a Committee for ensuring the quality of textiles and textile machinery and for matters connected therewith be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up the Bill clause by clause. There is no amendment to clause 2.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. Deputy-Speaker: There are some amendments to clause 3. Shri Yashpal Singh is not here. Is Shri Gandhi moving his amendment?

Shri V. B. Gandhi: No. May I just say a word?

Mr. Deputy-Speaker: We have exceeded the time by 25 minutes.

Shri V. B. Gandhi: I only want to say that I am prepared to accept the word of the Minister that in implementing the provision about the constitution of the Committee the proposal put forward by me will be considered.

Mr. Deputy-Speaker: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4— (Functions of the Committee)

Mr. Deputy-Speaker: There is a Government amendment to clause 4. *Amendment made:*

Page 3.—

for lines 3 to 8. *substitute—*

"(c) establish, adopt or recognise standards specifications for textiles for the purposes of export and for internal consumption and affix suitable marks on such standardised varieties of textiles;

(d) specify the type of quality control or inspection which will be applied to textiles or textile machinery;" (3)

(*Shri Manubhai Shah*)

Mr. Deputy-Speaker: Is Shri Gandhi moving his amendment?

Shri V. B. Gandhi: No.

Mr. Deputy-Speaker: I shall put the clause, as amended, to the vote of the House. The question is:

"That clause 4, as amended stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clauses 5 to 12 were added to the Bill.

Clause 13— (Accounts and audit)

Mr. Deputy-Speaker: There is a Government amendment to clause 13. *Amendment made:*

Page 6,—

for clause 13, *substitute—*

"Accounts and Audit.

13. (1) The Committee shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the balance-sheet in accordance with such general directions as may be issued, and in such form as may be prescribed, by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Committee shall be audited annually by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Committee to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Committee shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of Government accounts, and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Committee.

(4) The accounts of the Committee as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with

the audit report thereon, shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament."

(4)

(Shri Manubhai Shah)

Mr. Deputy-Speaker: The question is:

"Clause 13, as amended, stand part of the Bill."

The motion was adopted.

Clause 13, as amended, was added to the Bill.

Clauses 14 to 16 were added to the Bill.

Clause 17—(Power to prohibit exports and internal marketing of textiles and textile machinery)

Mr. Deputy-Speaker: There are three Government amendments to clause 17.

Amendments made:

(i) Page 7, lines 10 and 11,—

for "evolved any standard variety of textiles" substitute—

"established, adopted or recognised standard specifications for textiles". (5)

(ii) Page 7, line 12,—

for "evolved standard type of textile machinery" substitute—

"established, adopted or recognised standard type of textile machinery." (6)

(iii) Page 7,—

omit lines 32 to 39. (7)

(Shri Manubhai Shah)

Mr. Deputy-Speaker: Is Shri Gandhi moving his amendments?

Shri V. B. Gandhi: I do not want to move my amendments in view of the amendments that have been made by the hon. Minister.

Mr. Deputy-Speaker: The question is:

"That clause 17, as amended, stand part of the Bill."

The motion was adopted.

Clause 17, as amended, was added to the Bill.

Clause 18—(Offences by companies)

Mr. Deputy-Speaker: Is Shri Gandhi moving his amendments to clause 18?

Shri V. B. Gandhi: Have we already finished clause . . .

Mr. Deputy-Speaker: We are on clause 18 now. I want to know whether he is moving his amendments Nos. 15 and 16?

Shri V. B. Gandhi: I think I want to move.

Mr. Deputy-Speaker: The hon. Member must be very quick.

Shri V. B. Gandhi: Sir, I beg to move:

(i) Page 8,—

omit lines 18 to 25 (15)

(ii) Page 8,—

omit lines 29 and 30 (16)

These amendments are to this clause which deals with offences by companies. It is not necessary, I think and the purpose of this Act will be served by omitting these lines 18 to 25. There is enough provision to take care of offences under this clause, in the first part of clause 18. That provision should prove sufficient, and I still believe that it is not the right way to go on casting our net too wide and trying to rope in all kinds of people in this fashion. Directors are responsible people and, as I have said, they should be treated with a spirit of mutual respect if we expect people to take up responsibility in industrial concerns.

Before I close I will finally say that I am still a believer in moderation in

[Shri V. B. Gandhi]

punishment, an unrepentant believer in that philosophy. We can terrorise people, but we do not improve them.

Dr. M. S. Aney (Nagpur): May I make one suggestion? I would like the hon. Member to read the section as amended by him. Without that we won't understand it. Then there will be nothing left!

Shri Manubhai Shah: Sir, the matter is clear if the hon. Member will please read it. The clause says, "Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company"—individuals are already dealt with separately—"and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any negligence on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence etc." Government has been very moderate in ascribing this. But if it is found that a particular assistant engineer was working under the direction of a director and sub-standard goods have been produced, is it correct for this House to consider penalisation of that particular assistant, or is the manager and secretary more responsible for it? Therefore, if there is any collusion found, I can assure the hon. Member that it is not the intention at all to terrorise, but the higher-up people who are charged with greater responsibility should not be let off and only the minor fries caught for offences for which really those people are responsible.

Shri V. B. Gandhi: My position is . . .

Mr. Deputy-Speaker: No further speech now.

Shri V. B. Gandhi: One word. My position is that we have made sufficient provision in clause 18, part one.

Mr. Deputy-Speaker: Does he want me to put his amendments to vote?

Shri Manubhai Shah: I hope he will withdraw them, because we have taken note of all this.

Shri V. B. Gandhi: I seek leave of the House to withdraw my amendments.

The amendments (Nos. 15 and 16) were by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 18 stand part of the Bill".

The motion was adopted.

Clause 18 was added to the Bill.

Clauses 19 to 22 were added to the Bill.

Mr. Deputy-Speaker: Clause 23. Is Shri Yashpal Singh moving his amendment?

Shri Yashpal Singh (Kairana): Not moving.

Mr. Deputy-Speaker: Then I shall put both clauses 23 and 24 together.

The question is:

"That clauses 23 and 24 stand part of the Bill".

The motion was adopted.

Clauses 23 and 24 were added to the Bill.

Clause 1—(Short title, extent and commencement)

Amendment made:

Page 1, line 3,—

for "1962" substitute "1963". (2)
(Shri Manubhai Shah)

Mr. Deputy-Speaker: The question is:

"That clause 1, as amended, stand part of the Bill".

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

Amendment made:

Page 1, line 1,—

for "Thirteenth" substitute
"Fourteenth". (1)

(Shri Manubhai Shah)

Mr. Deputy-Speaker: The question is:

"That the Enacting Formula, as amended, stand part of the Bill".

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

Shri Manubhai Shah: Sir, I beg to move:

"That the Bill, as amended, be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed".

The motion was adopted

14.36 hrs.

**UNION TERRITORIES DRAMATIC
PERFORMANCES (REPEAL) BILL**

The Minister of State in the Ministry of Home Affairs (Shri Hajar-navis): Sir, I beg to move:

"That the Bill to provide for the repeal of the Dramatic performances Act, 1876, in force in the Union territories of Delhi, Himachal Pradesh and Manipur, be taken into consideration."

There is at present extended to the Union territories a Central Act under the title Dramatic Performances Act, 1876. The purpose of the Bill which I am now moving and which I am requesting the House to take into consideration is to repeal that Act on its substitution by another Act, namely

the Madras Dramatic Performances Act, 1954. The earlier Act, that is the Dramatic Performances Act, 1876, was extended to the Union territories by a notification under the Union Territories (Laws) Act. So far as the extension of the Act is concerned, it can be done by a notification under the Union Territories (Laws) Act. But it has been ruled by the Supreme Court, in the reference under the Delhi Laws Act, interpreted by subsequent decision of the Supreme Court in the Patna case, that whereas a clear field can be occupied by an extension of an Act by notification, where an Act already holds sway its repeal can only be done by the Legislature. Therefore, if we want to repeal the Dramatic Performances Act, 1876, the approval of the Legislature is necessary. We have therefore come before the House asking for its repeal. And when we repeal it we do not want to leave the area vacant, but we want to substitute the repealed Act by another Act called the Madras Dramatic Performances Act, 1954.

The reason why the Central Act of 1876 is sought to be repealed is that it *ultra vires* of article 19 of the Constitution; it is the considered opinion of at least three High Courts that the 1876 Act offends the freedom of speech guaranteed under the Constitution. The main features of the earlier Act are that firstly whether a dramatic performance is objectionable or no was left to be determined by the subjective determination of the authority prescribed; secondly, there was no opportunity given to the person against whom an order was sought to be made to show cause against the proposed order; and thirdly, there was no appeal to any judicial tribunal against such a subjective determination by the executive authority. When the matter went up for decision before the High Courts, the High Courts struck it down as contravening the freedom of speech guaranteed under the Constitution. Now under the Madras Dramatic Performances Act,

[Shri Hajarnavis].

1954, the subjective determination is now replaced by objective conditions. It is no longer left to the executive authority making up its mind as to whether in its opinion the performance is objectionable. Certain criteria have been laid down, and those criteria have got to be objectively satisfied before an adverse order can be made against the performance under the Dramatic Performances Act.

Secondly, an opportunity is provided to a person to show cause why such an order should not be made and, most important of all, there is a right of appeal to the High Court. If an adverse order is made against a person, it can be taken up by way of an appeal to the High Court, where the appeal will be heard by a bench of two judges. It has been held by the High Court that the procedure is in conformity with the freedom guaranteed by the Constitution. In doing this we are carrying out the fundamental rights which we all of us so much treasure. I commend this Bill for the acceptance of the House.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to provide for the repeal of the Dramatic Performances Act, 1876, in force in the Union territories of Delhi, Himachal Pradesh and Manipur, be taken into consideration."

Shri Prabhat Kar (Hooghly): Mr. Deputy-Speaker, so far as the repeal of the Act of 1876 is concerned, we welcome that, because by that enactment certain restrictions were imposed on dramatic performances at a time when the British rule was here. That enactment took away the rights of the artists to perform or stage dramas at a time when it was necessary for social and political reform and information. There were lots of agitation against that measure of the Government. Therefore, so far as

that enactment goes, its repeal is all right.

But, after repealing that Act, the Madras Dramatic Performances Act, 1954, is being extended to Delhi. Just now, the hon. Home Minister stated that the Act of 1876 contravenes the provisions of article 19 of the Constitution, as held by three High Courts and that under the new enactment certain objective conditions have been laid down, certain norms have been fixed which have to be applied before the State can refuse to grant permission for the staging of the drama or performance. May I, in this connection, draw the attention of the House to section 3(1) of the Madras Dramatic performances Act, which says:

"Whenever the State Government are satisfied that any play, pantomime or other drama performed or about to be performed in a public place is an objectionable performance, they may, by order stating the grounds on which they consider the performance objectionable, prohibit the performance".

Since the words used are "whenever the State Government are satisfied", it is the subjective satisfaction of the Government, save except the reason will be given as to why they consider it necessary. Of course, it is stated in sub-section (2):

"No order under sub section (1) shall be passed without giving reasonable opportunity to the organizer or other principal persons responsible for the conduct of the performance or to the owner or occupier of the public place in which such performance is intended to take place to show cause why the performance should not be prohibited."

No doubt, an opportunity will be given. But, the decision will be that of Government. If they are satisfied

that according to them it is objectionable, the permission will not be granted. The only improvement is that certain grounds are to be given it permission is to be refused. The hon. Minister has further stated that there is an appeal to the High Court. Of course, it is true. But, so far as the performance as such is concerned, Government will permit or prohibit it according to their understanding.

May I also draw attention to section 8, which is almost the same as section 4 of the old Act? It says:

"For the purpose of ascertaining character of any intended play, pantomime or other drama, the State Government, or such officer as they may empower in this behalf, may by order, require the organisers or other principal persons responsible for the conduct of, or other persons about to take part in, such play, pantomime or other drama or the author, proprietor or printer of the play, pantomime or other drama about to be performed, or the owner or occupier of the place in which it is intended to be performed, to furnish such information as the State Government or such officer may think necessary."

Coming from a State where drama and the stage had been part and parcel of the national movement, to restrict which the then British Government passed many statutes against which there was country-wide agitation, a State where even recently there has been an attempt to restrict performances by the present national Government against which there was agitation by the writers and stage actors everywhere as a result of which it was dropped for the time being, a Bill which says that if Government is of opinion that certain things may be objectionable, either the author or organisers or the proprietor of the stage will be required to furnish such information to the State Government or to such officer as they may deem necessary does, in my opinion, smack

of the same restrictions which were imposed by the earlier Act of 1876. For example, read section 9, which says:

"If the State Government or in the Presidency town the Commissioner of Police or elsewhere the District Collector, have or has reason to believe that an objectionable dramatic performance is about to take place, they or he, as the case may be, may, by order, direct that no such dramatic performance shall take place in any public place within any area, unless a copy of the piece, if and so far as it is written, or some sufficient account of its purport, if and so far as it is pantomime has been furnished. not less than seven days before the performance, to the State Government, the Commissioner of Police or the District Collector aforesaid."

It means that so far as art and culture are concerned, it will be decided by police officers as to whether they are in the interest of the country or nation. It is a position which we cannot accept under any circumstances. These are restrictions against which there has been agitation in West Bengal by dramatists and producers only very recently.

Therefore, I hope and trust that the hon. Minister will consider this matter from that point of view. So far as the repeal of the Act of 1876 is concerned, it is most welcome, but, so far as the imposition of almost the same restrictions under the name of the Madras Dramatic Performances Act, 1954 to which objection has been taken, is concerned, I would request him to reconsider the matter.

Dr. M. S. Aney (Nagpur): This Bill is really very interesting in my opinion. It is probably for the first time—I do not know; I may be wrong—that the Central Legislature is enacting a law for its own territory by adopting a law made by a State. Of

[Dr. M. S. Aney].

course, they have powers under the law to adapt such laws as they deem fit for enforcement in the Union territories. Under those powers, they have adapted the Madras law. Now they have come here to repeal an old law. By repealing the old law, a legislation which is now existence in a State becomes the law of the Union territory.

I would have very much liked that the new law which has come in force in the Union Territories should have been given in *extenso* here for the information of hon. Members of this House. We understand that it has already become the law. It is for the first time that indirectly this House is called upon to accept that as the law for these Territories by repealing the law which was applicable to those Territories. Had that law been present before us, some of the objections which my hon. friend has just now taken to certain provisions would have been very much intelligible to us. Today in the absence of that law we do not understand the precise nature of the criticism and the force behind that criticism. We are in a way endorsing that law without knowing the provisions of that law. This difficulty could easily have been obviated had the Law Ministry taken the care of giving the provisions of that law which becomes the law of these Territories along with the repealing Bill which is placed before us. That is the only complaint that I have to make. Otherwise, so far as the Bill goes, once the whole law is to be repealed, the other provisions are all consequential and there is no harm in our supporting the repealing Bill. My complaint is that indirectly we are supporting a law without knowing what it is. That is my only point.

श्री बड़े (खारगोन) : माननीय उपाध्यक्ष महोदय, दि यूनियन टेरिटरीज़ ड्रामेटिक परफार्मेंसिज़ (रिपील) बिल, १९६२ में

जो कि इस सदन के सामने रखा गया है, "रिपील" शब्द को देख कर पहला इम्प्रेशन यह होता है कि दिल्ली, हिमाचल प्रदेश और मनिपुर में जो ड्रामेटिक परफार्मेंसिज़ एक्ट लागू था, उसको रिपील किया जा रहा है। लेकिन इस बिल को पढ़ कर यह मालम होता है कि उक्त एक्ट को रिपील करने के साथ साथ मद्रास ड्रामेटिक परफार्मेंसिज़ एक्ट, १९५४ को एक नोटिफिकेशन के द्वारा इन यूनियन टेरिटरीज़ में एक्सटेंड किया जा रहा है। मेरा कहना यह है कि जहां तक १८७६ के एक्ट को रिपील करने का प्रश्न है, हम उसके सम्बन्ध में शासन से सहमत हैं। वह रिपील होना चाहिए।

जहां तक मद्रास ड्रामेटिक परफार्मेंसिज़ एक्ट, १९५४ को एक्सटेंड करने का सम्बन्ध है, इस बिल के स्टेटमेंट ऑफ आइजेंट्स एंड रीजन्स में कहा गया है कि चकि मद्रास, इलाहाबाद और पंजाब हाई कोर्ट्स ने १८७६ के एक्ट के कुछ प्राविवन्ज को अल्ट्रा वार्यस ठहराया है, इसलिए मद्रास एक्ट १९५४ को दिल्ली, हिमाचल प्रदेश और मनिपुर को यूनियन टेरिटरीज़ में एक्सटेंड किया गया है। शासन से मेरी विनती यह है कि १८७६ के एक्ट को जो रिपील किया गया है वह तो ठीक है लेकिन मद्रास के एक्ट को एक्सटेंड करना उचित नहीं है। इस सदन ने एक कागज़ पास करके हिमाचल प्रदेश और मनिपुर को लेजिस्लेटिव एसेम्बलीज़ दी हैं। इसलिए उन एसेम्बलीज़ को हम बात का अवसर देना चाहिए कि वे अपने यहां की सामाजिक परिस्थितियों आदि को दृष्टि में रख कर चाहे तो मद्रास एक्ट को अपना लें, अथवा कोई और एक्ट पास कर लें। मैं निवेदन करना चाहता हूं कि मद्रास लेजिस्लेटिव एसेम्बली ने अपने यहां की परिस्थितियों पर विचार करके अपने लिए एक कानून बनाया। उसी कानून को दिल्ली, हिमाचल प्रदेश और मनिपुर

में लागू करना किसी भी प्रकार उचित नहीं कहा जा सकता है। यह कानून पाम कर के सरकार मद्रास के पानी को दिल्ली में लाना चाहती है। मनिपुर और हिमाचल प्रदेश में जो साहित्य है और जो सामाजिक परिस्थितियाँ और नैतिक आदर्श हैं, उन पर विचार करके वहाँ की एसेम्बलीज अपने लिए कोई कानून बना सकती हैं।

अगर इस बिल के प्राविज्ञज्ञ को देखा जाये, तो इसका नाम वास्तव में दि यूनियन टेरिटरीज ड्रामेटिक परफार्मेंसिज (रिपील) एंड एक्सटेंशन आफ मद्रास ड्रामेटिक परफार्मेंसिज एक्ट बिल रखा जाना चाहिए, ताकि यह मान्य हो सके कि इसके प्राविज्ञज्ञ का अर्थ क्या है। जैसा कि मैंने अभी निवेदन किया है, जब हमने मनीपुर और हिमाचल प्रदेश को लेजिस्लेटिव एसेम्बलीज दी हुई है, तो यह उचित ही है कि उनको यह विचार करने का अवसर दिया जाय कि वे अपने यहाँ मद्रास एक्ट को लागू करना चाहते हैं या कोई दूसरा कानून पाम करना चाहते हैं। जब कि यह कहा जाता है कि हमारे संविधान के अनुसार प्रान्तों को आटोनोमी दी गई है तो केन्द्र की ओर से साहित्य और ड्रामा जैसी छोटी छोटी बातों में हस्तक्षेप करना ठीक नहीं है। हमारे कांस्टिट्यूशन में यूनियन लिस्ट और स्टेट लिस्ट दी गई हैं। अगर केन्द्र स्टेट लिस्ट के विषयों के बारे में भी कानून बनाने लगेगा और स्टेट्स के मामलों में हस्तक्षेप करने लगेगा तथा हिमाचल प्रदेश और मनिपुर आदि यूनियन टेरिटरीज को मद्रास एक्ट लागू करने के लिए बाध्य करेगा, तो साधारण जनता पर यह इम्प्रेसन पड़ेगा कि प्रान्तों की आटोनोमी केवल कागज़ पर है, केवल शब्दों में है और वास्तव में केन्द्र छोटी छोटी बातों में हस्तक्षेप कर सकता है।

इन शब्दों के साथ मैं कहना चाहता हूँ कि १८७६ के एक्ट को जो रिपील किया गया है, वह तो ठीक है, लेकिन मद्रास ड्रामेटिक

परफार्मेंसिज एक्ट, १८५४ को एक्सटेंड करने का मैं विरोध करता हूँ।

Shri Gauri Shankar Kakkar (Fatehpur): Mr. Deputy-Speaker, Sir, it is something very surprising that this very old Act of 1876 is being repealed on the basis of certain pronouncements of High Courts, but then, as has just now been said by my hon. friends, Shri Bade and Dr. Aney, what was the necessity for extending an Act which was passed in 1954 by the Madras legislature. The social environments of each State are quite different as compared to other States. Secondly, very recently we have given full powers to Manipur etc. and a legislative assembly is coming up there. These are very petty matters and it should have been left to the Manipur Legislative Assembly to enact its own law.

It shows some sort of an incompetency on the part of the Law Ministry of the Government of India that we are going to adopt an enactment of 1954 and that after mature consideration we have not been able to find out such enactments which are properly suited to particular States keeping in view their social environments and other conditions prevalent there. I quite agree with my hon. friend, Dr. Aney, that probably it is a unique feature in this particular enactment that we are not having a separate enactment but are simply giving sanction or power by this measure to enforce that Act which was passed by the Madras Legislature as early as 1954.

By virtue of certain pronouncements of the High Courts we are compelled to repeal the old Act. Let that stand repealed, but there is no use in extending any such Act which is prevalent in the southernmost portion of India, specially to those States which are quite different as regards social environment and other matters. So, I think, it would not at all be desirable and it will not do justice.

[Shri Gouri Shankar Kakkar]

If we look into the provisions of the Act of 1954 of the Madras Legislature, we find that there are certain sections in it which are just on equal footing with the old Act. Now we are independent. We have our Constitution. We have our freedom of speech and everything. Keeping that in view there should be a new measure altogether. It will not be desirable to introduce those old things which were not in accordance with the provisions of the Constitution and in accordance with the independence which has been given to this country. I think, the hon. Home Minister will look into this matter and will postpone this measure. Let the Manipur Assembly or the Himachal Assembly have its own Act according to the conditions prevalent in those States.

15 hrs.

Shri Hajaranavis: Sir, some of the observations made, I believe, have not taken into consideration the structure of the Union Territories (Laws) Act. As a constitutional provision obtains, this Parliament is responsible for legislation in respect of Union Territories primarily and in the last instance. Now it is not possible for this Parliament, among its multifarious duties, to find time for laws in respect of Union Territories. There has been for a long time on the statute book a law called the Union Territories (Laws) Act which enables a law from anywhere, a State law or a Provincial law as it was previously called, to be applied by notification with or without modifications to the Union Territories. Whether this was valid or invalid was debated at great length in the Supreme Court in a celebrated case called the Delhi Laws Act case where the powers of delegated legislation were examined by the Supreme Court. The finding on issues of this case were again pronounced upon by the Patna case to which I alluded earlier. It was ruled that instead of coming to this Parliament, a law can be extended by notification. But there

in the same decision the Supreme Court said, "If a law is already applied and if you want to displace that law, then you must go to the legislature and repeal it." Therefore, the repealing Act was necessary. Here, of course, we are not only displacing the Act which has been pronounced upon as invalid by the courts but we are also substituting in its place a very good Act and nothing adverse has been pointed out in the debate so far about the provisions of this Bill except, of course, the criticism of Mr. Prabhat Kar to which I will come in a moment.

The salient features of the judicial procedure are incorporated in the Bill: firstly, issuing of notice to a party against whom the order is made; secondly, prescribing of objective conditions which may be satisfied before any action is taken and thirdly, providing of review before the High Court. Even if we ourselves were to frame the Bill, I do not think its form would have been in any way different from the form in which it has come. I do agree with what has fallen from our senior colleague Dr. Aney about providing the text of the Madras Act. It would have been easy to refer to that if it were printed with the Bill. If the demand had been made earlier, we would certainly have done it. The Bill was introduced during the last session. If the demand had been made earlier, we would have certainly circulated it. But I assure the House that next time if any such occasion arises, we will keep in the Bill itself all the Acts, the Act to be displaced and the Act which will take its place.

Now, coming to the objection which has been raised by Mr. Prabhat Kar, he thinks that the subjective determination still continues and he probably relied on the words "is satisfied". If we were to consult the decision of both the Privy Council and of the Supreme Court upon the expression that has been used, Lord Radcliffe in a Ceylon case which was decided by

the Privy Council in 1951 said, "Nothing turns upon the expression 'is satisfied'." He is of the opinion that nothing turns upon this expression. You have got to see the whole scheme of the Act as to whether what is provided is subjective satisfaction or objective determination. If he reads the whole of the clause, he will find that what section 3 provides is certainly the satisfaction of the various conditions given in the clause before which an order can be made.

Another quite a very potent argument which I would like to give in favour of my submission to the House would be, if what is provided is subjective determination, an appeal to the High Court will be obviously illusory. If the only fact that has to be provided is, did or did not the authority acting come to that subjective state of mind, if this is the condition of exercise of power, then there is no question of any other authority coming to a different decision because it is for the authority to say, which acts upon subjective satisfaction, "Well, I am satisfied". That is the state of mind. There is no question of appeal. I might remind him as well as other Members of the House who are lawyers that the word 'satisfied' is nearly always used to describe objective satisfaction, fulfilment of objective conditions. If a suit is dismissed and if it is to be restored, I believe—I am quoting from memory—Order 9, Rule 30 says: if the Court is satisfied that there is sufficient reason for the non-appearance, then the suit is restored to file. I believe, in the whole of the Civil procedure Code, wherever the condition of objective conditions is prescribed, the expression that is used is 'is satisfied'. It may be, as Lord Radcliffe said in the Privy Council case that even though the expression used is 'is satisfied', yet it may lead to subjective determination. But I do not think the mere use of expression would entitle Mr. Prabhat Kar to raise any doubt as to the condition on

which the power under section 3 can be exercised.

With these words, I move that the Bill be taken into consideration.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the repeal of the Dramatic Performances Act, 1876, in force in the Union territories of Delhi, Himachal Pradesh and Manipur, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up clause-by-clause consideration of the Bill.

Performances Act, 1876)

Clause 2— (Repeal of Dramatic Amendments made:

(i) "Page 1, lines 7 and 8,—

for "to any of the Union territories of Delhi, Himachal Pradesh and Manipur"

substitute—

"to the Union territory of Delhi."

(4).

(ii) "Page 1, line 9,—

for "such" substitute "the. (5).

(Shri Hajarnavis).

Mr. Deputy-Speaker: The question is:

"That Clause 2, as amended, stand part of the Bill".

The motion was adopted.

Clause 2, as amended, was added to the Bill

Clause 3 was added to the Bill

Clause 1— (Short Title)

Amendment made:

"Page 1, lines 3 and 4,—

for "Union Territories Dramatic Performances (Repeal) Act, 1962".

[Mr. Deputy-Speaker].

Substitute—

"Dramatic Performances (Delhi Repeal) Act, 1963". (3).

(Shri Hajarnavis)

Mr. Deputy Speaker: The question is:

"That Clause 1, as amended, stand part of the Bill".

The motion was adopted.

Clause 1, as amended, was added to the Bill

Enacting Formula

Amendment made:

Page 1, line 1,—

for "Thirteenth" substitute—
"Fourteenth". (2).

(Shri Hajarnavis)

Mr. Deputy-Speaker: The question is:

"That the Enacting Formula as amended, stand part of the Bill".

The motion was adopted

The Enacting Formula, as amended, was added to the Bill

Long Title

Amendment made:

Page 1, in the Long Title,—

for "Union territories of Delhi, Himachal Pradesh and Manipur". (1).

substitute—

"Union territory of Delhi".

(Shri Hajarnavis)

Mr. Deputy-Speaker: The question is:

"That the Long Title, as amended, stand part of the Bill".

The motion was adopted.

The Long Title, as amended, was added to the Bill

Shri Hajarnavis: I move that the Bill, as amended, be passed.

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed".

The motion was adopted.

15:10 hrs.

LIMITATION BILL

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra): On behalf of Shri A. K. Sen, I beg to move:

"That the Bill to consolidate and amend the law for the limitation of suits and other proceedings and for purposes connected therewith, as passed by Rajya Sabha, be taken into consideration".

I do not propose to waste the time of the House by repeating all that I said while moving the motion for reference of the Bill to the Joint Committee. I would only remind the House that the most important recommendations of the Law Commission were with regard to the articles of the Indian Limitation Act. So far as the articles are concerned, the Law Commission's recommendations were threefold. Firstly, they suggested that the articles should be arranged according to their subject matter. The second suggestion was that the period of limitation should be the same, as far as practicable, for the same class of suits. The third suggestion was that the starting point or the period of limitation should be the accrual of the cause of action.

So far as the first suggestion is concerned, namely that the articles should be classified according to the subject-matter, that recommendation has been accepted, and it will be seen that broadly the articles have been

classified under ten heads. So far as the second recommendation is concerned, namely that the same period of limitation should be prescribed in suits of the same class, as far as practicable, that also has been accepted. I may only point out here that all the recommendations regarding period of limitation for suits based on contract have been accepted, whereas the recommendations regarding suits based on torts have not been accepted, for the simple reason that in the case of torts, the Law Commission also recommended that the period of limitation should be three years. Under the existing Act, the period of limitation for most of the suits based on torts is one year. So, that recommendation was not accepted, because no justification could be found as to why the period of limitation in the case of suits based on torts should be raised from one year to three years.

So far as the third suggestion is concerned, namely that the starting point of the period of limitation should be the accrual of the cause of action, that has not been accepted at all for the simple reason that it was thought that the Limitation Act was quite an old one and it had stood the test of time, and if now we put the accrual of the cause of action as the starting point of limitation, it might prove hazardous to the parties concerned. It is well known that cause of action is a bundle of facts, that has to be proved, and sometimes, the lawyers have to go through a labyrinth of arguments in order to prove when actually the cause of action arises. Therefore, it will put the litigants, and the plaintiff in a very difficult position to find out when actually the cause of action in a suit arises. Therefore, it was thought that the present method is more suitable, and, therefore, the said recommendation of the Law Commission has not been accepted.

I would come now broadly to the recommendations made by the Joint

Committee. It is my duty to thank the Members of the Joint Committee for the care that they bestowed. The Joint Committee fortunately consisted of many eminent lawyers who are Members of Parliament. I shall refer now to some of the important changes made by the Joint Committee, briefly.

I shall first of all refer to clause 4. As will be seen, clause 4 provides that when the prescribed period for any suit, appeal or application expires on a day when the court is closed, the suit, appeal or application may be instituted, preferred or made on the day when the court reopens. The question that arose was what would happen if the court were not closed on a particular day but it was only partly closed. Sometimes, it so happens, and we have seen from our experience that the court has to close all of a sudden for various reasons after sitting for an hour or two, and it is not within the knowledge of a party. Supposing it is the last day for filing a suit, or the last day of limitation, and the party comes prepared, and he knows that the court is open, but then he finds that it is closed, and that becomes the last day of limitation, then, what is to happen? Therefore, an explanation has been added on to this clause by the Joint Committee which runs thus:

"A court shall be deemed to be closed on any day within the meaning of this section if during any part of its normal working hours it remains closed on that day."

Then, I shall turn to clause 6. I shall not read the whole clause and waste the time of the House. Clause 6 provides for certain benefits to the minor. If a cause of action accrues in favour of a minor, the period of limitation is extended so that when the minor becomes a major, for three years after he becomes a major, he is entitled to file the suit. That is the provision for the benefit of a minor.

[Shri Bibudhendra Mishra].

The question arose whether a child in the womb is a minor or not. There are some High Courts like the Lahore High Court who took a very technical view and held that the term 'a person' meant a person born, and could not obviously include a child in the womb, whereas there were other High Courts, like, I believe, the High Courts of Calcutta, Madras and probably Allahabad, which held that for the purpose of law, it would be inequitable to say that a child in the womb was not a minor. It is not unknown that in the Hindu law, for example, a child in the womb gets right to property. In the Workmen's Compensation Act also, a child in the womb is considered as a person entitled to certain benefits. In view of these conflicting decisions, it was thought by the Joint Committee that if the object of this clause was to give certain benefits to a minor, it would be inequitable and unjust not to include in the definition of 'minor' a child in the womb, because that would be unthinkable. Suppose a cause of action accrues today; suppose a child is born today, and the father dies tomorrow, he gets the right, whereas if the father dies today but the child is born tomorrow he does not get the right. Since the whole clause is intended to give a benefit to a minor, on the ground that he is a minor, the Joint Committee thought that it would be inequitable and unjust not to include in the definition of the term 'a minor' a child in the womb.

Then, I would refer to clause 13 which is completely new, which provides for exclusion of time in cases where leave to sue as a pauper is applied for.

Then, I would refer to clause 29. We had formerly provided that after the coming into force of this Bill, the period for filing a suit would be two years, and the period for filing an application would be thirty days. The Joint Committee thought that

since the Bill is a new one, and it would take some time for the parties to be conversant with the provisions of the new measure because of its wholesale change, it would be just and proper that they should be given time. Therefore, the period of two years provided for suits has been extended by the Joint Committee to five years, and the period of thirty days provided for applications has been extended to ninety days.

Then, there are many articles where the period has been changed. Members will see it from the report of the Joint Committee. Because from their experience they have found that it works out certain hardships, they have changed it from one year to two years and so on. It is in the field of applications and appeals that a major change has taken place in the Joint Committee, and we have deviated from the recommendations of the Law Commission. So far as articles 155(a), 132, and 133, all of which deal with either appeal to the High Court or appeal to the Supreme Court or application to be filed before the High Court or the Supreme Court are concerned, a uniform period was suggested by the Law Commission, namely thirty days. But the Joint Committee thought that it would be better, in view of our experience, that we stuck to the old arrangement of sixty and ninety days, the period varying of differing from case to case. Therefore, in the field of appeals and applications before the High Court and the Supreme Court, the recommendations of the Law Commission have not been adhered to.

These are, in short, the main recommendations made by the Joint Committee. There was one incidental amendment which was overlooked, so far as 44(B) was concerned, which was not recommended by the Joint Committee, but which was accepted by me when it was brought to my notice in the Rajya Sabha.

With these words, I move.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to consolidate and amend the law for the limitation of suits and other proceedings and for purposes connected therewith, as passed by Rajya Sabha, be taken into consideration".

Shri Daji (Indore): This Bill to amend the Limitation Act is, really speaking, a very important piece of legislation, and I am sure it will leave an indelible mark on the future course of litigation in the country.

Shri Bade (Khargone): In my dissenting note, there is a misprint. I gave a dissenting note about article 136, not 135. But it is printed as 135. Either it may be my mistake or it may be a printing mistake. It should be read as 136.

Shri Daji: The context is very clear.

Shri Bade: Yes.

Shri Daji: As I was saying, it is bound to leave a permanent mark for many years to come. Such laws as the law of limitation are not usually changed very often. They are changed after a period of years. In fact, we are undertaking this change in consonance with the recommendations of the Law Commission after more than half a century.

The idea underlying the change has been explained ably and it is a laudable object, namely, to simplify and classify the law of limitation in such a way that like-nature suits are treated on a par, alike. The Joint Committee, of which I had the privilege of being a Member went into the aspect very closely. The law of limitation is based on the principle that the law cannot possibly help the lazy and laches cannot be permitted to be pleaded for every one's acts.

Shri U. M. Trivedi (Mandsaur): On a point of order. The hon. Mem-

ber was a member of the Joint Committee. Is he entitled to take part in this debate? Is it for supporting the Bill?

Mr. Deputy-Speaker: We are at the consideration stage before the final stage. All Members are equally entitled to participate.

Shri U. M. Trivedi: He has not appended any dissenting note.

Mr. Deputy-Speaker: There is no such distinction.

Shri Daji: Litigation should come to a close at a certain point of time. That unending delay or that unending hanging in the air of the sword of Democles over the parties concerned should not be there. At the same time, there is another consideration that in a country like India, vastly illiterate, people not fully knowing the law and their rights, we should not so hustle the law as to actually prevent the remedy. The Joint Committee had the task of balancing these two main viewpoints in regard to the Limitation Act. It is a very technical law about the enforcement of rights. The Joint Committee considered the whole question with the least acrimony purely from the point of view of improving the law and tried to change it largely in the background of the Report of the Law Commission. It has, therefore, been possible to arrive at a large measure of agreement almost a wide measure of agreement. I must also express my thanks to the members of various parties as well as to Government for the common language adopted, because the logic and the purpose was commonly appreciated. It was with this point of view that we found it necessary to make certain changes.

One very important aspect is the increase of limitation in the case of Fatal Accidents Act. When a man is killed, possibly his widow or the orphan is not able, in a period of one year, to bring up a suit. Some

[Shri Daji]

months are passed in absorbing the shock.

12.25 hrs.

[SHRI KHADILKAR in the Chair].

Then they have to take advice. So we have increased the limitation to two years. I think it is a very beneficial provision. Both on principle and from practice, I can say that the period of one year was found to be very short.

But in this connection, I would like to recommend through you to Government, and would seek the help of my youthful friend, the Deputy Minister, a change in another law. The rules under the Motor Vehicles Act providing for a tribunal for speedy settlement of cases have provided for a limitation of only 60 days, whereas we are increasing the limitation in the case of the Fatal Accidents Act from one to two years. The tribunal constituted under the Motor Vehicles Act is a very beneficial provision, but there is provided only a limitation of 60 days. Many litigants in villages—in the case of people who are overrun by buses or trucks—come to know and seek advice only after the period is over. For thirty or sixty days they cry and then they come to town to seek advice. By that time, the 60 days are over. So that this really requires some thinking. Since we are increasing the period from one year to two years in the case of the Fatal Accidents Act, this may also be considered.

Similarly, very salutary is the provision in regard to the time allowed for pauper appeals. If it is disallowed, the time taken from the date of filing an appeal should be given credit to and additional time should be given to the man to file the appeal.

These are some important changes which will really benefit. The other important change which was thought

necessary was this. The original Bill radically cut down the period of limitation of appeals. It was really a revolutionary change. As I said, we have to balance the need for speedy closure of litigation and conditions prevailing in the country. Therefore, after hard deliberation, we thought that the period of limitation prescribed for appeals be left undisturbed by and large. It is not very long—60 days or 30 days or 90 days in some cases. What had already become recognised and well known by long practice had better be left untouched. That was, I consider, the most important amendment that the Joint Committee introduced and was accepted. I think it is very highly commendable.

In one aspect, the Committee has done good work, and that is the limitation for leave to appeal to the Supreme Court. In the case of death sentences, the limitation has been increased from 30 to 60 days. Here again, I must say, though it is not quite germane, that the Supreme Court is becoming a very costly institution. It is almost becoming a prohibitive institution in even criminal cases. It has become too costly for the ordinary man to seek redress in the Supreme Court. Whether it be criminal cases or civil cases—in civil cases the valuation would be beyond Rs. 30,000; so perhaps the man can afford—or even fundamental rights, but particularly in criminal cases, the Supreme Court is becoming almost prohibitive.

As every practising lawyer knows, there are very many cases where even manifest injustice has been tolerated by the person concerned because he could not find the means to go to the Supreme Court. The whole machinery is expensive, the advocacy is expensive, the filing is expensive, and it is miles away from the man's home town, and perhaps he is in jail. One is constrained to remark with all respect that unrepresented appeals to the Supreme Court do not receive that

much attention from the Judges as they ought to. I say this because a jail appeal to the Supreme Court is seldom represented, and therefore, the limitation period has been raised to 60 days. I do not know how far even this will help. This may help to some extent to relieve the distress, but this is not the remedy. This is only a palliative that we have sought to give. The remedy is to take some radical measures to see that justice in the Supreme Court is not so expensive and prohibitive as it is today.

The old adage says that justice delayed is justice denied. We can easily say, in keeping with our avowed goals and objectives and proclamations of socialism and democracy and welfare State, that costly justice is no justice at all, it is worse than justice denied. We all cherish the Supreme Court and we have all sought to build it up as the highest court of appeal, as the highest legal institution, where every one can go and, in keeping with the emblem of the Supreme Court, hope that the scales of justice will be help even between the rich and the poor, and that, in keeping with the injunction of the Constitution, every citizen will be treated equally before the law, but the rules framed under the Supreme Court and the expenditure heaped on the common man have actually meant the virtual denial of this injunction of the Constitution, and this bulwark of democracy is fast turning into a bulwark of the moneyed classes to fight out matters against the poor litigants, to torture the poor by going to the Supreme Court, or to fight cases against the Government. The common man seldom dares to approach the portals of this temple of justice. The temple of justice is shut to the poor. When the temples of gods and goddesses were shut to the Harijans, Gandhiji led the great satyagraha movement to open them. Now this temple of justice is closed to the poor. It is neither a temple nor is there justice.

Shri Bade: You can lead a satyagraha.

Shri Daji: Yes. If this continues, oneday somebody will have to do it, shall have to lead a satyagraha to see that the portals of the temple of justice are not locked with such locks which can only be opened by silver or golden keys.

Raising the limitation period from 30 to 60 days is a small attempt. It is only a palliative, it is not a remedy, but I think it is an important step which will help in a large measure.

I would only like to add one thing. My very dear friend Shri Trivedi I hope will not again object to my saying so. I would support the Bill. The learned Minister has said that something was left by oversight and was added in the Rajya Sabha. I say something else has been left out by the Joint Committee which has been pointed out by our hon. friend Shri Bade, which is about the limitation prescribed for the enforcement of decrees. The limitation is 12 years, and article 136, as amended, reads as follows in column 3:

"Time from which period begins to run: Where the decree or order becomes enforceable or where the decree or any subsequent order directs any payment of money or the delivery of any property to be made at a certain date or at recurring periods, when default in making the payment or delivery in respect of which execution is sought, takes place:"

We stop here. The original article corresponding to article 136 is article 182, which reads as under in column 3:

"Time from which period begins to run:

1. The date of the decree or order,
or
2. (where there has been an appeal) the date of the final

[Shri Daji]

decree or order of the Appellate Court, or the withdrawal of the appeal, or

3. (where there has been a review of judgment) the date of the decision passed on the review, or
4. (where the decree has been amended) the date of amendment,.....".

This fourth item has been omitted from the present article 136. The effect of this will be that the period of limitation of 12 years will be an iron bar, and no increase in the limitation period can be made even by mutual agreement. It very often happens, as we know in common practice, that by mutual consent two parties agree to get the decree amended, so that a fresh period of limitation begins. Supposing there is a bad harvest, the rice crop has failed, and the decree holder wants to attach, the village elders bring the two together, and ask them to get the decree amended, since the man is not able to pay that year because of failure of crops, so that the period of limitation is extended, and the dues are also not lost to the creditor. By the omission of this sub-clause (4) to the entry, even by mutual consent, the time cannot be extended. Therefore, the decree holder or the sowcar, who either by his own willingness or social pressure could be forced to extend the time, will not be able to do so now, and that will lead to a spate of execution applications even in a hard or lean year. This seems to be a little harsh and not in consonance with the general spirit which motivated the Joint Committee.

Dr. M. S. Aney (Nagpur): The discretion of the court will be there.

Shri Daji: The court cannot have discretion because 12 years will be the final time. Even by agreement you cannot extend it. That means that even if the Supreme Court wants

to postpone executing the decree, we will prevent that, we will force the decree holder to execute the decree even in a lean year. It was not so sharply present before the Joint Committee, and so I think this point really deserves consideration.

This new Limitation Act is an essay in re-laying the law of limitation which has stood by us for the last 50 years. Maybe this also will stand the test of time for another half a century. We are laying down a law of enforcement of rights. I really think that the Joint Committee has done good work, but I appeal to the Government to take my observations over article 136 into careful consideration, and to think over it, and maybe by tomorrow accept some amendment or bring forward some amendment which will set right this small defect which was overlooked by the Joint Committee, in keeping with the general trend of lack of acrimony in the Joint Committee, and give the country and the people a Limitation Bill which will really help simplify litigation, help quicken litigation and protect the just rights of the people.

Shri U. M. Trivedi: From the time that this Bill was introduced I have had the feeling that this amendment of the Law of Limitation is merely a waste of time and energy on our part. It has made no difference whatsoever in the law that exists. It is a difference of tweedledum and tweedledee. Absolutely nothing very progressive is found in this law except at one place. Jammu and Kashmir has been accepted as part of India. In the former law it was by an adaptation order treated as a foreign country. Yet, that position remains; we have not developed the guts to say that this law shall also apply to Jammu and Kashmir. Why do we make a negative law, I cannot understand. Everytime, we repeat: It shall not apply to Jammu and Kashmir. In other words, it implies that we can make a law for Jammu and Kashmir

but we are not prepared to do it. That means that a man just across Ravi is governed by another law while the man on this side at Madhopur has a different type of law and a contract enforceable with different limitation period. It is inconceivable that it should go on in our country and that this differentiation between Jammu and Kashmir and the rest of India should be perpetuated by our own hands. We are in a very difficult position on account of this complex that we have created in our minds and we are in consequence suffering greatly. The whole country is faced with a situation unprecedented in history. It is part of our country; it is within the definition of India given in article 1 of the Constitution. Yet it is not our country. Who is responsible for this? We sitting in Parliament are responsible. Some who have not more than a nodding knowledge of Constitution say that we cannot make laws for Jammu and Kashmir. We negative that proposition inside this House always with a formula, the *mantra*, repeatedly: this law shall apply to India except Jammu and Kashmir. Why do we say it? Immediately we say it, we admit that we are in a position to make a law for Jammu and Kashmir. The Law Ministry should apply its mind to this question: why should we not have a unified law for the whole of India, especially those laws falling under the Union List.

Now, I come to this proposition made by Mr. Daji who has very rightly drawn attention to the most abnormal, abominable and horrible position under the Motor Vehicles Act. It is just cheating the public and the masses—this provision under the Motor Vehicles Act about a tribunal. By the back-door you cannot bring in the Motor Vehicles Act. Once a tribunal is appointed to adjudicate the damage or compensation to be paid in the case of an accident, applications for damage should be filed within sixty days whereas the period of limitation has now been extended

under the Fatal Accidents Act from one year to two years.

Shri Bibudhendra Mishra: Which Act?

Shri U. M. Trivedi: The Fatal Accidents Act, section 3. Very recently in 1961, a very poignant position arose, when hundreds of pilgrims were killed in motor accidents on the road to Badrinath. Who were the pilgrims? Not one of them was from U.P. But Uttar Pradesh has got a tribunal appointed under the Motor Vehicles Act. The victims were either from Gujarat or from Madhya Pradesh or from Rajasthan and from somewhere else, as far away as from the State of Mysore. They could not know, and their families could not know that the tribunal has been appointed as provided in the Motor Vehicles Act, because the appointment of the tribunal is not a uniform affair. Even up to date, no tribunal has been appointed in Rajasthan, and thus in Rajasthan if an accident takes place, you can sue for one year. But if a Rajasthani dies somewhere in Uttar Pradesh or Madhya Pradesh, the man is handicapped, because he knows only the law which applies in his land. He waits to file a suit; gathers money and gives notice. By the time the heir makes up his mind the whole claim is barred. I would like to bring this peculiar position to the notice of the Government and request that this anomalous position must be removed. It creates a good deal of heart-burning. Hundreds of people—I do not want to say thousands—who died on the Badrinath route were deprived of their legitimate compensation which their relatives could have easily got but for this position. The Government did not do anything; the Accident Committee did not do anything. The motor-owners reaped the benefit out of it and ultimately the benefit went to the insurance companies which had insured and which ought to have been made to pay the real compensation which was due.

[Shri U. M. Trivedi]

Then I must draw the attention of the House to this doing away with the provisions of section 48 of the Civil Procedure Code and to replace it by the provisions contained in article 136 of the Schedule to this Bill. Why the provisions of section 48 have been taken away is not explained in any manner. The language has been more confusing than anything in the present Bill. Section 48 put a limitation of its own. By virtue of that, a decree once passed, whether executed within three years or not, and whether continued to be so executed by the provisions of article 183 kept alive by the provisions of article 183, would also die a natural death at the end of 12 years, but it also made a provision that where the decree or any subsequent order directs any payment of moneys or the delivery of any property to be made at a certain date or at recurring periods, the date of the default in making the payment or delivery in respect of which the applicant seeks to execute the decree, the time shall expire at the end of 12 years therefrom. The change that has now been made is this:

"Where the decree or order becomes enforceable or where the decree or any subsequent order directs any payment of money or the delivery of any property to be made at a certain date or at recurring periods, when default in making the payment or delivery in respect of which execution is sought, takes place."

It puts certain limitations which were only explanatory in themselves as enumerated in section 48(1)(b). I do not see why this language was changed in this manner. I do not want to express the fear to the same extent as expressed by Shri Bade in his dissenting note and also by Shri Daji. No doubt, the language is capable of meaning that a subsequent order might be executed and the limitation may run from that time. But then it comes to this position that an order will have to be obtained for the pur-

pose of this and if a private arrangement has been made in any manner extending this by mutual adjustment or by mutual compromise entered into between the parties, the decree will be dead.

Another difficulty that will arise is this, that for 11 years a man may remain silent, and then when everything is forgotten raise it up. A child who was only 18 years when his father died and when the decree was passed against him, when he comes to be 29 years of age never knowing that a decree has been passed against his father will be faced with this difficulty without any knowledge on his part. The period of 3 years that was provided, I submit, therefore, was a very reasonable thing because the case will appear fresh.

Why is there this law of Limitation? For an honest man no limitation is necessary. But the limitation on suits, on applications, has merely been put on the statute-book so that no stale claims should be entertained and no stale matters be brought before courts. In this case, when a decree has already been obtained why should the decree remain dormant for a period of 11 years and 11 months? I see no conceivable grounds for allowing this stalemate to be produced in the execution of decrees. Because no amendment has been tabled by me, and I see that no amendment has been tabled by any other hon. Member, I can only try to persuade the hon. Minister to consider this position and see whether it is in the interest of the citizens of this country that this position be taken by the Government.

There is a saying in Latin: *Interest republicae ut sit finis litium*, which means that it is in the interest of the litigant that the litigation is finished at the earliest. But here we are making a provision saying that a litigation cannot be finished for some more years. Even the execution has been allowed within a year, two years or three years. Then there is the end

of it and that is the end of the litigation. It may take a man 12 years to finish a suit. It may take another 12 years for him to carry on the execution. For another 12 years the debtor would be made to suffer.

Then there is another thing which requires a very urgent application of the mind of the Government. Why should the Government take this advantage? The Government which is mighty, the Government which has got all the resources at hand, the Government which is well advised, the Government which has got a machinery to get advice, the Government which has got a machinery to recover its dues, should not take it into its head that where all other litigations will be barred by one year, two years or three years, litigation by and on behalf of the Government will continue for a period of 30 years. Why is there this protection to the Government for 30 years? What justification is there to differentiate between one person and another? Why this law of an unusual type to give protection to the Government? An ordinary litigant is denied the right to file a suit for the recovery of an amount due on a promissory note after three years. Under the fatal accidents clause the period of limitation is two years; for some torts probably it is one year. Here we have been told that Government can sue for thirty years. Why this thirty years business? On the contrary, my own submission would be that, so far as Government is concerned, the period of limitation must run against the Government in the same manner as it runs against an ordinary litigant, an ordinary citizen. Nay, something more must be there. There must be a provision in the law itself that limitation shall not be pleaded as a bar to a suit by a citizen against the Government. Government must be precluded from pleading limitation. Section 3 of our Act must be amended suitably so that this provision of law shall not apply to the State. We have got a peculiar law. It says:

"Subject to the provisions contained in sections 4 to 24 (inclusive), every suit instituted, appeal preferred, and application made after the prescribed period shall be dismissed, although limitation has not been set up as a defence."

I remember, Justice McCardie once said to the Attorney-General in England: 'Is Government going to take the dishonest plea of limitation?' The Attorney-General kept quiet and did not press it. Therefore, so far as Government is concerned, there should not be any plea of limitation. If there is suit by a citizen for the recovery of dues from Government and if the Government is satisfied that it is real debt, then the Government must make an effort to pay it off. It should not plead limitation in such cases.

I know many cases where cases against the Government involving lakhs and lakhs of rupees are thrown out because of limitation or other highly technical grounds. Government advocates, if they are geniuses even if they are not geniuses, they learn these tricks all right—they always plead that notice under a particular section is not delivered, or the delivery is not proper, or the suit is barred by limitation. All sorts of technical pleas are taken. Why? Because Government wants to save money. When Government is taxing the people, when Government is getting benefits out of the citizen, it should not take this plea of limitation against its own citizen. Now a citizen who is handicapped, who has not got the money even to purchase court fee stamps, who cannot go to an ordinary advocate for getting some proper advice, who cannot spend money to engage a good counsel, when he goes through all these formalities finds himself handicapped in this respect because the suit is barred by limitation.

Why should the Government be treated differently in matters of litigation from its citizens? Since the period of limitation against the

[Shri U. M. Trivedi]

citizen will now be extended for a period of thirty years, why not make it thirty years against the Government also? Let it be both ways. If you want to sue for thirty years, let the citizens also be permitted to sue you for those thirty years. I am sorry, I used the word "you". I meant the Minister. I say that this sort of discrimination in favour of the Government in these days of democracy sounds ill.

16 hrs.

Then, personally I would have suggested that in this law of limitation a salutary provision ought to be made. Just as section 48 of the Criminal Procedure Code has been amended by virtue of this law, an amendment to the Civil Procedure Code ought to have been made where an appeal in *forma pauperis* is to be filed. When an appeal in *forma pauperis* is filed in the High Courts, the High Court Judges bound by the law run to the rescue of Government in realising the court fees. They look to it whether a particular point of law is involved or not and unless a point of law is involved they do not look into the facts with the net result that the leave to appeal in *forma pauperis* is generally refused. I would say that it would have been a salutary thing to embody in this law of limitation this proposition, namely, that that particular provision of the Civil Procedure Code shall be taken out and all appeals shall also be treated at par as if they are appeals which are filed under the provisions of Order 41. It is no use giving a little limitation time and saying that if an appeal in *forma pauperis* is rejected, that particular period of time will be counted and will be given credit of. Wherefrom will the man get the money to file the suit? It is nothing; it is just an eyewash. I will, therefore, submit that when this provision in section 48 of the Criminal Procedure Code could be amended by the present Bill, we could have gone a little

further in amending the law of appeal in *forma pauperis*.

With these remarks I say that I am not very happy over this Bill. However, since the criticism offered by the Opposition falls always on deaf ears, I do not want to raise my voice very much; yet, I hope that the hon. Ministers will take lesson from this and will not always turn deaf ears to the requests coming from the Opposition.

16:03 hrs.

Shri K. L. More (Hatakanangle): Mr. Chairman, Sir, I am here to support this measure. This measure has come before this august House after a great deal of thought and deliberation. So, in my opinion there is no lacuna left in the present measure. After the hon. Deputy Minister has very lucidly placed before this House all the points I do not think that I have anything to add, but I will say a few things because I was a member of the Joint Committee.

As the hon. Deputy Law Minister has stated, the recommendations of the Law Commission were three. The first recommendation of the Law Commission was that the articles should be classified according to the subject matter; the second recommendation was with regard to the period of limitation and that it should be according to the nature of the suit and the third recommendation was regarding the accrual of the cause of action.

Now, as regards the first one, that is, classification according to the subject matter, that has been accepted by the Joint Committee. As regards the second one also, that has been recommended. But as regards the third one, it has not been accepted. On the whole, we have given a very careful thought to this measure and the present measure emerges out of careful deliberations.

Another thing that I want to say is this. Great care has been taken to see that no honest citizen is denied justice and clause 29 has been drafted accordingly.

As regards clause 4, there was some doubt expressed about the word 'closed' and accordingly an Explanation has been embodied in the Bill.

As regards clause 6 also, the right was denied to the minor. But the Committee has recognised that right.

Now, I do not wish to go into the other clauses that have been amended, but I want to say something about the observation made by my hon. friend who preceded me, Mr. Trivedi. He observed that the laws of the country should be applicable to all the territories. Unfortunately, that lacuna is there, but to some extent that has been covered by item 112 of the Schedule of the Bill which says:

"Any suit (except a suit before the Supreme Court in the exercise of its original jurisdiction) by or on behalf of the Central Government or any State Government, including the Government of the State of Jammu and Kashmir".

This shows that the Government do realise the position.

Lastly, I may say that there is a reflection of the liberal views of this august House on this measure and we find that there is an attempt to increase the period of limitation. With regard to the death sentence also, previously it was 7 days and now it has been increased to 30 days. Due to there being appeals to the Supreme Court, the period has been increased.

So, we find that the Joint Committee and the Ministry of law, especially the Deputy Minister of Law, have paid great care in amending this Bill and have put in great labour in this direction. I feel it my duty to pay a tribute to the Deputy Law

Minister and also the Members of the Joint Committee. With these words, I commend the Bill, as amended.

Shri Gauri Shankar Kakkar (Fatehpur): Mr. Chairman, Sir, the Indian Limitation Act is a very old Act. When we are to make certain changes or amendments, I think the Law Commission's Report should not be taken as the only basis or criterion. But other things also should be taken into consideration while making amendments in the old Act. Here, I would like to point out one thing. In various States, there is a tendency to increase the court fee. Just to cite the example of UP, at present, the court fee has been doubled as compared with what it was previously, say, two or three years back. There has been a regular enhancement of the court fee. Justice is thus getting expensive every day, and so, that thing is also to be scrutinised minutely from the point of view of whether the poor man will be able to get petty resources to have a resort to the law court and get justice done in his favour.

Then, there are different social environments prevalent in different States. So, when the provisions of the law of limitation are to be amended, we have also to take into consideration the poverty of the people and the other social environments that are prevalent.

I have gone through the Joint Committee's Report and also the dissenting note appended to it by my hon. friend Shri Bade as also the original Bill which was introduced in the Rajya Sabha, and I would like to make a few observations in this connection. As my hon. friend the Deputy Law Minister has stated, certain recommendations of the Law Commission were implemented, while certain others were not. I would like to point out here that those recommendations of the Law Commission which give harassment or trouble to the poorer classes are being enforced.

[Shri Gauri Shankar Kakkar]

Especially, I should like to refer to sections 19 and 20 of the old Limitation act.

Sections 19 and 20 of the old Act deal with the acknowledgment in case of part-payment of the debt or the interest. The moment part-payment of debt or interest is made, the limitation is extended again and a fresh lease is given to limitation. These sections were previously applicable in the case of execution proceedings as well. The judgment-debtor, if he was making part-payment of the decretal amount was getting the benefit of the extension or enhancement of the limitation period. The Law Commission is of the view that sections 19 and 20 apply to execution applications also, and as has been made clear in the explanation to these sections, they have stated:

"We recommend the deletion of articles 182 and 183 and the substitution of the provision of section 48 of the Civil Procedure Code; and it is our intention that the time-limit of twelve years laid down by that section should be absolute; subject to the exception therein, we are of the view that there should be no scope for extension of time on acknowledgment and part-payment in respect of execution applications. Sections 19 and 20 should be amended suitably."

My submission is that this would cause hardship to the poor judgment-debtor. In the rural areas, when the decree is passed, the judgment-debtors against whom the decree is passed are normally poor people, and they cannot afford to pay the entire decretal amount in a lump sum. So, the provision in section 19 of the old Act was that in case of part-payment of the decretal amount, the privilege of extension of the limitation period was enjoyed by the poor judgment-debtor belonging to the rural areas. I would plead for the deletion of execution

proceeding from sections 19 and 20. Actually, it snatches away a very valuable right which previously the village folk or the judgment debtors were enjoying. As the present position is, howsoever congenial the attitude or compromise or understanding between the decree holder and the judgement debtor might be, they cannot possibly extend the period of 12 years and even with mutual consent, it would not be possible with the present provision to extend that period for the enforcement of the realisation of the decretal amount. If there is any recommendation of the Law Commission which is causing hardship to a section of people who belong to the rural area or who really cannot afford to pay in a lump sum, it could very easily have been ignored and by amending the Limitation Act we should have seen that relief is given to those who really deserve it, those who are at the mercy of those who are capitalists who have sufficient means with them. Of course, I know that no amendment has been tabled. But this is a very important and salient feature which I am pointing out.

Shri Bade: I have tabled an amendment.

Shri Gauri Shankar Kakkar: Then I stand to support that amendment in this respect. I would agree with the dissenting note of Shri Bade. I would once again appeal to the hon. Minister to make this provision to give sufficient relief to those who are really very poor. The judgment debtor cannot pay the entire sum in one instalment.

Coming to the other clauses and articles, an attempt has been made by the Joint Committee to give certain extension in the case of certain suits. That is praiseworthy. Still, even with the present provisions, articles and clauses, it is not giving sufficient relief to those litigants who have no resources at their command and who

actually need to collect them. There are numerous cases in rural areas almost all over the country where people are not able to have resources, howsoever petty, at their beck and call at a time unless the harvest period approaches. That should also be kept in mind. In the case of these persons, the limitation period should be enhanced so that they may be able to have speedy justice and they may be able to have their grievances redressed in law courts.

As has been pointed out by hon. Members, with the enhancement of the court fee, with the present huge expenses being incurred in higher courts especially in the Supreme Court how far is it possible for the poor man to get justice? It can very safely be said that it is not only a case of justice being delayed but justice denied. I would say that justice is not at all got by a huge number of persons who cannot afford to go to the High Court or the Supreme Court. Simply because they have got no means of resources, they are unable to get justice in their favour.

I am glad that in the case of torts, the time has been extended, and that in the case of murder appeals the time has been extended from 30 to 60 days, but I find that all the declaratory suits, according to the recommendation of the Law Commission, have been taken together and the same period of limitation has been prescribed. Here I agree with the dissenting note of my friend Shri Bade, and I would appeal to the hon. Minister to look into one category at least, the case of adoption according to Hindu law. If there is a declaratory suit for cancellation of an adoption or relating to an adoption, and if the same period of limitation is fixed for a case of this nature, it would mean a great hardship, because ordinarily when the deeds are registered, they are not known, and when the information is actually got, the party has to collect resources in order

to file a declaratory suit because it is a huge amount. So, there should be some distinction between suits where adoption and such matters are the subject matter of the suit and other declaratory suits. They should not be on the same footing.

With these remarks I would once again appeal to the Law Minister to accept the amendment in respect of clause 19 which I have suggested in order to give relief to the poor judgment debtor.

श्री बड़े : सभापति महोदय, मैं इस ज्वाएंट कमेटी का मੈम्बर था। मैम्बर होने की हैसियत से जितने इस लिमिटेशन बिल के प्राविजंस थे उन पर मैंने अपना मत दिया हुआ है। कुछ प्राविजंस पर मैंने अपना डिस्सैटिंग नोट दिया है।

उन में विशेषतः ऐगजिस्टिंग लिमिटेशन ऐक्ट में जो आर्टिकल १८२ है और अभी के वर्तमान बिल में आर्टिकल १३६ है वह मेरे नोट आफ डिस्सैट में १३५ छप गया है। मेरी गलती से यह ऐसा हुआ है या प्रिंटिंग की गलती से १३६ के बजाय १३५ उसमें छप गया है यह कह नहीं सकता। वह आर्टिकल १३६ समझा जाय। जैसा कि मैंने अपने नोट आफ डिस्सैट में भी कहा है मैं बिल के १३६ आर्टिकल में अमेंडमेंट चाहता हूँ। ऐगजिस्टिंग ऐक्ट का आर्टिकल १८२ इस प्रकार है : —

“For the execution of a decree or order of any Civil Court not provided for by article 183 or by section 48 of the Code of Civil Procedure, 1908.

Three years; or where a certified copy of the decree or order has been registered, six years.

1. The date of the decree or order, or

[श्री बड़े]

4. (where the decree has been amended) the date of amendment, or"

मैं बिल के आर्टिकल १३६ में चाहता हूँ कि यह शब्द जोड़ दिये जायें :—

"or where the decree has been amended the date of the amendment."

यह शब्द बिल के आर्टिकल १३६ में नहीं है। उसमें से इनको निकाल दिया गया है। अब इन शब्दों के न रहने से क्या होगा? जब काश्तकारों की फसल का सीजन खराब होता है या कोई अकाल पड़ता है या वे इतने गरीब हैं कि वे उन पर बाजिब आन वाला रकम अदा नहीं कर सकते हैं तो मौजूदा बिल के प्राविजन से डेब्टी होल्डर हार्स हो जायेंगे और वह अपनी रकम डेब्टी की गरीब कर्ज में लदे हुए किसानों के खेत व मवेशी और घरबार आदि नीलाम करके वसूल करने की कोशिश करेंगे। अभी तक तो हालत यह है कि जब काश्तकार फसल की खराबी, अकाल पड़ने आदि की वजह से रकम अदा नहीं कर पाते हैं तो गांव में सब पंच इकट्ठे हो कर साहूकारों को समझाते हैं कि अभी इसकी हालत बहुत खस्ता है, वे थोड़ा ठहर जायें और उसके खेत, बैल व मकान आदि जन्तु न करे। वे यह मांग करते हैं कि उसके लिए पैसा अदा करने की तारीख आगे बढ़ा दी जाये। उसके लिए समय बढ़ा दिया जाये। वे कोर्ट में जाते हैं। और कम्प्रोमाइज होने से किसानों को मुद्दत मिल जाती है जिससे साहूकार का भी काम हाता है और काश्तकार का भी काम हाता है लेकिन ला कमिशन ने इसकी तरफ ध्यान नहीं दिया है। ला कमिशन ने अपनी रिपोर्ट में पेज ६५ पर यह लिखा है :—

"There is, therefore, no need for a provision compelling the decree holder to keep the decree alive by making an application every three years. There exists a provision already in section 48 of

the Civil Procedure Code that a decree ceases to be enforceable after a period of 12 years. In England also the time fixed for enforcing a judgment is 12 years. Either the decree holder succeeds in realising his decree within this period or he fails and there should be no provision enabling the execution of a decree after that period. To this provision an exception will have to be made to effect that the court may order the execution of a decree upon an application presented after the expiration of the period of 12 years, where the judgment debtor has, by fraud or force, prevented the execution of the decree at some time within the twelve years immediately preceding the date of the application. Section 48 of the Civil Procedure Code may be deleted and its provisions may be incorporated in this Act."

इस के सम्बन्ध में उन्होंने ने यह राय प्रकट की है :—

"We are of opinion that some effective, nay even drastic provision is necessary to discourage, if not altogether stop the large scale evasion of the execution of decrees by judgement debtors. The decree of a court is meant to be obeyed and should be obeyed if courts are to command the necessary respect and confidence of the public. From the point of view of the decree holder there is nothing so distressing as an infructuous execution application and it has been truly said that his troubles begin only after the decree."

इस के साथ मैं आगे जाकर कहते हैं :—

"We consider that the most effective way of instilling a healthy fear in the minds of dishonest judgment debtors would be to enable the Court to adjudicate him an insolvent if he does not pay the decretal amount after notice by the decree holder...."

यानी इसका मतलब यह है कि उस वक्त ला कमिशन का दिमाग इंग्लैंड में जा रहा था। लेकिन उन्हें मालूम होना चाहिए कि इंग्लैंड हम से शायद १००, २०० साल आगे होगा। हमारे गांवों की परिस्थिति क्या है? वहां के आदिवासियों की परिस्थिति क्या है उस की तरफ उनका ध्यान नहीं है। केवल शहरों की तरफ ही उनका ध्यान रहा जान पड़ता है। इसलिए उन्होंने यह शब्द कहे हैं। ला कमिशन के यह रिमार्क इंग्लैंड के वास्ते लागू होते हैं। असलियत तो यह है कि हमारे यहां कोई डिस्प्रोनेस्ट जजमेंट डेट्स नहीं रहते हैं। जब उसके पास पैसा देने की परिस्थिति नहीं रहती है, बिल्कुल कंगाल हो जाता है तब वह कर्ज अदा नहीं कर सकता फिर उसको डिस्प्रोनेस्ट कहा जाता है और जब डिब्री का एक्जीक्यूशन होता है उस वक्त यदि इस प्रकार का इस बिल में, मैं कहता हूं, वैसा प्राविजन नहीं रखा जायेगा तो फिर उन गरीब कर्ज में डूब हुए काश्तकारों का क्या बनेगा? कर्ज अदा न होने की सूरत में उस पर डिब्री आयेगी, कुर्की साहूकार लायेगा और उसका मकान, खेत और मवेशी बैल आदि सब नीलाम करा लेगा। पहले खेती नीलाम नहीं होती थी लेकिन आज कल के लेंड रेवेन्यू टैनेंट्स ऐक्ट के अन्तर्गत उसकी सारी खेती नीलाम होने लगी है। मकान और डोर आदि सब नीलाम हो जायेंगे। आज साहूकार और काश्तकार के बीच एक बन्धुत्व भाव है। काश्तकार समझते हैं कि यह हमारे मां, बाप हैं और यह हमारा रक्षण करते हैं और साहूकार भी उनको लड़का समझते हैं, यह गांवों में जो एक भाई चारे और बन्धुत्व की भावना है वह खत्म हो जायेगी। मौजूदा बल की धारा अगर अमेंड नहीं की गई और साहूकारों को फौरन और बगैर मुद्त दिये कुर्क कराने और कर्जदार का सब कुछ नीलाम करने का अधिकार रहने दिया गया तो किसान की हालत बड़ी दर्दनाक होने वाली है।

इस तरह का प्राविजन रख कर काश्तकारों की तरफ ला कमिशन ने देखा नहीं है। वह इंग्लैंड की बात कह देते हैं कि डिस्प्रोनेस्ट जजमेंट डेट्स के संग सेव्ती से पेश आना चाहिए। लेकिन हमारा देश इंग्लैंड नहीं है। यहां अगर डिस्प्रोनेस्ट होते भी हैं तो गरीबी के मारे मजबूर हो कर करते हैं। काश्तकारों में इतनी गरीबी है कि व कर्ज में ही डूब रहते हैं। एक दफा कर्ज का खाता खुल गया तो फिर उसके बन्द होने की नौबत ही नहीं आती है। वह जीवन पर्यन्त उसी कर्ज के बोझ के नीचे दबा रहता है। वह कर्ज से कभी बाहर नहीं निकल पाता है। कोर्ट के दरवाजे उसके वास्ते इस कदर बन्द हो गये हैं कि वह वहां अपनी फरियाद कामयाबी के साथ नहीं कर पाता है। एक दफा कोर्ट में दावा हो गया। उसके बाद में कोर्ट फीस और बकील के लिए उसे पैसा चाहिए। एप्लीकेशन गुजारने के लिए कोर्ट फीस स्टाम्प्स लगाने पड़ते हैं। अगर एडजर्नमेंट कराना है तो अर्जी पर जहां पहले एक रुपये की कोर्ट फीस लगती थी वहां अब डेढ़ रुपये के स्टाम्प्स लगते हैं। अदालत में दावा वगैरह का खर्चा पहले ही अधिक था और और भी बढ़ गया है जब कि उस वचारे की आर्थिक हालत दिन पर दिन बद से बदतर हो जाती जा रही है। अब किसानों के लिए अदालत में दावा करने और अर्जी दायर करने के बारे में एक कहावत मशहूर हो गई है :—

“जूता हो तंग, खिसा हो वम और गवाह हो संग तब आता है रंग मुकद्दमे में।”

चूँकि कोर्ट में आते जाते, इधर से उधर चक्कर काटने और पेशियां बढ़ते बढ़ते काश्तकार का जूता ढीला पड़ जाता है इसीलिए कहा जाता है कि उसका जूता तंग होना चाहिए। अदालत में इतना रुपया लगता है और हर कदम पर किसान को पैसा खर्च करना पड़ता है कि जब तक उसका खिसा वम न हो अर्थात् पूरी तरह उसका जेब भरी न हो तब तक उसका कोर्ट में जाना व्यर्थ है। आजकल कोर्ट

[श्री बड़े]

गरीबों के लिए नहीं है। इसके अलावा किसान के पास उसकी तरफ से बोलने के लिए गवाह भी होने चाहिए। अब जाहिर है कि गवाह अपने लिए रखने के लिए किसान को उनकी लाय, पानी आदि का बन्दोबस्त करना होता है तभी वह किान का पक्ष लेकर गवाही देगे। अब इसके लिए भी पैसा दरकार होता है। यह सब इंतजाम होने से ही मकदमे में रंग आता है अन्यथा उसका मुकदमा लड़ना व्यर्थ रहता है और वह मुकदमा जीत नहीं सकता है।

इसलिए मैं चाहता हूँ कि बिल के मौजूदा आर्टिकल १३६ को जैसा मैंने सुझाया है अमेंड किया जाये। श्री होमी दाजी भी इससे सहमत हो गये हैं। श्री गौरी शंकर कक्कड़ भी कहते हैं कि इस प्रकार का इसमें प्राविजन जुड़ना चाहिए जैसा कि ऐगजिस्टिंग ऐक्ट का आर्टिकल १८२ है उसी प्रकार का इसमें प्राविजन रहना चाहिये। कि जब तक वह अमेंडमेंट हो जाता है मा पेटीट होता है तो फिर उसको आग मुह्त मिलेगी। सरकार ने कोर्ट के हाथ बांध दिये हैं और सेक्शन १६ और २० में भी अमेंडमेंट कर दिया है। इस बारे में ला कमिशन की रिपोर्ट में पेज २२ पर पैराग्राफ ५१ में लिखा है :—

The question whether any acknowledgment made after a transfer would bind a transferee has been considered by several High Courts and there have been conflicting decisions.... As it is our intention that the time limit of 12 years laid down by that Section should be absolute subject to the exception therein, we are of the view that there should be no scope for extension of time by acknowledgments and part payments, in respect of execution applications."

यदि वह कुछ पेमेंट देता है, तो उसके लिए आगे मियाद नहीं बढ़ती है। मैं शासन को अपील करना चाहता हूँ कि चूंकि यह

एक बेलफेयर स्टेट है, एक कल्याणकारी राज्य है, इसलिए जहाँ तक काश्तकारों का सम्बन्ध है, हालांकि उनके रिलेशनज अच्छे हैं और व कभी कोर्ट में दावा नहीं करते हैं, लेकिन अगर कभी कोर्ट में मियाद देने के लिए प्रार्थनापत्र दिया जाये, तो फिर साहूकार को फ़ोर्स न किया जाये कि वह कुर्की करके काश्तकार का खेत, आर्नामेंट्स और मवेशी आदि को नीलाम करे। इस तरह का प्राविजन नहीं होना चाहिए। इस सम्बन्ध में मेरी एक अमेंडमेंट है जो कि मैंने आज जरा लैट दी है। मैं चाहता हूँ कि शासन उसको स्वीकार करे। यदि अपोजीशन की अमेंडमेंट होने की वजह से उसको स्वीकार करने में कुछ आपत्ति हो, तो शासन अपनी अमेंडमेंट दे और हम आनन्द से उसको मंजूर करेंगे। मैं यह निवेदन करना चाहता हूँ कि यह दृष्टिकोण कमेटी के सामने नहीं रखा गया है। अनफार्टुनेटली मैं उस वक्त यहाँ पर नहीं था। आखिर में जब मैं आया, तो मुझे कहा गया कि ऐसा नहीं हो सकता है, आप नोट आफ़ डिसेंट दे सकते हैं। इसीलिए मैंने नोट आफ़ डिसेंट दिया।

इसके बाद मैंने अपने नोट आफ़ डिसेंट में कहा है :—

"By keeping the above point in view, I think the article Nos. 56 and 57 represent existing articles 92 and 118 and article 58 combines existing articles 93, 119 and 129. All these articles relate to suits for declaration in respect of different matters. As they relate to suits for declaration for different matters the limitation for such suits should be different."

उस में ला कमिशन की सिफ़ारिश का जिक्र किया गया है। मैं समझता हूँ कि ला कमिशन ने यह दृष्टिकोण ध्यान में नहीं रखा। कमिशन के मेम्बरों ने आराम से कुर्सी पर बैठ कर इस प्रश्न को देखा होगा, लेकिन हमने देखा है कि दरअसल गांवों की परिस्थिति क्या है, दरअसल हम कितना आगे बढ़ हैं। जब

में दिल्ली से गांवों में जाता हूँ, तो दोनों की परिस्थिति को देख कर ऐसा मालूम होता है कि कल मैं राजा था और आज मेरे हाथ में झाड़ू दे दिया गया है। गांवों में आज रास्ते नहीं हैं, आने जाते के लिए मार्ग नहीं है। यदि है तो धूल से भरे पड़े हैं। बैल गाड़ी पर यात्रा करनी पड़ती है। वहां के लोगों को पढ़ना नहीं आता है। डवलपमेंट ब्लाक्स के बड़े बड़े बोर्डिंग पर जो यह लिखा होता है कि घस लेने वाला और देने वाला दोनों फंसते हैं, उसको व नहीं समझ पाते हैं। अगर कोई व्यक्ति पढ़ कर उनको समझाता है, तब व समझते हैं। इतने अशिक्षित और इतने पिछड़े हुए देश में इस प्रकार के प्राविजन लाना कहां तक उचित है? जहां तक इस बात का ताल्लुक है कि ला कमीशन की सिफारिश के अनुसार ऐसा किया गया है, मैं कहना चाहता हूँ कि शासन को भी इस तरफ कुछ ध्यान देना चाहिए। ला कमीशन ने तो एक उत्तम किताब तैयार कर दी, ताकि अगर इंग्लैंड में कोई आदमी उसको पढ़े, तो कहे कि उसने बड़ा अच्छा काम किया है, बहुत अच्छी रिपोर्ट दी है, लेकिन हमको देखना चाहिए कि उस थ्योरी को एप्लाइ करने के लिए हिन्दुस्तान में वैसी परिस्थितियां भी हैं या नहीं।

जहां तक डिक्लेरेशन के सूटस का सम्बन्ध है, सब के लिए एक ही लिमिटेशन रख दी गई है—तीन वर्ष की। एडाप्शन में दो तरह की बातें होती हैं। एक तो दत्तक पुत्र (एडाप्टिड सन) होता है, जिसको दत्तक कहते हैं। वह कभी डिक्लेरेशन करता है। उसकी प्रापर्टी भी रहती है। उसको यह भी मालूम नहीं रहता है कि अपने खिलाफ कुछ हुआ है या नहीं उसके लिए छः वर्ष की लिमिटेशन होनी चाहिए। दूसरे लोगों को मालूम नहीं होता है। मरने के बाद उनको मालूम होता है कि बूढ़े ने जो लड़का पाला था, उसकी एडाप्शन हो गई। इस तरह की एडाप्शन में कम्प्लेशन होती है। आस पास के रिश्तेदार एडाप्शन को इनवैलिड कराने

के लिए, उसको सैट एसाइड कराने के लिए कोशिश करते हैं। इस प्रकार की प्राविजन इसमें होनी चाहिये लेकिन वह प्राविजन इस में नहीं रखी गई है।

इस बारे में स्टेटमेंट आफ आबजकटस एंड रीजन्स में बताया गया है कि चूंकि ला कमीशन ने कहा कि इस प्रकार होना चाहिए, इसलिए हमने कर दिया है—बाबावाक्य प्रमाण, अर्थात् बाबा ने कहा, इसलिये हमते मान लिया। ऐसा नहीं होना चाहिये। क्या सरकार ने इस बारे में कुछ सोचा है और परिस्थितियों को देखा है? शासन के सदस्य गांवों से चुन कर यहां आते हैं, लेकिन उन्होंने इस तरफ कुछ भी ध्यान नहीं दिया है। चूंकि हम गांवों से चुन कर आते हैं, इसलिए वहां के लोगों के दुःख दर्द हम ज्यादा जानते हैं और हम वह शासन के सामने रखते हैं। इसमें पोलिटिकल पार्टी का प्रश्न नहीं है। ग्राल सूटस एंड डिक्लेरेशन के लिए छः वर्ष रख दिए गए हैं। लेकिन डिक्लेरेशन फार दि टाइटल, डिक्लेरेशन फार एडाप्शन, डिक्लेरेशन फार मॅनटेनेन्स आदि होते हैं। कई सूट्स फार डिक्लेरेशन होते हैं। इनमें डिफरेंशट करना चाहिए और आवश्यकतानुसार छः वर्ष या तीन वर्ष होने चाहिए। मैंने लिखा है :

"In cases of pledge and pawn the period of limitation should be 6 years as transaction always takes place in villages and the poor cultivators cannot redeem pledged ornaments within a short time."

हमारे यहां तीन प्रकार के कर्ज होते हैं : लांग टर्म, मीडियम टर्म और शार्ट टर्म। आजकल तो किसी पर्सनल क्रेडिट पर या पर्सनल सिक्योरिटी पर काश्तकार को कर्जा नहीं मिलता है। आजकल आर्नामेंट्स प्लेज किये बिना कोई साहूकार कर्जा नहीं देता है। ऐसी परिस्थिति में इसका पीरियड छः वर्ष होना चाहिए। तीन वर्ष का जो पीरियड रखा गया है वह थोड़ा है। तो फिर परमिसरी नोट्स में और आर्नामेंट्स

[श्री बड़े]

गिरवी रखने में क्या फर्क है ? आर्नामेंट्स प्लेज करने से कम से कम इतना तो होता है कि काश्तकार को कर्जा मिलता है । वह सुविधानुसार पैसा देकर अपने आर्नामेंट्स छड़ा लेता है । इस प्रकार उसके घर में एक छोटा सा बैंक तैयार होता है ।

इन बातों की तरफ कोई ध्यान नहीं दिया गया है । ला कमीशन ने भी कुछ साउंड भाउंड्स नहीं द्यो हैं । उसने केवल बाहर के उदाहरण दिये हैं । क्या डिफेक्ट होता है, क्यों नहीं रखना चाहिए, इस बारे में उन्होंने कोई कारण नहीं दिये हैं । उन्होंने कोई रीजन नहीं दी है कि क्यों प्लेजिंग का पीरियड कम होना चाहिए, जब कि जब से लिमिटेशन एक्ट आया, तब से ही पचास साठ वर्ष से प्लेजिंग का पीरियड वही चल रहा है । यदि शासन उसमें एकदम परिवर्तन करता है, तो गांवों का आर्थिक ढांचा खत्म हो जायेगा ।

अन्त में इस बारे में मैं काम्प्रोमाइस करने के लिए तैयार हूँ और यदि आवश्यकता हो, तो मैं ला मिनिस्टर साहब से डिस्कस करन के लिए तैयार हूँ । लेकिन मैं उनसे फिर अपील करूंगा कि आर्टिकल १३६ को बदलना चाहिए । अगर वह नहीं बदलेंगे, तो हमारे काश्तकार पर बहुत बड़ी विपत्ति आ जायेगी । कोर्ट्स में एक्सीक्यूशन पाइल अप हो जायेंगे, एटैचमेंट्स और कुकियां हो जायेगी । शासन को मालूम है कि गांवों के साठ से अस्सी प्रतिशत लोग कच में हैं । उन पर डिग्रियां हैं । उन पर हर साल कुकियां आती हैं । हम लोग उनको समझाते हैं और गांवों के पंचों से उन पर फोर्स लाते हैं और साहूकार को कहते हैं कि यदि यह नहीं समझना, तो गांव में नहीं आने देंगे । तब साहूकार भी मानता है कि ठीक है, आप गांव वाले कहते हो, तो अगले साल लूंगा, लेकिन कुछ न कुछ पेमेंट देना चाहिए । वह चार, पांच, पन्द्रह, बीस, चालीस रुपये ले जाता है और कोर्ट में जाकर सर्टिफाई

कर दिया जाता है । यह परिस्थिति साहूकार के लिए अच्छी रहती है । वह भी टाइम बढ़ाने के लिए तैयार रहता है, लेकिन सरकार ने यह बिल्कुल खत्म कर दिया है और किसान को बचाने के दरवाजे बिल्कुल बन्द कर दिये हैं और कोर्ट के हाथ बांध दिये हैं ।

ला मिनिस्टर साहब मेरी हिन्दी को नहीं समझते होंगे । मैं उनको इंगलिश में समझाने को तैयार हूँ । आर्टिकल १३६ में इस प्रकार का प्राविजन होना चाहिए ।

“where the decree has been amended from the date of the amendment the time will begin”

माननीय सदस्य, श्री होमी दाजी तथा श्री गौरी शंकर कक्कड़ और मैं इस बात के पक्ष में हैं ।

हमारी पार्लियामेंट के जितने भी काश्तकार मेम्बर हैं, वह भी मैं नहीं समझता हूँ, इसके विरोध में जायेंगे । इस वास्ते मेरी प्रार्थना है, कि इसमें अमेंडमेंट किया जाये । परसां अगर मेरा अमेंडमेंट आ जाएगा, तो उसको मैं प्रार्थना करता हूँ कि स्वीकृत कर लिया जाए और अगर ऐसा नहीं किया जाता है तो शासन खुद अमेंडमेंट रखे और हम उसको मंजूर करने के लिए तैयार हैं ।

Dr. L. M. Singhvi (Jodhpur): Mr. Deputy-Speaker, Sir. I thank you for the opportunity you have afforded to me for offering a few remarks on the Limitation Bill which is before us. I felt that in spite of certain criticism of this Bill, it is essentially a step forward in the process of rationalisation of our statute book. It is no doubt true that the rationalisation of the Limitation Act was overdue. Our limitation regulations came to be in existence under the East India Company, as it then was, and ultimately there was a Bill, quite comprehensive to start with, in 1859. It was in 1908 that the present Act was enacted, and we are now endeavour-

ing, after some 55 years of the Limitation Act, to revise it, to recast it. It must also be borne in mind that the Limitation Bill, as it is before us, does not seek to revolutionise any essential concepts underlying the law of limitation. All that it does is, in pursuance of the recommendations made by the Law Commission, to rationalise the structure of the law of limitation and to bring it in tune with modern conditions, both of litigation and of life as a whole.

In that sense essentially speaking, this is a Bill which must be welcomed by all of us and the profession would certainly owe a debt of gratitude to the government for pursuing this reform measure, this rationalisation measure with all care and speed. This Bill comes to us after it has been distilled and it has percolated through various agencies. It was considered by the Law Commission, which has made various recommendations.

Shri Kashi Ram Gupta (Alwar): Is it watered down also?

Dr. L. M. Singhvi: Well, it is a figure of speech. Distillation is certainly different from dilution.

After the Law Commission made its recommendations, they were screened by the Select Committee and the Rajya Sabha also discussed it in very considerable detail. Therefore, it is quite appropriate for us not to be too concerned, not to be too worried about the formate or substance of the Bill; it need not, I can assure the House, raise any grave anxieties, as has been voiced by some hon. Members.

It is nevertheless true that perhaps the urbanisation of litigation, which is a predominant feature of law and litigation in our country, has prevailed with the Law Commission as well as with the Government in giving the Bill its present form. It is almost a compelling feature of the present day litigation in India that it is conducted in urban circumstances. So, this Bill is conceived and framed in more

or less urban circumstances. It is, nevertheless, true that litigation has also to take into account the circumstances of life from which it arises. Therefore, what my hon. friend, Shri Badi and my hon. friend Shri Kakkar had to say in respect of certain provisions of the Bill which may cause hardship to the judgment debtor, or more to the rural population in general, has to be considered.

The whole thing is that if we give too much weight to that, we can never proceed to rationalise the statute book as it exists. That is why perhaps on the whole the measure of reform and change contemplated by the Bill are to be welcomed and it is to be hoped that in due course we will adjust ourselves to this more uniform pattern of the law of limitation.

I have, however, some doubts more as a professional lawyer than as a representative of the people in respect of the wording of the Bill as it stands before us and the underlying legal concepts. I should draw attention in particular to clauses 6 and 11 in this respect. Clause 6 is in respect of legal disability and the explanation appended to clause 6 says:—

"For the purposes of this section, 'minor' includes a child in the womb."

Now, this is an entirely unnecessary explanation, to say the least. It may cause some difficulty, I feel. We have to distinguish between the right to sue and the basis for bringing about a suit. A right may exist; yet, a remedy may not. Therefore even if there is no remedy, even if a child is not born, he has no right to institute a suit. The right accrues and arises, though retrospectively, only on the birth of the child. Therefore, while an idiot or a lunatic could institute a suit that is to say, a friend of a lunatic or an idiot could institute a suit, a child who is still in the womb could not, though ultimately a right may arise after the birth of this child who is within the womb for

[Dr. L. M. Singhvi]

bringing about an action. Therefore I feel that the explanation appended to clause 6 is certainly not necessary or warranted. The notion that Hindu Law enforces in respect of conferring certain rights on a child in the womb is not in any way affected or fortified by this explanation and I, therefore, think that it is actually legally speaking anomalous.

I would draw the attention of the House also to clause 11. Clause 11, sub-clause (2) says;

"No rule of limitation in force in the State of Jammu and Kashmir or in a foreign country shall be a defence to a suit instituted in the said territories on a contract entered into in that State or in a foreign country unless—

(a) the rule has extinguished the contract;"

This also is legally speaking quite anomalous. I am sure, the Law Ministry and the hon. Deputy Law Minister who is piloting this Bill are not unaware of the anomaly underlying this particular explanation. A rule cannot extinguish a right that may arise. The remedy may not be available, but that is an entirely different matter. I think that these things are in a sense fundamental because they reflect the conceptual thinking and when conceptual thinking is inadequate or is not sufficiently backed and scrutinised, it may sometimes ensue in conceptual miscarriages and misdescriptions.

We have also to remember that somewhat shorter durations have been provided in the proposed enactment. These shorter durations may ultimately, as in the case of a suit for declaration which has already been pointed out, have the effect of reducing the litigation to a certain extent and certainly of suppressing possible frauds. But the other side of the coin cannot be ignored. In this country,

everything moves in a very slow way. In our country the Government is certainly not immune from the allegation of being slow. That being so, we have to take into account the fact that life being what it is in our country, awareness being what it is in our country, legal advice and its availability being what it is in our country, we cannot in justice and fairness shorten the durations of limitation. In some cases, as it has been pointed out by some of my friends who preceded me, this may actually cause very great hardships. The large masses of the people in this country are illiterate. There is no legal advice easily available to them. In their cases, whenever they are affected, it is quite likely that the rights get debarred by limitation because you provide for a relatively shorter duration.

16.51 hrs.

[MR. SPEAKER in the Chair]

This has to be considered as a general matter, not only in the case of adoption or some such specific provisions. Let me hope that we would acquire some experience in the matter and perhaps the Government would be open-minded enough to consider the possibility of keeping a close watch on the impact of these provisions, of making a sort of sociological investigation of the consequences of these provisions of limitation and how they affect the illiterate and uninformed people in the country. If they find that their rights tend to be exploited by shorter duration, I am sure the Government will consider restoring the earlier limitation provided in the present Act.

I should like to finish by quoting a piece from a celebrated authority about the purpose of the laws of limitation. Story in his book *Conflict of Laws* says:

"Statutes of limitation are statutes of repose, to quiet title to

suppress frauds and to supply the deficiency of proofs arising from the ambiguity and obscurity or the antiquity of transactions. They proceed upon the presumption that claims are extinguished or ought to be held extinguished whenever they are not litigated within the prescribed period. They quicken diligence by making it in some measure equivalent to right. They describe litigation by burying in one common receptacle all the accumulations of past times lest they should be immortal, while men are mortal".

I hope that the purpose of the law of limitations as described in this celebrated observation is not over-emphasised, because while it is true that the law of limitation is to suppress frauds, while it is true that the law of limitation will render pointless controversies impossible to agitate in courts of law, it is also true that very short durations, very short limitations, may work hardship on the common and illiterate people of this country. This has to be studied by a close and watchful eye and I am sure the Ministry will not consider its work completed after this Bill is enacted, but that it would keep a close watch on the impact of these provisions, as indeed it must keep a close watch on the impact of various enactments which we are putting on the statute book day in and day out. Once that is done, I am sure, there is the assurance that this law which has been rationalised to a very great extent, particularly in the systematisation of the categories of causes of action, would be able to satisfy the purpose for which it is meant.

With these words, I conclude. I thank you very much for giving me an opportunity to speak on this Bill.

Shri K. K. Verma (Sultanpur): Mr. Speaker, Sir, the previous speaker is not agreeable to the addition of the explanation to clause 6 on the ground that a child in the womb would, of course, be entitled to insti-

tute a suit after he is born and that if we add this explanation to clause 6, it may create some confusion. But I would submit that the adding of the Explanation that the term 'Minor' includes a child in the womb extends the period of limitation in favour of that child. Suppose, for a moment, that the period of limitation that would accrue to the child in the womb may expire while the child is in the womb, then, the remedy or the redress that would be available to him having expired before the child is born, he would have no remedy at all. Therefore, I think that it is very necessary to extend the period of limitation to that period while that child is in the womb. So, the addition of the Explanation to clause 6 is very necessary, and I do not think that there is any reason to suppose that it will create any confusion.

श्री यशपाल सिंह (कैराना) : अध्यक्ष महोदय, हम यह कल्पना कर रहे हैं कि आजादी के बाद हिन्दुस्तान के किसान और मजदूर डेटेल्स हो जायेंगे, उम्हण हो जायेंगे। आज जो किसान कर्ज की चक्की में पिसता जा रहा है उससे उसे राहत मिल जायेगी। लेकिन इस बिल से बात उल्टी हो जायेगी। पहले तो किसान जमींदार से अपनी जान बचा लेता था, एक नौथाई या पांचवां या बीसवां हिस्सा दे कर अपने आप को बचा लेता था। लेकिन अब यह होगा कि बारह साल में डिग्री हासिल की जायेगी और उसकी जायदाद और बैल सब कुछ ले लिये जायेंगे।

जरूरत इस बात की थी कि मियाद बढ़ाते लेकिन उसे और घटा दिया गया। मुझे यू० पी० के बारे में पता है कि यू० पी० की सरकार ५ लाख रु० रोजाना कमाती है कोर्ट फीस से। मान लीजिये कि मेरा केस है। आज मेरे पास कोर्ट फीस नहीं है, दस दिन बाद, चार दिन बाद, बीस दिन बाद, महीने दो महीने बाद, कोर्ट फीस का इन्तजाम हो जाता है, तो मैं अपील में जा सकता हूँ।

[श्री यशपाल सिंह]

आज उल्टा हिसाब यह है कि मेरे ऊपर ही तो ज्यादा होती है और मुझे ही कोर्ट फीस देनी होती है। मेरे ऊपर जुल्म होता है और मुझे ही कोर्ट फीस देनी पड़ती है। जिस चंगुल से हम लोग निकलना चाहते थे, जिस चीज से हम यह खयाल करते थे कि हमको राहत मिलेगी, उसमें ही हमारे बन्धन और ज्यादा मजबूत कर दिये गये। अब हम उसके बाहर नहीं निकल सकते। हमने जो डेटलेस इंडिया का स्वप्न देखा था, उच्छ्वेग काश्तकार का, जिसके कर्ज बेवाक हो गये हों, वह ख्वाब मिट्टी में मिल गया है और जंजीर और ज्यादा मजबूत हो गई हैं। जो चीपेस्ट बैंकर आफ दि वर्ल्ड था, गांव का बनिया, जो कि हमारे हजार काम आता था, जो हमारे बच्चों की एजुकेशन और बच्चों की शादियों का इन्तजाम करता था आज उसी चीपेस्ट बैंकर आफ दि वर्ल्ड के सामने यह दिक्कत आयेगी कि वह हमारी कोई इमदाद नहीं कर सकेगा। अब तक जो हेल्थिंग और

ओब्लाइजिंग मूड में था, अब तक जो हमारी फैमिली का एक पार्ट था, वह हमसे अलग हो जायेगा। यह जो हमारी बनी हुई कोआपरेटिव थी वह इस तरह से खत्म कर दी जायेगी इस बिल के मुताल्लिक यह पता नहीं..

अध्यक्ष महोदय : क्या माननीय सदस्य कल जारी रखना चाहेंगे ?

श्री यशपाल सिंह : अभी मैं और बोलना चाहूंगा क्योंकि हमारे जीवन का मवाल है।

अध्यक्ष महोदय : मैं आपको बतिये से अलग नहीं करना चाहता हूं। आप अगले दिन बोल लीजियेगा।

The Lok Sabha then adjourned till Eleven of the Clock on Friday, August 16, 1963/Sravana 25, 1885 (Saka).

[Wednesday, August 14, 1963/Sravana 23, 1885 (Saka)]

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209	Gauhati Oil Refinery	409
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STATEMENT BY PRIME MINISTER

410—19

The Prime Minister (Shri Jawaharlal Nehru) made a statement regarding the agreement with Voice of America for acquisition of a High-powered Transmitter.

PAPERS LAID ON THE TABLE

420—23

- (1) A statement on the visit of the Minister of Economic and Defence Co-ordination to Canada, the U.S.A. and the U.K. in May-June, 1963.
- (2) A copy of Annual Report of the National Council of educational Research and Training for the period from September 1, 1961 to March 31, 1962 together with the Audited Accounts.
- (3) A copy of the International Copyright (Third Amendment) Order, 1963 published in Notification No. S.O. 1279 dated the 4th May, 1963 under section 43 of the Copyright Act, 1957.
- (4) A copy each of the following Rules under sub-section (3) of section 27 of the Salar Jung Museum Act, 1961 —
 - (a) The Salar Jung Museum (Amendment) Rules, 1963 published in Notification No. G.S.R. 1230 dated the 20th July, 1963.
 - (b) The Salar Jung Museum (Second Amendment) Rules 1963 published in Notification No. G.S.R. 1231 dated the 20th July, 1963.
- (5) A copy each of the following Rules under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957 :—
 - (a) The Mineral Concession (Second Amendment) Rules 1963 published in Notification No. G.S.R. 805 dated the 11th May, 1963.
 - (b) The Mineral Concession (Third Amendment) Rules 1963 published in Notification No. G.S.R. 843 dated the 18th May, 1963.

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- (c) The Mineral Concession (Fourth Amendment) Rules 1963 published in Notification No. G.S.R. 842 dated the 18th May, 1963.
- (6) A copy of report of the Comptroller and Auditor General of India on the Accounts of the Coal Board for the year 1961-62, under sub-section (2) of section 12 of the Coal Mines (Conservation and Safety) Act, 1952.
- (7) (i) A copy each of the following papers under sub-section (1) of section 619A of the Companies Act, 1956 :—
 - (a) Annual Report of the Orissa Road Transport Company Limited, Berhampur, for the year 1961-62.
 - (b) Directors' Report of the Orissa Transport Company Limited Berhampur, for the year 1961-62 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.
- (ii) A review by the Government on the working of the above Company.

REPORT OF COMMITTEE ON PRIVATE MEMBER'S BILLS AND RESOLUTIONS PRESENTED .

423

Twenty-second Report was presented

MOTION RE: ASSOCIATION OF MEMBER OF RAJYA SABHA WITH PUBLIC ACCOUNTS COMMITTEE ADOPTED .

423

Shri Tyagi moved the motion recommending to Rajya Sabha to nominate one Member of that House to associate with the Public Accounts Committee in the vacancy caused by the Public by the resignation of Shri Nawab Singh Chauhan. The motion was adopted.

REPORT OF BUSINESS ADVISORY COMMITTEE ADOPTED. . . .

424—31

Seventeenth Report was adopted.

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BILLS PASSED . . . 431—96

- (i) Further discussion on the motion to consider the Textiles Committee Bill moved on 13-8-63 concluded and the motion was adopted. After clause-by-clause consideration the Bill, as amended, was passed.
- (ii) The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis) moved that the Union Territories Dramatic Performances (Repeal) Bill be taken unto consideration. The motion was adopted. After clause-by-clause consideration the Bill, as amended, was passed.

BILL UNDER CONSIDERATION . . . 496—540

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Misra) moved for consideration of the Limitation Bill, as passed by Rajya Sabha. The discussion was not concluded.

AGENDA FOR FRIDAY,
AUGUST 16, 1963/SRAVANA
25, 1885 (SAKA)—

Further discussion on the motion to consider the Limitation Bill, as passed by Rajya Sabha and passing of the Bill, and consideration of Private Members' Bills.