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**Wednesday, September 22, 1965  
Bhadra 31, 1887 (Saka)**

# **LOK SABHA DEBATES**

**(Twelfth Session)**



***(Vol. XLVI contains Nos. 21 - 29)***

**LOK SABHA SECRETARIAT  
NEW DELHI**

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# CONTENTS

No. 27—Wednesday, September 22, 1965/Bhadra 31, 1887 (Saka)

COLUMNS

## Oral Answers to Questions—

*Starred Questions Nos. 770 to 779 .	6837—78
Short Notice Question Nos. 8 and 9 .	6878—90

## Written Answers to Questions.—

Starred Questions Nos. 780 to 783, 785 to 791 . . . . .	6890—96
---	---------

Unstarred Question Nos. 2586 to 2595, 2598 to 2626, 2628 to 2654, 2656 to 2668, 2670, 2671, 2673, 2674 and 2676 to 2677-B . . . . .	6897—6949
---	-----------

## Colling Attention to Matter of urgent Public Importance—

Reported seizure of Indian consulate in Sumatra and property of Indians in Java and the confiscation of property of Indians in Indonesia . . . . .	6949—56
--	---------

Papers laid on the Table . . . . .	6956—59
------------------------------------	---------

Estimates Committee—Minutes and Eighty-sixth Report . . . . .	6959—60
---	---------

Committee on Private Members' Bills and Resolutions—Seventy-first Report . . . . .	6960
--	------

Judges (Inquiry) Bill . . . . .	6960—94
---------------------------------	---------

Motions to consider and to refer to Joint Committee . . . . .	6962—94
---	---------

Shri A.S. Alva . . . . .	6963—66
Shri Shree Narayan Das . . . . .	6966—72
Shri Himatsingka . . . . .	6972—75
Dr. M.S. Aney . . . . .	6975—78
Shri Gauri Shankar Kakkar . . . . .	6978—81
Shri C.K. Bhattacharyya . . . . .	6981—85
Shri M.P. Swamy . . . . .	6985—87
Shri Jaganatha Rao . . . . .	6987—94

Goa Daman and Diu (Extension of the Code of Civil Procedure and the Arbitration Act) Bill . . . . .	6995—7021
---	-----------

Motion to consider, as passed by Rajya Sabha . . . . .	6995—7021
--	-----------

Shri Jaganatha Rao . . . . .	6995—96
Shri Shinkre . . . . .	6996—7002
Shri Sarjoo Pandey . . . . .	7002—03
Shri Yashpal Singh . . . . .	7003
Shri Tulsidas Jadhav . . . . .	7003—04

\*The sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.



(ii)

	COLUMNS
Clauses 2 to 7 and 1	7006—14
Motion to pass	7014
Shri Jaganatha Rao	7014
Shri N. Dandekar	7015—16
Shri H.N. Mukerjee	7016—18
Dr. L.M. Singhvi	7018—19
Motion Re : Supply and Production of Chemical Fertilizers	7021—58
Shri P. Venkatasubbiah .	7021—29
Shri Warior .	7029—34
Shri K.N. Tiwary .	7034—37
Shri Mohan Swarup .	7037—42
Shri Oza .	7042—44
Shrimati Tarkeshwari Sinha	7044—48
Shri Radhelal Vyas .	7048—51
Shri Ram Sewak Yadav	7051—53
Shri Yashpal Singh	7053—58
Statement Re : Cease-Fire and other Matters	7058—68
Shri Lal Bahadur Shastri .	7058—63

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LOK SABHA

Wednesday, September 22, 1965/  
Bhadra 31, 1887 (Saka).

The Lok Sabha met at Ten of the  
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Petro-Chemical Corporation

- +
- \*770. { Shri S. C. Samanta:  
Shri Subodh Hanada:  
Dr. P. N. Khan:  
Shri M. L. Dwivedi:  
Shri Warrior:  
Shri Vasudevan Nair:  
Shri Prabhat Kar:  
Shri P. C. Borooah:  
Shri Bagri:

Will the Minister of Petroleum  
and Chemicals be pleased to state:

(a) whether Government propose  
to set up a Petro-Chemical Corpora-  
tion in the public sector;

(b) if so, when; and

(c) the salient features of the  
Corporation?

The Minister of State in the Minis-  
try of Petroleum and Chemicals (Shri  
Alagesan): (a) to (c). The matter is  
under consideration of Government.

Shri S. C. Samanta: May I know  
whether any private corporation is  
also going to be formed?

Shri Alagesan: The Government is  
going to form it; it will be an entirely  
Government-owned corporation.

Shri S. C. Samanta: What will be  
the capital of the corporation that  
will be set up?

Shri Alagesan: The capital will be  
entirely subscribed by the Govern-

ment of India, and the share scrips  
will be in the name of the President.  
It will be an entirely Government-  
owned corporation; there will be a  
Board of Directors with officials and  
others. The actual amount is yet to  
be decided.

श्री म० सा० द्विवेदी : जिस कार-  
पोरेसन की स्थापना पर सरकार ने  
विचार किया है, मैं जानना चाहता हूँ  
कि उसके अन्तर्गत कौन कौन से बार्ड-  
प्रोडक्ट्स के निर्माण की बात सरकार ने  
सोची है ? उनके नाम बताने की कृपा  
करें । उनका काम कब तक चालू हो  
जाएगा ?

Shri Alagesan: The whole range of  
petro-chemical products, such as aro-  
matics, synthetic fibre products, the  
synthetic rubber products and the  
intermediates relating to them will  
be the concern of this corporation.  
The various petro-chemical industries  
will form part of the complex and it  
will be closely related to the refine-  
ries.

Mr. Speaker: When will the work  
start?

Shri Alagesan: We are having talks  
with certain parties who have ex-  
pressed their willingness to colla-  
borate with us and after those talks  
are completed and a certain under-  
standing is arrived at, we will start  
it.

Shri Warrior: Since we are expect-  
ing that these petro-chemical indus-  
tries are going to develop at a fast  
pace, may I know what measures  
Government will take if the Govern-  
ment takes so much time to consider  
it and come to a decision on this  
matter?

**Shri Alagesan:** We are having this matter under consideration, but it was decided that as soon as we are in a position to take up the manufacture of certain products, then it will be time for this corporation to be formed.

**Shri Vasudevan Nair:** The hon. Minister says that they are trying to have some collaboration. May I know whether the Government itself has gone into some independent investigation of the possibilities of the units that we can start and, if so, in which places?

**Shri Alagesan:** We are having a cell and that cell is doing very valuable work, and is analysing the possibilities as to what we should produce and how we should proceed about it. We are also having an independent assessment, but in this very highly technical field, we are bound to take the assistance and advice of others.

**Shri P. C. Borooah:** May I know whether the Board of Directors that is proposed in respect of this corporation will consist of members like other public sector corporations, nominated by the Government who will have no stake in the corporation, and also whether the Government has under contemplation the setting up of any machinery just to check the working of the Board itself?

**Shri Alagesan:** It is wrong to say that the members of the Board will not have any stake; they will not be private shareholders, but they owe a responsibility to Government and they are expected to discharge their duties faithfully.

**Dr. Ranen Sen:** Is there any contemplation to have foreign collaboration in connection with this corporation and, if so, what are the foreign companies that are contacted in this regard?

**Shri Alagesan:** There is a consortium of American companies who have come forward to collaborate

with us and we are going to have talks with them.

**Shri Oza:** May I know whether there will be only one corporation or some regional corporations or subsidiary corporations? What is the thinking of the Government in this matter?

**Shri Alagesan:** To begin with, the main task of the corporation will be with regard to the petro-chemical units that we propose to set up in Gujarat in connection with the refinery that will be commissioned there shortly; it will be first seized of that, and if our activities expand, it will be time for the corporation to consider other matters.

**Shri P. Venkatasubbarah:** While formulating the fourth Plan outlay for petro-chemical industries in this country, I would like to know whether the capital outlay of this Corporation will also be taken into consideration and, if that is so, what is the position?

**Shri Alagesan:** In consultation with this Ministry, mainly, the Planning Commission has taken steps to provide money for this; it has made allocations.

### डाक द्वारा विश्वविद्यालय की शिक्षा

(क)

- \* 771. { श्री म० ला० द्विवेदी :  
श्री स० चं० सामन्त :  
श्री सुबोध हंसदा :  
श्री बी० चं० शर्मा :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) किन किन विश्वविद्यालयों ने प्रयोगात्मक आधार पर डाक द्वारा शिक्षा देने की व्यवस्था प्रारम्भ की है तथा उसमें उन्हें कितनी सफलता मिली है ;

(ख) डाक द्वारा शिक्षा देने के कार्यक्रम का विस्तार करने के लिए क्या कार्यवाही की जा रही है ;

(ग) कितने लोगों ने इस शिक्षा व्यवस्था में दाखिला लिया है और उनमें से कितने प्रतिशत व्यक्ति परीक्षाओं में उत्तीर्ण हुए हैं और उनकी पढ़ाई का स्तर कैसा है ; और

(घ) विभिन्न पाठ्यक्रमों के लिए प्रत्येक विद्यार्थी को प्रति वर्ष कितना खर्च करना पड़ता है ?

शिक्षा मंत्रालय में उपमंत्री (श्री भक्त वर्मान) : (क) से (घ) विवरण सभा पटल पर रख दिया गया है ।

#### विवरण

(क) केवल दिल्ली विश्वविद्यालय ने 1962-63 शैक्षिक वर्ष से शुरू होने वाली पाइलेट योजना के रूप में बी०ए० (पास) उपाधि के लिए पत्रव्यवहार पाठ्यक्रम की स्थापना की है । हालांकि पत्र व्यवहार पाठ्यक्रम को विद्यार्थी समुदाय द्वारा उत्तरोत्तर लोकप्रियता प्राप्त हुई है, योजना की सफलता का किसी भी प्रकार का वास्तविक मूल्यांकन अभी संभव होगा जब इंटरमीडिएट परीक्षा पास करने के बाद, सितम्बर 1962 में पत्रव्यवहार पाठ्यक्रम में नामांकन कराने वाले विद्यार्थियों का दल नवम्बर, 1965 के भन्त तक ग्रेजुएट बनेगा ।

(ख) चौथी पंचवर्षीय आयोजना के संदर्भ में, विभिन्न स्तरों पर पत्रव्यवहार पाठ्यक्रम के कार्यक्रम के विकास के लिए निम्नलिखित योजनायें विचाराधीन हैं :—

1. क्षेत्रीय आधार पर चुने गये तीन या चार विश्वविद्यालयों में कला में पूर्व-स्नातक (ग्रैंडर ग्रेजुएट) स्तर

पर पत्र व्यवहार पाठ्यक्रम की योजना का विस्तार ;

2. दिल्ली विश्वविद्यालय में कला में स्नातकोत्तर (पोस्ट ग्रेजुएट) उपाधि तथा बी०एस०सी० (पास) उपाधि के लिए पत्रव्यवहार पाठ्यक्रम की शुरुआत ;

3. बड़ोदा तथा मैसूर विश्वविद्यालयों, केन्द्रीय शिक्षा संस्थान दिल्ली तथा पूर्वी क्षेत्र में एक अन्य केन्द्र में उच्चतर माध्यमिक स्कूलों के अध्यापकों के प्रशिक्षण के लिए पाठ्यक्रम शुरू करना ; और

4. डिप्लोमा तथा डिग्री दोनों स्तरों पर, प्रौद्योगिकी तथा इंजीनियरी में एक विस्तृत योजना तैयार करने के लिए, चार क्षेत्रीय केन्द्रों तथा क्षेत्रीय एजेंसियों के साथ, एक केन्द्रीय पत्र-व्यवहार पाठ्यक्रम ग्रुपों की स्थापना ।

(ग) पत्रव्यवहार पाठ्यक्रम के माध्यम से दिल्ली विश्वविद्यालय के बी०ए० (पास) उपाधि पाठ्यक्रम में प्रवेश पाने वाले विद्यार्थियों की संख्या निम्नलिखित है :—

वर्ष	विद्यार्थियों की संख्या
1962-63.	1112
1963-64.	1410
1964-65.	1929
1965-66.	2600

यह आशा की जाती है कि पत्र-व्यवहार पाठ्यक्रम के विद्यार्थियों के पढ़ने दल के परीक्षा परिणाम नवम्बर, 1965 तक घोषित हो जायेंगे ।

(घ) दिल्ली विश्वविद्यालय में पत्र-व्यवहार द्वारा बी०ए० (पास) उपाधि

पाठ्यक्रम में एक विद्यार्थी के लगभग 200/- रुपए वार्षिक खर्च होने है ।

श्री म० ला० द्विवेदी : जो जापन सदन पटल पर रखा गया है उसमें बताया गया है कि मन् 1962 से 1966 तक के कारेमपान्डेम कोर्स में छात्रों की संख्या 2600 है । मैं जानना चाहता हूं कि कितने छात्रों ने अन्तिम वर्ष में प्रायर्नापव भोजे थे, और 2600 ही विद्यार्थी क्यों भरती हुए, और इस स्कीम को आगे बढ़ाने के लिए क्यों प्रयत्न नहीं किया गया ?

श्री भक्त दर्शन : श्रीमन्, जहां तक इस योजना को आगे बढ़ाने का प्रश्न है उसका विवरण तो दिया जा चुका है । अब अन्तिम रूप से जब—

श्री म० ला० द्विवेदी : छात्रों के बारे में ।

श्री भक्त दर्शन : छात्रों के बारे में विवरण में बताया गया है ।

अध्यक्ष महोदय : जो बताया जा चुका है उसे बताने की जरूरत नहीं ।

श्री म० ला० द्विवेदी : उसमें नहीं बताया गया है । इसमें 2600 विद्यार्थी बतलाए गए हैं । अर्जी देने वाले दस हजार विद्यार्थी थे । मैं जानना चाहता था कि उनमें से 2600 ही क्यों भरती किए गए ।

श्री भक्त दर्शन : श्रीमन्, इसका कारण तो स्पष्ट है कि हमारे पास योग्य अध्यापकों की कमी है इसलिए हम सीमित संख्या में ही विद्यार्थियों को इसमें स्थान दे सके हैं ।

श्री म० ला० द्विवेदी : जहां तक मेरा क्वाल है, शिक्षा मंत्रालय ने यह विज्ञापित किया था कि दिल्ली के अलावा अन्य विश्वविद्यालय हैं, जैसे जाल्ति निकेतन

आदि, जहां डाक से चलने वाला पाठ्यक्रम चालू किया जाएगा । इन के चालू न करने का क्या कारण है ? इस वक्तव्य में यह बताया गया है कि कुछ रोजनल लेवल पर ऐसे विश्वविद्यालय स्थापित किए जाएंगे जहां पर डाक से चलने वाला पाठ्यक्रम चालू किया जाएगा । मैं जानना चाहता हूं कि ये कौन कौन से विश्वविद्यालय हैं !

श्री भक्त दर्शन : श्रीमन्, अभी यह अन्तिम रूप से तै नहीं हुआ है कि किन नए विश्वविद्यालयों में इस पाठ्यक्रम को शुरू किया जाएगा । जैसा कि विवरण में दिया गया है चौथी योजना में तीन चार विश्वविद्यालयों में इसे शुरू किया जाएगा । जहां तक विश्वभारती का सम्बन्ध है, अभी इस पर विचार नहीं किया जा सका है क्योंकि माननीय सदस्य को ज्ञात होगा कि अभी चौथी योजना पर अन्तिम रूप से विचार नहीं किया गया है । जब अन्तिम रूप से विचार कर लिया जाएगा तभी इस प्रश्न पर विचार होगा और तभी कार्रवाई आगे बढ़ायी जा सकेगी ।

Shri S. C. Samanta: The statement says that B.Sc. course will also be opened. May I know how the practical experiments will be shown to the students?

Shri Bhakt Darshan: The whole matter is under examination.

Shri D. C. Sharma: May I know what steps the government is taking in order that the dilution of academic standards in these correspondence courses does not take place?

Shri Bhakt Darshan: I must assure the hon. member that instead of dilution of the standards, we have been able to raise the standard.

Shri Kapur Singh: The form of his question is grammatically wrong, Sir.

**Shri D. C. Sharma:** The Minister has made a general statement. I wanted to know what steps are being taken. . .

**Mr. Speaker:** One hon. member objected that his question was grammatically wrong.

**Shri D. C. Sharma:** Who said that, Sir?

**Shri Kapur Singh:** The hon. member said "something, something . . . in order that" etc. He should have said "in order to".

**Shri D. C. Sharma:** He is entirely wrong. His English is Punjabi English. I take strong exception to this kind of thing.

**Mr. Speaker:** I cannot decide because I confess the superiority of both to me.

**Shri D. C. Sharma:** I want that this should be referred to some authority on English. He knows only Punjabi-English.

**श्री राम सहाय पाण्डेय :** पत्र-व्यवहार पाठ्यक्रम की पायलट योजना के रूप में यह जो कार्यक्रम प्रारम्भ किया गया है, उस को बहुत प्रसिद्धि प्राप्त हुई है। मैं यह जानना चाहता हूँ कि वे कौन से विश्वविद्यालय हैं, जिन्होंने इस योजना को स्वीकार कर के पत्र-व्यवहार पाठ्यक्रम का कार्यक्रम प्रारम्भ किया है। इस विवरण में यह बताया गया है कि इस योजना के अन्तर्गत प्रत्येक विद्यार्थी को दो सौ रुपये प्रति-वर्ष व्यय करना पड़ता है। मैं जानना चाहता हूँ कि क्या इस खर्च में कोई कमी करने की व्यवस्था की गई है।

**श्री भक्त दर्शन :** जैसा कि विवरण में बताया गया है, अभी तक केवल एक ही विश्वविद्यालय, यर्घात् दिल्ली, में यह पाठ्यक्रम शुरू किया गया है। आगे के लिए प्रवाय विचार किया जा रहा है। जहाँ तक खर्च घटाने का सम्बन्ध है,

मैं सदस्य महोदय को आश्वासन देना चाहता हूँ कि खर्च को जितना घटाया जा सकता था या कम से कम रखा जा सकता था, वह किया गया है।

**श्री बहापाल सिंह :** सरकार के ध्यान में यह बात तो है कि इस योजना से एड्मिशन का स्टैंडर्ड गिरेगा। तो क्या सरकार ने यह तय किया है कि इस योजना के अन्तर्गत किसी भी परीक्षार्थी को ऊँची डिविजन न दे कर केवल बर्ग डिविजन दी जाये ?

**श्री भक्त दर्शन :** मैं माननीय सदस्य से बिल्कुल सहमत नहीं हूँ कि इस की वजह से शिक्षा का स्तर गिरा है। हमारी सूचना के मुताबिक इस से स्तर ऊँचा हुआ है। अध्ययन का कार्यक्रम भी सफलता के साथ आगे बढ़ रहा है।

**Shri Daji:** Has the Government considered this aspect of the matter that there are a large number of working youths who should be given an opportunity for higher studies; if so, may I know whether in the Fourth Five Year Plan adequate arrangements will be made throughout the country by way of correspondence course or some other course so that those who are working may also be able to get higher education?

**Shri Bhakt Darshan:** I am thankful to the hon. Member for giving support to the scheme. As I have already explained in the statement, in the context of the Fourth Five Year Plan, extension of the scheme of correspondence courses at undergraduate level in Arts to 3 or 4 more universities selected on a regional basis is under consideration.

**Shri Daji:** Why only to three or four universities, why is it not being done throughout the country so that education may be available to the working youth?

**Shri Bhakt Darshan:** If we could, we would have gladly done so. But financial considerations also come in the way. Let us start with three or four universities.

### नये विश्वविद्यालय

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\* 772. { श्री जगदेव सिंह सिद्धान्ती :  
श्री प्रकाशवीर शास्त्री :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विश्वविद्यालय अनुदान आयोग ने अगले वर्ष कुछ नये विश्वविद्यालय खोलने के लिए अनुमति प्रदान की है ;

(ख) यदि हां, तो ये विश्वविद्यालय किन किन राज्यों में खोले जायेंगे ; और

(ग) क्या आयोग कुछ और नये विश्वविद्यालय खोलने के प्रश्न पर भी विचार कर रहा है और उन के बारे में कब तक निर्णय किये जाने की सम्भावना है ?

शिक्षा मंत्रालय में उपमंत्री (श्री भक्त दर्शन) : (क) से (ग). विवरण तभी पटल पर रख दिया गया है ।

### विवरण

(क) और (ख). विश्वविद्यालय अनुदान आयोग निम्नलिखित नए विश्वविद्यालयों की स्थापना के लिए राजी हो गया है :—

1. मुदुराई (मद्रास राज्य)
2. कानपुर तथा मेरठ (उत्तर प्रदेश)
3. सूरत और भावनगर (गुजरात)
4. पांडिचेरी
5. बीजा

6. जवाहरलाल नेहरू विश्वविद्यालय, नयी दिल्ली ।

7. आन्ध्र प्रदेश में एक नया समबद्धित विश्वविद्यालय ।

उपर्युक्त विश्वविद्यालयों में से, बीपी आयोगना-अवधि के दौरान पांडिचेरी तथा गोवा में विश्वविद्यालय स्थापित करने के लिए आयोग सहमत हो गया है ।

प्रत्येक नये विश्वविद्यालय के संस्थापन के साथ यह निर्णय करना राज्य सरकार पर निर्भर करता है कि विश्वविद्यालय स्थापित किया जाना चाहिए अथवा नहीं और यदि किया जाना चाहिए तो कब । गोवा प्रशासन ने निर्णय किया है कि वहां कुछ कालेजों के संस्थापन के बाद प्रस्तावित विश्वविद्यालय स्थापित किया जाएगा ।

(ग) आयोग को दो और प्रस्ताव विचारार्थ प्राप्त हुए हैं—एक उत्तर प्रदेश सरकार से—नेनीताल में विश्वविद्यालय के लिए और दूसरा हिमाचल प्रदेश प्रशासन से उसी संघ राज्य क्षेत्र में विश्वविद्यालय की स्थापना के लिए ।

श्री जगदेव सिंह सिद्धान्ती : क्या इस आयोग ने अनुमति प्रदान करने से पूर्व कोई ऐसे नये विज्ञानों की छांट कर ली है, जो कि इन विश्वविद्यालयों में चालू किये जा सकें ?

श्री भक्त दर्शन : मैं माननीय सदस्य के प्रश्न का समाप्ति नहीं हूँ ।

श्री जगदेव सिंह सिद्धान्ती : क्या अनुमति देने से पहले शिक्षा आयोग ने इस प्रकार के नये विज्ञानों का क्षेत्र बूझ लिया है, जिन का पाठ्यक्रम नये खोले जाये वाले विश्वविद्यालयों में चालू किया जा सके ?

श्री भक्त दर्शन : मैं एक संशोधन करना चाहता हूँ कि शिक्षा प्रायोग ने नहीं, बल्कि विश्वविद्यालय अनुदान प्रायोग—यूनिवर्सिटी ग्रांट्स कमीशन—ने यह निर्णय किया है और उन्होंने सभी पहलुओं पर और सभी दृष्टिकोणों से विचार करने के बाद यह निश्चय किया है।

श्री जगदेव सिंह सिद्धान्ती : क्या उस विचार में यह भी बात आई है कि चूंकि भारतवर्ष कभी संसार में सर्वोच्च वैज्ञानिक देश था, इसलिए क्या इन विश्वविद्यालयों में प्राचीन विज्ञान की खोज के लिए, अनुसंधान के लिए, भी कुछ यत्न किया जायेगा ?

श्री भक्त दर्शन : मैं माननीय सदस्य के सुझाव का स्वागत करता हूँ और हमारा यह प्रवर्ण्य प्रयत्न होगा कि इस सम्बन्ध में जो कुछ भी हो सके, वह प्रवर्ण्य किया जाये।

Shri Swell: Sir, some time ago, the Ministry, jointly with the University Grants Commission, appointed a Committee to go into the question of establishing a university for the north-eastern region of India, and I know that the University Grants Commission has accepted the recommendation for the establishment of this University. The other day, the Minister of Education himself replied on the floor of this House that the question is being considered by the Government. May I know from the Deputy Minister why this university has not found a place in the statement that has been placed on the Table of the House?

Shri Bhakt Darshan: I have not got any definite information with me just now, but I must assure the hon. Member that if a case has been recommended by the University Grants Commission and it is pending before the Ministry, a decision will be taken very soon.

Shri S. Kandappan: Is there any proposal to set up an agricultural uni-

versity in Tamil Nad or to upgrade the present college at Coimbatore into a university?

Shri Bhakt Darshan: I have no information about the agricultural college.

श्री किसान पटनायक : मैं यह जानना चाहता हूँ कि नये विश्वविद्यालय खोलने के सम्बन्ध में क्या कसौटियाँ हैं—क्या किसी क्षेत्र की धाबादी या छात्रों की संख्या को ही देखा जाता है या कोई और भी कसौटियाँ हैं।

श्री भक्त दर्शन : इस सम्बन्ध में कई बातों पर विचार करना पड़ता है। छात्रों की संख्या, पोस्ट-ग्रेजुएट रिसर्च की स्थिति, अध्यापकों की उपलब्धि, इन सभी बातों पर विचार करने के बाद यूनिवर्सिटी ग्रांट्स कमीशन, जो कि विशेषज्ञों का एक प्रायोग है, अपनी सिफारिश करता है और गवर्नमेंट उस को स्वीकार करती है।

श्री शिव नारायण : मैं यह जानना चाहता हूँ कि जब दिल्ली में—एक ही रिजन में—दो विश्वविद्यालय खोले जा सकते हैं, तो क्या सरकार यह तय करेगी कि हर एक कमिश्नरी में एक एक विश्वविद्यालय स्थापित किया जाये।

श्री भक्त दर्शन : दिल्ली में दूसरे विश्वविद्यालय की स्थापना के सम्बन्ध में इस सदन में दो दिन तक बहस होती रही है। इसलिए मुझे उस के सम्बन्ध में कुछ नहीं कहना है, लेकिन अगर विश्वविद्यालय अधिक संख्या में खोले जा सकते हैं और प्रापिक स्थिति प्रचष्टी है, तो हमारा मंत्रालय इस पर क्यों ऐतराज करने लगा ?

Shrimati Ramdulari Sinha: May I know whether it is a fact that the Bihar Government had made a com-



mitment to establish the Mithila University long before a decision was taken by the University Grants Commission for not opening new universities? If so, may I know the fate of this university in the country?

**Shri Bhakt Darshan:** I take this information from the hon. Member. But I cannot say 'yes' or 'no' in answer to that question just now.

**Mr. Speaker:** If questions pertain to particular regions I will not allow them.

**Shrimati Jyotsna Chanda:** May I know whether any decision has been taken by the UGC regarding the opening of the Vivekanand University in West Bengal and if it has been sanctioned when it will come into being? If it has not been sanctioned, will they consider it afresh?

**Shri Bhakt Darshan:** The statement gives the proposals which have been accepted. I cannot say anything beyond that.

**Shri Muthiah:** May I know whether the UGC has set apart any amount for starting the Madurai University and, if so, how much is it?

**Shri Bhakt Darshan:** I cannot say anything definitely about the quantum of aid. There must be some correspondence going on on this question between the State Government and the UGC.

**Shri P. R. Chakravarti:** May I know whether Government has imposed definite conditions on the UGC to see that the standard does not deteriorate in the context of opening of so many universities?

**Shri Bhakt Darshan:** May I inform the House that the University Grants Commission has not made any formal recommendation to the effect that no new university should be established in the Third Plan? However, the Commission has expressed the opinion that before any new university is established by a State Government a perspective plan of five to ten years may be prepared, in consultation with

the UGC, keeping in view the requirements of the area and the facilities already available. The Commission is also of the view that before any university is established it may be advisable to set up in the first instance centres of post-graduate education in a complex of colleges located around it. This centre, when established, should be developed into a university in due course of time.

**श्री प्रोफ़ेसर लाल बेरवा :** मैं यह जानना चाहता हूँ कि अगर कोई राज्य सरकार कोई विश्वविद्यालय खोलना चाहे और उस के लिये सारे साधन जुटाना चाहे, तो क्या केन्द्रीय सरकार उस योजना के सम्बन्ध में इन्कार करेगी या हाँ करेगी।

**श्री भक्त दशान :** अगर केन्द्रीय सरकार से वार्षिक सहायता न मांगी जाये, तो हमें क्या प्राप्ति हो सकती है ;

**श्री बूढ़ा सिंह :** अभी तक देश में जितने भी विश्वविद्यालय खोले गए हैं, वे बड़े बड़े शहरों में ही खोले गये हैं। मैं यह जानना चाहता हूँ कि जब भारत में सब से ज्यादा प्राबादी गांव में रहती है, तो क्या गांव वालों को शिक्षा देने के लिए कोई विश्वविद्यालय कूल एरियाज में खोले जायेंगे।

**श्री भक्त दशान :** स्थिति यह है कि कोई भी विश्वविद्यालय केन्द्रीय सरकार स्वयं नहीं खोलती है। राज्य सरकारें प्रस्ताव रखती हैं, यूनिवर्सिटी ग्रांट्स कमिशन उस पर विचार कर के अपनी सिफारिश करता है और तब केन्द्रीय सरकार अपनी सहमति देती है। अगर कोई ऐसा प्रस्ताव प्रायेंगा, तो उस पर अवश्य विचार किया जायेगा।

**Shri Basappa:** May I know whether Government is starting any centres of advanced studies and, if so, in what way they are different from the new universities?

**Shri Bhakt Darshan:** I have not got the list with me. I think the UGC is seized of the matter.

**Mr. Speaker:** Next Question. Shri P. R. Chakraverty.

**श्री रामसेवक दास :** अध्यक्ष महोदय, इधर भी ध्यान होना चाहिए। मैं कई बार उठा लेकिन मेरी तरफ़ उन का ध्यान ही नहीं गया।

**अध्यक्ष महोदय :** ध्यान्दा मैं देख लूंगा।

**श्री रामसेवक दास :** श्रीमान्, चूंकि इस में दिलचस्पी थी इसलिए...

**अध्यक्ष महोदय :** प्रागे घाने वाले सवाल में भी माननीय सदस्य की दिलचस्पी है इसे मैं जानता हूँ।

**श्री यक्षपाल सिंह :** मेरा एक व्यवस्था का प्रश्न है...

**अध्यक्ष महोदय :** कोई नहीं है।

#### Residuary Refugee Rehabilitation

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\*773. { Shri P. R. Chakraverti:  
Shri P. C. Borooah:

Will the Minister of Rehabilitation be pleased to state:

(a) whether Government have decided not to advance any fresh loan to the West Bengal Government for schemes in respect of residuary refugee rehabilitation problem;

(b) if so, the amount originally sanctioned for this purpose for the calendar year 1964 and the proportion of the same paid to the State Government;

(c) the reasons prompting the Central Government to withhold the sanctioned sum; and

(d) the reaction of the State Government to this attitude of the Centre, specially with regard to the allotment of funds for the schemes submitted earlier?

**The Deputy Minister in the Ministry of Rehabilitation (Dr. M. M. Das):** (a), (b), (c) & (d). A statement is laid on the Table of the Sabha.

#### STATEMENT

When the residuary problem was discussed the requirement of funds assessed by mutual agreement with the Government of West Bengal amounted to Rs. 21.9 crores, consisting of Rs. 14.7 crores under loans and Rs. 7.2 crores under grants. Sanctions were issued up to 31-3-64 to the extent of Rs. 8.30 crores consisting of Rs. 6.10 crores under loans and Rs. 2.20 crores under grants. During the period from 1-4-64 to 31-7-65 Rs. 6.18 lakhs under loans and Rs. 57.66 lakhs under grants were sanctioned.

According to the orders contained in Ministry of Finance's letter No. 15(1)-B/58, dated 15-9-59, "the loans advanced from 1st April, 1958 on wards carry the normal terms". In respect of the loans advanced to the displaced persons upto 31-3-1964, remissions were granted and the liability of the State Government was modified in May, 1964, and the Central Government agreed to bear 100 per cent of the losses arising from shortfall in recoveries. The terms for the grant of loans to be advanced to the State Government for the period commencing from 1-4-1964 were discussed recently with the Chief Minister of West Bengal and the Central Government have agreed to bear two-thirds of the losses. However, in the case of loans for the rehabilitation of rehabilitable families in Permanent Liability institutions and revalidation of certain sanctions issued before 1-4-1964, the losses in recoveries, if any, will be borne exclusively by the Government of India.

In accordance with this agreed pattern, an amount of Rs. 72.20 lakhs under loans has been sanctioned since 1-8-1965.

**Shri P. R. Chakraverti:** Now that the agreement has been reached to set off the losses and the Government has agreed to bear two-thirds of them, may I know whether the balance between Rs. 21.9 crores and Rs. 8.20 crores, which has been sanctioned, will now be again allocated or sanc-

tioned in favour of the West Bengal Government?

**Dr. M. M. Das:** Out of Rs. 21.9 crores that was to be given by the Central Government to the West Bengal Government for the solution of the residuary problems, Rs. 7.76 crores of loan remains to be given—it has not been given up to date—and grant amounting to Rs. 2.97 crores has also not been given. This amount will be given to the State Government and the loss accruing from the non-realisation of these loans will be shared both by the Central Government and the State Government. The Central Government will share two-thirds and the State Government will share one-third of the loss.

**श्री यशपाल सिंह :** मेरा व्यवस्था का प्रश्न यह है कि क्या माननीय पुनर्वास मंत्री ने धलंग धलंग वर्ष बना रहे हैं? क्या पति वर्ष धलंग है और पत्नी वर्ष धलंग है? दोनों को डिफाइन करें और सवाल के भाग (ख) के बारे में सही स्थिति बतलायें।

**अध्यक्ष महोदय :** व्हाइट ग्राफ चार्टर तो माननीय सदस्य को मस से करना चाहिए, बा लेकिन याग उन से कर रहे हैं।

**श्री यशपाल सिंह :** प्रश्न उन का था इसलिए मैंने समझा कि उन्होंने उसे खलत रखा है।

**अध्यक्ष महोदय :** धाय मुझे चाहते हैं कि पति और पत्नी का भेद करूँ तो मैं इसे कैसे कर सकता हूँ।

**Shri P. R. Chakraverti:** In view of the fact that this initial assessment was made in circumstances which did not obtain in West Bengal after the greater influx of refugees in 1964, may I know whether the West Bengal Government has sent another reassessment in the context of the present situation?

**Dr. M. M. Das:** After the agreement that was reached both by the Central

Government and the State Government in July last, no other representation has been made by the West Bengal Government to the Centre regarding the payment.

**Shri P. C. Borooah:** How many families have migrated from East Pakistan to West Bengal in 1964-65 and are those families going to be deprived from getting benefits from these scheme on account of the restrictions imposed by the Centre on issue of fresh loans?

**Dr. M. M. Das:** The hon. Member may kindly give a separate notice.

**श्री हुकुम चन्द कछवाय :** माननीय मंत्री ने श्री कश्मीर के इलाक़े में दीर्घ किया था तो उन सीमावर्ती क्षेत्रों से बहुत से शरणार्थी बन कर आये हैं जिन का वहाँ से हटाया गया है, लड़ाई के लिए या भय के कारण हटे हैं तो उस छोटे सरकार ने क्या कोई विशेष कदम उठाये हैं.....

**अध्यक्ष महोदय :** वैंस्ट बंगाल से धाय कश्मीर में चले गये।

**श्री हुकुम चन्द कछवाय :** इ र की हुआ है। श्री उस के बारे में मंत्री जी देख कर आये हैं। लोगों को हटाया गया है उन को वे देख कर आये हैं।

**अध्यक्ष महोदय :** यह सवाल वैंस्ट बंगाल का है कश्मीर इस में नहीं आता।

**Dr. Ranen Sen:** Some time back last year a prominent leader of the West Bengal Congress Committee had said that not more than 50 per cent of the old refugees, that is, those who came before January 1964, had been properly rehabilitated. If that is so—and this is the common belief in the country—is there any plan on the part of Government to extend the scope of the residuary problem so that the people who have not been getting any rehabilitation get proper rehabilitation in time?

**Dr. M. M. Das:** The residuary scheme, which involves an expenditure of Rs. 21.9 crores, is for those refugees who have not been properly rehabilitated in West Bengal. This scheme is applicable only to West Bengal and the money will be spent only for refugees who have not been properly rehabilitated.

**Shri Indrajit Gupta:** In view of the fact that once the present war is over and the border between East Bengal and West Bengal is reopened, there is every likelihood of a large number of new refugees coming over, may I know whether the Central Ministry of Rehabilitation which has been concerned so far only with the residuary problems of the past is prepared to shoulder whatever responsibilities may arise in future?

**Dr. M. M. Das:** That is a hypothetical question and we will consider it when it arises.

**Shri B. K. Das:** There is a slow progress of sanctioning the amount agreed to between the period 1st April, to 31st July, 1965 and there is a good balance also left. May I know what are the reasons for this slow progress?

**Dr. M. M. Das:** Between the period 1-4-64 to 31-7-65, the amount sanctioned has been very little. It is due to the difference of opinion between the State Government and the Central Government. The Central Government wanted that the loss should be shared by the State Government also. But the State Government did not agree to that. So, no loan could be granted. Now the decision has been that one-third of the loss will be shared by the State Government and within a short time we have sanctioned some amount.

#### Procedure for Issuing Licences

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Shri P. C. Borooah;  
Shri P. R. Chakraverti;  
Shrimati Tarkeshwari Sinha;  
Shri Indrajit Gupta;  
Shri Yashpal Singh;  
Shri A. N. Vidyalaankar;  
Shri Kanakambal;

\*774. Shri R. S. Pandey;  
Shri Bagri;  
Shri D. J. Nalk;  
Shri Solanki;  
Shri P. K. Deo;  
Shri Surendra Pal Singh;  
Dr. L. M. Singhvi;  
Shri Madhu Limaye;  
Shri Ram Sewak Yadav;

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have considered the feasibility of constituting an independent authority to be in charge of issuing industrial and commercial licences;

(b) how far the question of eliminating the agency of contactmen, which was alleged to be the source of corruption in the administration, has been examined;

(c) whether Government have decided in principle to accredit only one representative for each business house to deal with the authorities; and

(d) the measures proposed to be adopted to remove the opportunities for corruption in this regard?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) to (d). A statement is laid on the Table of the House. [Placed in Library, See No. LT-4927/65]

**Shri P. C. Borooah:** What sections of the trade and industry will be represented on this body and on what basis members will its be selected? What will be its precise composition?

**Shri Hathi:** No decision has yet been reached as to what would be its composition. The matter is still under consideration.

**Shri P. C. Borooah:** What safeguards will be provided for the proper functioning of this independent body to see that henceforth the licences will be granted only on merits and not on

grounds of corrupt practices or favouritism indulged in by some persons?

**Shri Hathi:** As I said, the matter is yet at a very preliminary stage. The constitution of the body and its functions and all that has yet to be decided upon.

**Shri P. R. Chakraverti:** What are the reasons which promoted the Government to issue the order that accreditation is not considered necessary in respect of the offices of the D.G.S. & D., C.P.W.D., and the Chief Controller of Imports and Exports?

**Shri Hathi:** That is because these persons have to deal with officers for purchase, etc. Very often, they have to come to see officers and for that purpose we have got a cell and the people first go there. When the officer says that he has been called for negotiations, then he is allowed to go to see the officer concerned. After all, for negotiations they have to come.

**Shrimati Tarkeshwari Sinha:** May I know from the Government as to how many agencies, at the present moment, are existing to look into the procedure of licensing and how does the Government propose to co-ordinate the activities of all these agencies by bringing forward another?

**Shri Hathi:** That is exactly the question. There are a number of authorities and agencies which are issuing licences—it may be industrial licences or it may be for other purposes. As to whether it should be possible to have an independent body or a judicial body, or whether it should be with the representatives of that trade and industry, what that form should be, what are the present methods, etc., we have sent a questionnaire to all the State Governments except, of course, the Central Government—we have all the information—and after getting all this information, we will take a decision. The Home Minister also met some of the Members of Parliament about having a committee of the Members of Parlia-

ment. This question is yet at very preliminary stage.

**Shri Indrajit Gupta:** The statement says that the list of undesirable contact men and contact women has been prepared and action to be taken in respect of them is under consideration. In view of the fact that these contact men and contact women are known to operate in Delhi not simply by going to see officers in their offices but in other social surroundings also, may I know what type of action is contemplated against them and by what criterion has the Government decided who is desirable and who is undesirable?

**Shri Hathi:** The hon. Member is right. It is not merely that they approach the officers, but there are other ways also. All these are being looked into. In fact, the C.B.I. have prepared a list of those persons who resort to these practices and before the black list is published, we have to have definite information about this.

Secondly, it is not prevalent only in one particular office or one Ministry, but it is prevalent in the whole of Delhi. They try to contact officials and others in the Party. Therefore, the list is being prepared.

**Shri Ranga:** The whole thing seems to be in such a fluid condition that there seems to be more talk than any kind of a decision or direction. In view of the fact that the President also has had an occasion to refer to this particular problem in his speech in Madras, are we to understand that Government have not decided even on the principle in regard to the need for appointing an independent authority to be in charge of issuing industrial and commercial licence?

**The Minister of Home Affairs (Shri Nanda):** The question here is not one of principle. I personally have felt and expressed my inclination and preference for some independent quasi-judicial body to deal with these things. The matter has been gone into in fairly great detail by the Sub-Committee of the Informal Consultative

Committee and also personally by some Members of Parliament. I find that there are certain practical aspects of the matter and that it is not a question of principle only. These are under very active consideration.

**Shri Ranga:** The practical aspects will come up only after the principle has been decided upon. I want to know whether the Government have taken a decision in regard to the principle. The difficulties can be discussed afterwards.

**Mr. Speaker:** His opinion is that.

**श्री यशपाल सिंह :** क्या सरकार यह बता सकती है कि अभी तक कितने उद्योग ऐसे हैं जिन के उद्योगपतियों ने एक से अधिक नुमाइंदे भेज रखे हैं और कब तक वे हटाये जायेंगे ?

**Shri Hathi:** We are getting a list prepared.

**श्री राम सहाय पाण्डेय:** संधानम समिति की यह मान्यता थी कि जितना भी भ्रष्टाचार होता है यह कांटेक्ट मैन के द्वारा होता है और उस का प्रधान कारण यह है कि कार्य में देर होती है, विलम्ब होता है। मैं जानना चाहता हूँ कि इस कारण को दूर करने के लिए क्या सक्रिय कदम सरकार उठाना चाहती है ?

**Shri Hathi:** The hon. Member is right in a way. If the work with which the public is concerned is not delayed, much of the corruption will go. For this purpose in the four important departments which have to deal with industrialists and public, we have appointed Study Teams to go into the whole question as to how the whole function could be streamlined and we have received reports from two of the Teams—from Mr. Mathur in regard to the Departments of Supply and Technical Development and the other in regard to the office of the Chief Controller of Imports and Exports. We have accepted these proposals

**श्री मधु सिन्घे :** भ्रष्टाचार के घावि स्थित को मिटाने की दृष्टि से क्या सरकार ने इस मुद्दा पर विचार किया है कि घादवा मंत्रियों के घोर बड़े अधिकारियों के जैसे सचिव आदि, रिश्तेदारों का चाहे भाई हों, भतीजे हों, भात्रे हों, लड़के हों लाइसेंस नहीं दिये जायेंगे ?

**Shri Hathi:** Well, it may be; you cannot rule out anybody. There should not be nepotism or favouritism; that principle can be accepted. But because the man happens to be a brother or relation of somebody, we cannot debar him; there cannot be any such general rule.

**Dr. L. M. Singhvi:** May I know whether the Government are prepared to publish the list of undesirable contactmen after giving them an opportunity of hearing, so that Members of Parliament and other officials may beware of them? Secondly, may I know whether it is a fact that the Home Minister has indicated his personal willingness to institute an independent agency for licensing purposes?

**Shri Hathi:** The two questions are different in a way. The first is about publishing the list of undesirable contact men. As I said earlier, until we have verified and got full information it would not be proper to publish the list. For the time being we are keeping a watch on these men and we would not publish the list until we have got definite information about the charges.

**Shri Hari Vishnu Kamath:** In the next session?

**Shri Hathi:** About the second question, the Home Minister has already given his views on the subject.

**श्री बामणी :** वाणिज्य और उद्योग में भ्रष्टाचार का सबसे बड़ा कारण सरकार और वाणिज्य का एक-दूसरे रिश्ता होता है। इसको दृष्टि में रखते हुए इस भ्रष्टाचार को मिटाने के लिए सरकार ने अब तक जो

सरकार और वाणिज्य है राज्यों और देश में जैसे उड़ीसा और पंजाब के अन्दर वहाँ मुख्य मंत्री सरकार में है तो वाणिज्य बेटा या पत्नी कर रही है, इस किस्म की चीज को रोकने के लिए क्या तदाबीर की हैं अगर इस किस्म के लाइसेंस जो सरकार अगर वाणिज्य के रिश्ते से दिये गये हैं उनकी जाच के लिए क्या कदम उठाये हैं।

**Shri Nanda:** It is very awkward to mention some names and cast some kind of a reflections on any person. I think that that is not desirable. If there is anything wrong with any transaction or with any appointment, certainly we should deal with it.

**Mr. Speaker:** I think he probably did not mean any particular persons, but only to illustrate his point he mentioned that someone was there...

**Shri Nanda:** I think that he did mention some specific names.

**Mr. Speaker:** I was taking care of that. He did not mention any specific names.

**Shri Nanda:** I thought that he had mentioned some specific names.

**Shri Ranga:** Those things were established here. The points that the hon. Member Shri Bagri has made have already been established and accepted here by Government themselves, after the report of the Das Commission and the Cabinet sub-committee. So, where is the question of any allegation now?

**श्री बागड़ी :** मेरे सवाल का जबाब मंत्री महोदय ने नहीं दिया है और केवल मात्र यह कह दिया है कि मैं एक रिक्लेम्बशन कर रहा हूँ। इस तरीके से तो जबाब नहीं दिया जाना चाहिये। मैंने पूछा था कि इस किस्म की जाच की गई है क्या और क्या तदाबीर उसके बारे में की जा रही है ? इसका कोई जबाब नहीं दिया गया है।

**Shri Nanda:** When I raised that point, I thought that the hon. Member

was referring to the present Chief Minister. But I understand now that his reference was to the previous Chief Minister. I could not take any exception to that.

This thing has to be certainly very closely watched and we should see that there should not be any room for malpractices of this kind, and we shall take every possible care.

**श्री बागड़ी :** फिर इन्होंने कहा है कि जाती तौर पर करेंगे। मैंने पूछा है कि क्या कोई तदाबीर की गई है, क्या कोई कायदे बनाये गये हैं उनको रोकने के लिए ? आप कहते हैं कि मैं करूँगा। वह तो ठीक है। मैंने कब एतराज किया है आप नहीं करते हैं या आपका दफ्तर नहीं करता है। मैंने जानना चाहा है कि कौन से कायदे कानून बनाये हैं जिससे आप उसको रोकेंगे ?

**अध्यक्ष महोदय :** कायदे कानून नहीं पूछे जा सकते हैं। वे तो किताबों में पढ़े जा सकते हैं।

**श्री बागड़ी :** रिश्ते, नातों के बारे में किताबों में नहीं लिखे हुए हैं।

**Shri Hem Barua:** Since the hon. Minister has just now said that Government have sent a questionnaire to the different State Governments, in the context of that may I know whether Government are aware of the fact that the States themselves have maintained contactmen and contactwomen in Delhi to exert influence on officials and Ministers as well and they are uphemistically called liaison officers, and if so, what steps Government have taken to destroy these liaison officers or their influence on them?

**Shri Hathi:** It is true that some States do have liaison officers.

**Shri J. B. Kripalani:** All States have.

**Shri Hathi:** I know that my State has none.

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** My State also has none.

**An hon. Member:** But the hon. Ministers themselves are there.

**Shri Hathi:** The present question relates to undesirable contactmen against whom we have to guard. Moreover, it is not as if the industries are not allowed to have any accredited representatives; they will be allowed to have them, but they will have to say that such and such a person will be their accredited representative so that we know that he is the proper person with whom our officers can deal, and if there is anything wrong we can catch hold of that particular person and not any and every person. That is the scope of the main question.

**Shri Hem Barua:** On a point of order. In replying to my question, the Minister has tried to describe some contactmen as undesirable. That means there are some contactmen who are desirable. He has categorised them into desirable and undesirable. In that context, would you please enlighten us as to what is the criterion of desirability?

**Mr. Speaker:** It is nowhere described in my rules.

**Shri D. C. Sharma:** Has it come to the notice of Government that some influential and wealthy firms instead of employing contactmen contactwomen and call girls have started employing the so-called sadhus to help them in this kind of thing?

**Shri Hathi:** Sadhus are not there.

**श्री सरजू पाण्डेय :** मैं जानना चाहता हूँ कि प्रदेशों में भी क्या परमिट और लाइसेंस देने के लिए कोई संस्थान स्थापित किया जायेगा ।

**अध्यक्ष महोदय :** यह प्रदेश वाले करेंगे ।

**श्री सरजू पाण्डेय :** प्रदेश वाले कुछ नहीं करेंगे ।

**Shri Daji:** The reply states that one accredited representative would be allowed to each business house. Has

Government considered this aspect of the matter, namely that even this one accredited representative of a firm should not be a retired official or a near relative of any Minister because such a person can exert sufficient pressure to corrupt decisions?

**Shri Hathi:** While accrediting the representative, this matter also could be considered.

शेख अब्दुल्ला की सुरक्षा की व्यवस्था

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\* 775. { श्री हुकम चन्द कछवाय :  
श्री बड़े :  
श्री बृजराज सिंह :  
श्री ब्रासप्पा :  
श्री श्रीकार लाल बेरवा :  
श्री बागड़ी :  
डा० लक्ष्मीमल्ल सिधबी :

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

(क) क्या यह सच है कि शेख अब्दुल्ला ने सरकार से प्रायश्ना की है कि सरकार द्वारा वहाँ पर तैनात किये गये सुरक्षा अधिकारी को उनके स्थान पर घोर अधिक न रखा जाये क्योंकि उसकी उपस्थिति के कारण उनके घोर उन से मिलने के लिये घाने वाले दशकों के बीच बातचीत में बिघ्न पड़ता है ; और

(ख) यदि हाँ, तो क्या सरकार का इस प्रायश्ना को स्वीकार करने का इरादा है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हाथी) : (क) जी, नहीं ।

(ख) प्रश्न ही नहीं उठता ।

**श्री हुकम चन्द कछवाय :** मैं जानना चाहता हूँ कि शेख अब्दुल्ला को जेल में रखा गया है उस पर कितना खर्च किया जा रहा है और उस के परिवार पर कितना खर्च होता है ।



श्री हाथी : खर्च के घांके मेरे पास नहीं है, नाटिस देने पर बनला सकता हूँ ।

प्रध्यक्ष महोदय : आप ने तो सिविलिटी आफिसर के बारे में पूछा था ।

श्री हुकम चन्द कछवाय : उस के परिवार के लोग शेख अब्दुल्ला से मिल सकते हैं यह बात तो समझ में आती है लेकिन विदेशी पत्रकार भी जाकर उन से मिलते हैं । मैं जानना चाहता हूँ कि सरकार ने इस बारे में क्या किया है ।

श्री हाथी : विदेशी पत्रकार या कोई भी घादमी बिना खजुरी के उन से नहीं मिल सकता है ।

Shri Basappa: May I know whether any proper inquiry is being made regarding the antecedents of those people who want to interview him? If so, has any undesirable person sought interview with him?

Shri Hathi: Before the authorities give permission, they look into those things.

श्री धोंकार लाल बेरबा : मैं जानना चाहता हूँ कि जिस तरह से दूसरे राजनीतिक बन्दी रहते हैं क्या उसी तरह से शेख अब्दुल्ला को भी महल से हटा कर कहीं धीर रखने का विचार सरकार का है ।

Shri Hathi: He is detained in the manner in which he is at present detained.

श्री बागड़ी : क्या सरकार ने कोई इस बात का भी नतीजा निकाला है कि शेख अब्दुल्ला की गिरफ्तारी से रियासत की सलामती को फायदा पहुँचा है । अगर सरकार इस नतीजे पर पहुँची है तो क्या इस किस्म की कोई मजिद कार्रवाई करने का सरकार विचार कर रही है ।

Shri Hathi: Government detain a person when they find that his movement outside is not desirable. If they find that other persons also should be detained, they will do it.

श्री बागड़ी : मेरा सवाल यह था कि अब आप को काश्मीर का तर्जुमा हुआ है, वैसे तो आप लोगों को गिरफ्तार करते ही हैं, लेकिन काश्मीर के तर्जुमे को लेकर मैं आप से पूछना चाहता हूँ कि क्या शेख अब्दुल्ला की गिरफ्तारी से काश्मीर की सलामती को फायदा पहुँचा है क्योंकि शेख अब्दुल्ला को बहुत पहले गिरफ्तार किया गया था और आपसि अब आई है । मेरा साफ सवाल था कि जो तर्जुमा आप को हुआ है उस के बारे में जवाब दिया जाये ।

प्रध्यक्ष महोदय : उन की गिरफ्तारी से कोई फायदा हुआ है या नहीं, यह तो प्रोपीनियन की बात हो जायेगी ।

Shri Hathi: It is a fact that so long he has been detained because it is necessary to detain him; otherwise, he would not have been detained.

Dr. L. M. Singhvi: Let him pass into oblivion without a supplementary.

श्री हुकम चन्द कछवाय : मैंने पूछा था कि जो विदेशी पत्रकार उन से मिले हैं वह कैसे मिले हैं ।

प्रध्यक्ष महोदय : उस का जवाब वह दे चुके हैं ।

#### Occupation of Indian Territory by East Pakistan Rifles

\*776. Shri C. K. Bhattacharyya: Will the Minister of Home Affairs be pleased to state:

(a) whether his attention has been drawn to the report that the East Pakistan Rifles with the help of regular troops have occupied the 'Kumar Khali Khal' in the Bashirhat subdivision, West Bengal, which is within the Indian territory; and

(b) if so, the steps taken to get the illegal occupation vacated?

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

(b) Does not arise.

**Shri C. K. Bhattacharyya:** The question has three elements. One is about a report, the second is about the Pakistani occupation and the third is about the territory which belongs to West Bengal. The hon. Minister has answered by one simple "no". Does that "no" apply to all these three elements or to any one of these three elements? I wish he had given a clearer answer.

**Shri Hathl:** The question is:

"whether his attention has been drawn to the report that the East Pakistan Rifles with the help of regular troops have occupied the Kumar Khali Khal in the Bashirhat sub-division, West Bengal, which is within the Indian territory;"

**Mr. Speaker:** The answer is "no". He asks whether that "no" means that attention has not been drawn to the report, or the East Pakistan Rifles have not occupied the area, or that it is not in Indian territory.

**Shri Hathl:** Both the things; attention has not been drawn, and the fact is also not correct.

**Shri C. K. Bhattacharyya:** Will the hon. Minister state whether there has been any attempt by Pakistan in the Basirhat area to occupy any territory near about the place mentioned in this question?

**Mr. Speaker:** Now he is roaming about by asking whether an attempt has been made in the area round about that.

**Shri C. K. Bhattacharyya:** No, Sir. I referred to a particular matter.

**Mr. Speaker:** To that he says "no". If he has any other question he might ask.

**Shri C. K. Bhattacharyya:** The question refers to a particular canal.

**Mr. Speaker:** That he has answered.

**Shri C. K. Bhattacharyya:** No, my question is whether Pakistan has attempted to come on to our side of West Bengal and occupy territory on

this side of the canal. That is what I ask.

**Shri Hathl:** No, Sir. It is not a question of their coming over. Nothing has happened. The point which the hon. Member wants to make is that this canal is used for transport, and sometimes they were resisting our transport. That is the thing, but it is not a question of occupying any land.

**Shri P. B. Chakravarti:** Apart from the question of KKK, may I know whether the Government has made any survey of the areas which have been raided by the Pakistanis so far as West Bengal is concerned?

**Shri Hathl:** The question relates to the canal itself, and not the round-about area.

**Shri S. C. Samanta:** May I know whether along with this question of transport, the question of fishing rights is also involved?

**Shri Hathl:** So far as my information goes, the question is of using the canal for transport.

#### Petro-Chemical Production

\*777. **Shri Heda:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) the targets fixed for petrochemical production during the Fourth Five Year Plan;

(b) the percentage of the target which would be achieved (i) by the existing industries, (ii) by their expansion, and (iii) by new industries; and

(c) the total investment and foreign exchange involved in the last two categories?

**The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan):** (a) to (c). The final targets of petrochemical products for the Fourth Plan are being worked out, keeping in view the recent decision to fix the size of the plant at Rs. 21,500 crores and make it defence-

oriented. The total investment on petro-chemicals during the Fourth Plan has been tentatively fixed at Rs. 121 crores with a foreign exchange component of Rs. 56.3 crores.

**Shri Heda:** May I know whether the hon. Minister for Petroleum and Chemicals has been singing praise of the petro-chemical industries for the last few years and more and in spite of such a long passage of time, may I know why the Government has not taken on hand any concrete project and why only false hopes have been given?

**Shri Alagesan:** I can only submit that no false hopes have been given, and what we have been saying has been very practical. Of course, the hon. Minister would have explained the possibilities and the potentialities of this industry. The very fact that the Planning Commission has made an allocation of Rs. 121 crores shows the importance attached to this industry and what we are going to do.

**Shri Heda:** May I know whether any break-up has been made or arrived at in respect of the provision for these industries, and what is the division of these industries as between the public sector and the private sector? What is the quantum?

**Shri Alagesan:** That has also been arrived at. Tentatively, as has been fixed, the public sector will have an allocation of Rs. 46 crores and the private sector Rs. 75 crores.

**Shri Sham Lal Saraf:** What aspect of the petro-chemical industries has been taken up in the Third Five Year Plan and what target will be achieved, and what will be taken up during the coming fourth Five Year Plan?

**Shri Alagesan:** A working group has gone into this matter in a very detailed fashion, and it has fixed the targets for the various petro-chemical products and they have been broadly accepted by the Planning Commission.

**Shri Sham Lal Saraf:** What is the target in the fourth Plan?

**Shri Alagesan:** I would like to have notice. A study of the various products and the quantum have been given in the report made by the working group. I can give some idea.

**Mr. Speaker:** When he has said that he wants notice, he need not proceed further.

**Shri Alagesan:** I was trying to give some figures.

**Mr. Speaker:** Shrimati Tarkeshwari Sinha.

**Shrimati Tarkeshwari Sinha:** May I know whether any project report has been prepared to consolidate and co-ordinate the programme of petro-chemical industries and, if so, may I know what proportion of indigenous machinery and raw materials would be available in the country to be utilised in this industry?

**Shri Alagesan:** I am unable to answer it now. As soon as the specific industries have been taken up, it will be time for the detailed project reports to be prepared.

**Shri P. R. Patel:** In Gujarat, the oil refinery will be working very shortly. I want to know what efforts have been made to establish petro-chemical industries there in the private and public sectors?

**Shri Alagesan:** I answered this while answering the previous question. Three parties have shown willingness to collaborate with us and we are having talks with them on the various aspects.

**Shri D. N. Tiwari:** May I know whether this tentative allotment of Rs. 121 crores includes petro-chemical industries at Barauni also?

**Shri Alagesan:** Certainly some schemes have been taken in Barauni and this allocation includes that.

**Dr. Ranen Sen:** Just now the minister said that Rs. 44 crores will be spent for the State sector and Rs. 77 crores for private sector for these petro-chemical industries. May I

know what would be the percentage given to the State sector, of the foreign exchange that will be required for this?

**Shri Alagesan:** The foreign exchange component also I have indicated in my reply. The break-up of the foreign exchange between the private sector and public sector is not available with me just now.

**श्री श्रीवार साल बेरवा :** मैं यह जानना चाहूंगा कि राजस्थान में जो जैमलमेर में पेट्रोल के लिए सर्वे किया गया था, और जो वहां निकला है, इस योजना में उसके लिए कितना लक्ष्य रखा गया है ?

**पेट्रोलियम और रसायन मंत्री (श्री हुषायन कबिर) :** अभी तो वह काम चल रहा है इसलिए उस के बारे में कुछ नहीं कहा जा सकता ।

**Shri P. C. Borooah:** May I know on what considerations the State of Assam has been excluded from having any petro-chemical industry, when more than 50 million cubic feet of natural gas is flared there daily?

**Shri Humayun Kabir:** My hon. friend is not correct Assam has not been excluded. In fact, at one stage, we did issue a licence for a petro-chemical industry there. That did not materialise. Even now studies are in hand for using some of the natural gas there?

**Shri Shivaji Rao S. Deshmukh:** Are the government in a position to assure the Parliament and the nation that in the event of the threatened oil embargo, we will be in a position to run the essential services and plants which require oil and oil products?

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

**Shri P. Venkatasubbalah:** May I know whether the government has taken into consideration the backlog in the third Plan so far as the utili-

sation of the amount allotted for petro-chemical industries is concerned and if so, what is the position in the fourth Plan?

**Shri Alagesan:** There has been no backlog. In fact, when the third Plan was prepared, there was no allocation made for this, but in spite of that, we have licensed several big petro-chemical units in the private sector.

#### Fertilizer Plant at Mangalore

- +
- \*778. { **Shri Surendra Pal Singh:**  
**Shri Raghunath Singh:**  
**Shri D. C. Sharma:**  
**Shri Basappa:**  
**Shri M. L. Dwivedi:**  
**Shri H. C. Linga Reddy:**

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether Government propose to set up a fertilizer plant at Mangalore; and

(b) if so, whether any progress has been made in this regard?

**The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan):** (a) and (b). The question of locating a fertilizer plant at Mangalore is under examination. The Fertilizers and Chemicals, Travancore Limited have been asked to prepare a feasibility report.

**Shri Surendra Pal Singh:** Before the Government asked this Kerala firm to prepare the feasibility report, is it a fact that they had received a number of offers for foreign collaboration which were subsequently turned down? If so, may I know why those offers were turned down?

**Shri Alagesan:** No, Sir; on the other hand the parties which were licensed or to whom the letters of intent were given, did not show any interest and they could not get collaborators. So, we had to wait for a long time and we got none. There has been no occasion when an offer was made and we turned down that offer.

## STATEMENT

**Shri Surendra Pal Singh:** What are the financial implications of this project?

**Shri Alagesan:** That would be too early to say.

**Shri Raghunath Singh:** May I know whether any survey has been made about the availability of raw materials in Mangalore or Mysore State?

**Shri Alagesan:** If this fertiliser plant is set up, it will be based on naphtha, which will be derived from the Cochin refinery.

**Shri Basappa:** May I know whether the Government of Mysore has come forward to give all the necessary facilities for starting a fertiliser factory at Mangalore and if so, whether any action will be taken in that regard?

**Shri Alagesan:** Mysore Government is very anxious to have a plant and they will be willing to give all the facilities. The trouble is, some of the parties recommended by them are not so willing.

**Shri Basappa:** A number of collaborators have come forward.

**Shri Alagesan:** He may give me the names of those collaborators. Our information is there are none.

### Crime in Delhi

\*779. **Dr. L. M. Singhvi:** Will the Minister of Home Affairs be pleased to state:

(a) whether the crime figures for the last six months in respect of the Union Territory of Delhi have shown an upward trend;

(b) if so, the nature of crimes that were on the increase; and

(c) the measures taken by Government/Administration in this regard?

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

(a) and (b). There has been some increase in reported cases of dacoity, murder, attempt to murder, robbery, burglary, theft and miscellaneous offences under the I.P.C. and Local and Special Laws during the last six months (upto 31-8-1965) as compared to the corresponding period of 1964.

(c) Measures taken to keep the incidence of crime under control.

- (i) Activities of goondas and other anti-social elements are kept under check by stringent surveillance. Provisions for certain Sections of the Bombay Police Act 1951 have also been extended to Delhi to control the activities of anti-social elements.
- (ii) Beat patrolling has been strengthened.
- (iii) Surprise checks by senior officers, including the I.G.P. and D.I.G are made with a view to keep the Police Station Staff on the alert.
- (iv) A short course of training in modern methods of investigation has been recently organised in the Crime Branch of the Delhi Police. Upper Subordinates who have to deal with investigation work are put through this course.
- (v) A second post of D.I.G. Police has been created to ensure closer supervision and direction from the higher level.
- (vi) Setting up a Forensic Science Laboratory is under active consideration.

**Dr. L. M. Singhvi:** Would the government be in a position to tell the House the overall increase in the incidence of crime in Delhi and also the main reasons leading to it?

**Shri L. N. Mishra:** There has not been much increase in the number of crimes this year as compared

to last year or the year 1963. I shall give some figures for this year and for the corresponding period last year:

	1964	1965
Dacoity	Nil	1
Murder	38	41
Robbery	34	36
Riots	43	43
Burglary	813	853
Miscellaneous	2419	2597

It is not that crime has increased. But the point is we have launched a crime registration drive and we have made a sustained drive for registration of crimes. That is the reason why there has been some increase in the figures.

**Dr. L. M. Singhvi:** Is the government in a position to say that there has been an emergence of new type of crime and new techniques in committing crime and that the investigating methods lack a great deal in scientific approach and that is why the crimes are not detected so successfully and brought home?

**Shri L. N. Mishra:** The assumption of the hon. member is not correct. He might have seen that we are improving the techniques of investigation also. We do not think there has been any new device for committing crimes.

**श्री बागड़ी :** दिल्ली में जूमों की तादाद में बढ़ती होने का क्या यह कारण नहीं है कि दिल्ली के अन्दर जो एन्टी-कॉन्ट्रिब्यूटिव आफिसर हैं वे बहुत पुराने यहां पर नये हुए हैं और वह इस तरह से घिस गये हैं कि इस मशीन के अन्दर वह ठीक तरीके से काम नहीं कर पा रहे हैं ?

**श्री ल० ना० मिश्र :** जो माननीय सदस्य कर रहे हैं वह सत्य नहीं हैं क्योंकि यहां के प्रकमरान बहुत अच्छे ढंग से काम कर रहे हैं। वे कोई भी घिस नहीं गये हैं वे बहुत तगड़े हैं और अपना काम अच्छे तरीके

से करते हैं अगर माननीय सदस्य अन्य शहरों के अपराधों से दिल्ली के अपराधों की तुलना करेंगे तो पायेंगे कि दिल्ली की हालत बहुत अच्छी है।

**श्री बागड़ी :** आक अच्छी है, ट्रैफिक

अध्यक्ष महोदय : आर्डर, आर्डर।

11.00 hrs.

#### SHORT NOTICE QUESTIONS

#### Rationing of Petrol and other Motor Oils

**S.N.Q. 8. Shri Hari Vishnu Kamath:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether Government propose to ration, for civilian consumption, petrol and other motor oils which are increasingly needed for the armed forces;

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

(c) if not, the reasons therefor?

**The Minister of Petroleum and Chemicals (Shri Humayun Kabir):** (a) to (c). Government will take all steps, including rationing if necessary, to ensure that the Defence Services receive their full requirements of petroleum products.

**Shri Hari Vishnu Kamath:** Is there any truth in certain press reports that the Iranian Government has imposed an embargo on the supply of

oil to India and, whatever be the position with regard to that, is the Minister in a position to firmly and categorically state that, notwithstanding the likely pressure tactics of certain foreign countries and certain foreign oil companies operating in India, India's war effort will not be hampered or hamstrung due to shortage of oil; if so, may I know what are the measures with regard to that?

**Shri Humayun Kabir:** My hon. friend has seen certain press reports but he has not seen the categorical denial of the Iranian Ambassador that such press reports are completely unfounded. So far as the requirements of the defence forces are concerned, we have already said that steps have been taken to ensure that there shall be no short supply.

**Shri Hari Vishnu Kamath:** Do the ministers propose to set an example to the rest of the country by cutting down travel and touring in their cars to the minimum and, while in Delhi instead of each minister using a separate car, travel in threes and fours to office and back home?

**Mr. Speaker:** It is a suggestion.

**Shri Hari Vishnu Kamath:** No, Sir; may I know....

**Mr. Speaker:** It is a good suggestion and they will consider it.

**Shri Hari Vishnu Kamath:** Do they propose to do it? It is not a suggestion, Sir.

**Mr. Speaker:** It is a suggestion for them to do that.

**Shri Hari Vishnu Kamath:** I have not suggested. I have asked whether they propose to do that.

**Mr. Speaker:** It is a suggestion only (Interruption).

**Shri S. M. Banerjee:** Sir, apart from the answer given by the hon. Minister that the defence forces will not suffer because of any shortage of oil, I would like to know whether

adequate steps have been taken to see that kerosene oil is also available to the ordinary consumers because even today in places like Delhi a full tin is available but a bottle is not available; if so, may I know what steps have been taken by the Government to see that everyone gets kerosene?

**Shri Humayun Kabir:** This was discussed at length the other day.

**Shri S. M. Banerjee:** After we discussed the prices have increased.

**Shri Humayun Kabir:** The position is that Delhi has a larger supply today than at any time in the past, and the Civil Supplies Department of Delhi even today has issued a statement saying that supplies have been made available. However, certain steps may have to be taken if the situation demands it.

**Shri S. M. Banerjee:** What about the prices?

**श्री रामसेवक यादव :** सप्लाई काफी है या काफ़ी नज़ी है उस का प्रश्न नहीं है । प्राइस बहुत बढ़ गयी है ।

**अध्यक्ष महोदय :** माननीय सदस्य यह बंटे बंटे सवाल क्यों कर लिया करते हैं ?

**श्री रामसेवक यादव :** इजाजत नहीं मिलती तो क्या करे ?

**अध्यक्ष महोदय :** उन को उस के लिए खड़े होकर इजाजत मांगनी चाहिए थी ।

**श्री रामसेवक यादव :** एक दफ़े खड़ा हुआ लेकिन इधर नहीं देखा गया ।

**अध्यक्ष महोदय :** तो आप दुबारा खड़े होते ।

**श्री रामसेवक यादव :** दूसरी बार मैंने कोशिश की लेकिन धारा दूतरे पर चले गये थे ।

**अध्यक्ष महोदय :** अब यह तो जरूरी नहीं है कि उन्हें हर एक क्वेश्चन पर बोलने

का मौका मिल जाय। वे अगर सवाल करना चाहते हों तो उन्हें खड़े होकर पूछना चाहिए लेकिन बैठ बंटे सवाल करने की इजाजत तो मैं नहीं दे सकता।

**श्री बागड़ी :** अब अगर बार-बार उठने पर भी मंत्रियों को सवाल पूछने का मौका नहीं मिलता है तो वे अपनी बात फिर कैसे कह सकेंगे ?

**अध्यक्ष महोदय :** लेकिन वे ऐसे बैठे-बैठे नहीं कह सकते।

**Shri Humayun Kabir:** I was stating that there is no shortage of supply. The price has, of course, increased but that is on account of the recent duties which were imposed and which were recoverable from the public. I would only add that if the situation does not improve at some stage there may be some curb on the consumption of kerosene by the civilian population. That will depend upon the situation.

**Shri Shivaji Rao S. Deshmukh:** Over and above the Minister's repetition of the emphatic denial of the Iranian Embassy, which is very well understood, I would still like to know whether he has made any assessment of the requirements of the armed forces while they are engaged in a near war and, if so, is he in a position to meet those requirements?

**Shri Humayun Kabir:** The question has already been answered. The requirements of the defence forces shall be met in full.

**Shri Joachim Alva:** The hon. Minister has cautioned the House about petrol rationing. May I know whether he has taken into account the possible heavy blackmarketing in coupons? Has he alerted the States?

**Shri Humayun Kabir:** We have asked the State Governments to take the necessary measures. Those steps which will become necessary will be put into effect.

**श्री मधु सिन्घे :** जब पेट्रोलियम मंत्री के वक्तव्य पर बहस हो रही थी तो मंत्री महोदय ने कहा था कि उपनिधि का कोई सवाल नहीं है उपनिधि तो इस साल ज्यादा है लेकिन हर जगह से रिपॉर्ट आ रही है, उद्दीर से खबर आ रही है, मैं बिहार गया था और वहां भी खबर मिली कि कृषि भी किरासीन देहता जनता को और गरीब जनता को नहीं मिल रहा है तो उस के बारे में सरकार क्या इंतजाम कर रही है मैं जानना चाहता हूँ ?

**Shri Humayun Kabir:** I have answered this question also. It is the responsibility of the Central Government to reach the supplies to the States. After that, the distribution is the responsibility of the States and not of the Centre.

**श्री सरजू पाण्डेय :** मंत्री जी ने बताया कि अगर जरूरत पड़ेगी तो मिट्टी के तेल की राशनिंग कंज्यूमर्स के लिए की जाएगी तो मैं जानना चाहता हूँ कि यह बीन लॉग मिट्टी का तेल चुरा लेते हैं दबा लेते हैं जिसके लिए घाप राशनिंग कर रहे हैं ताकि कंज्यूमर्स को तेल मिल सके ?

**Shri Humayun Kabir:** I stated that if the defence requirements increase then we may have to curb the civilian consumption of kerosene. That will be done according to plan.

**श्री रामसेवक दाबब :** मंत्री महोदय ने कहा कि केन्द्रीय सरकार की केवल यह जिम्मेदारी है कि पर्याप्त मात्रा में तेल का कोटा सुलभ कर दे बाकी उस के वितरण की जिम्मेदारी राज्य सरकारों की है, तेल के वितरण की जिम्मेदारी केन्द्रीय सरकार की नहीं है तो मैं जानना चाहता हूँ कि जो मौजूदा स्थिति है किरासीन के दाम बढ़ रहे हैं और लोगों को मिट्टी का तेल नहीं मिल रहा है तो उस के लिए घाप राज्य सरकारों पर क्या दबाव डाल रहे हैं और क्या उस के लिए कोई मशीनरी तैयार करने जा रहे हैं ?

**Shri Humayun Kabir:** There is the Kerosene Price Control Order. We



have suggested to the State Governments that in cities the sale of kerosene may be restricted on the basis of sugar or other ration cards and that in rural areas it may be distributed through institutions like panchayats or co-operative societies. But this is, I would again submit, essentially a responsibility of the State Government and not of the Central Government.

**श्री प्रकाशवीर शास्त्री :** संकटकाल में राज्य सरकारों के अधिकार केन्द्रीय सरकार ने अपने हाथ में ले रखे हैं ऐसी स्थिति में केन्द्रीय सरकार यह कैसे कह सकती है कि वह राज्य सरकारों का दायित्व नहीं ले सकती और इस प्रकार से केन्द्रीय सरकार अपनी जिम्मेदारी से क्यों बचना चाहती है ?

**Shri Humayun Kabir:** My hon. friend does not obviously understand the Constitution. The Constitution has laid down certain duties for the State Governments and certain duties for the Central Government which cannot be violated.

**श्री मधु लिमये :** वह संकटकालीन स्थिति के बारे में पूछ रहे हैं ।

**Shri Frank Anthony:** The Minister has talked repeatedly of State Governments. Is it not a fact that in Delhi there is a flourishing black-market in kerosene and unlimited amounts of kerosene can be had at Rs. 25 instead of Rs. 10 a tin?

**Shri Humayun Kabir:** Here again the primary responsibility is of the Delhi Administration . . . (Interruptions).

**Shri Hari Vishnu Kamath:** He is wholly ignorant.

**Mr. Speaker:** Let him complete the answer. Yes, the hon. Minister.

**Shri Humayun Kabir:** I repeat, it is the responsibility of the Delhi Administration, and the Chief Commissioner of Delhi as well as the Civil Supplies Department have publicly

stated that they have adequate supplies.

**Mr. Speaker:** Shri Nath Paj.

**Shri Hari Vishnu Kamath:** On a point of order. Irrespective of what he said in the latter part of the answer, he said in the former part, that it was the responsibility of the Delhi Administration. Is it not a fact that the Delhi Administration is under the control of the Centre? Is it not a fact that the responsibility of the Delhi Administration lies with the Central Government itself?

**श्री मधु लिमये :** मेरा व्यवस्था का प्रश्न है ।

**डा० राम मनोहर लोहिया :** मेरा व्यवस्था का प्रश्न है । प्राप किसी भी मंत्री को यह अधिकार कभी मत दीजिए कि उस की मातहत में जो सरकारी नौकर हो, उस की जिम्मेदारी से वह अपने को बरी कर लिया करे । दिल्ली में जो भी सरकारी नौकर हैं, वे इन लोगों की मातहत में हैं । ऐसा जवाब निहायत गन्दा जवाब है, यह मैं प्राप के मुंह से सुनना चाहता हूँ ।

**अध्यक्ष महोदय :** क्या माननीय सदस्य मेरे मुंह से गन्दा जवाब सुनना चाहते हैं ?

**डा० राम मनोहर लोहिया :** मैं प्रापके भले मुंह से यह सुनना चाहता हूँ कि मंत्री ने बहुत गन्दा जवाब दिया है ।

**Shri H. N. Mukerjee:** The Minister has tried to take shelter in his earlier answers behind the proposition that the State Governments are responsible and the Central Government has no responsibility in the matter of distribution of kerosene oil in the States. When the question referred to Delhi he began by disowning all responsibility and when you asked him again to clarify the position, all that he said was that the Delhi Administration had given a certain statement to the press. My point is that since this matter, the administration of Delhi, being the responsi-

bility of the Centre, and my hon. friend the Minister of Petroleum and Chemicals being a member—jointly, I hope—of the Cabinet which runs the Delhi Administration, it should have been his duty to give a specific answer in regard to the Centre's duty in performing its responsibility.

**Dr. L. M. Singhvi:** It is evident that this matter has been discussed before. You would recall that when the ex-Minister of Irrigation and Power, Hafiz Mohammad Ibrahim, was the Minister, this matter was discussed in considerable detail in this House and it has never been the question that the functions of the delegate are not the responsibilities of the authorities that delegate the responsibility. The Delhi Administration is a delegate of the Central Government and, therefore, it cannot be claimed by the Minister that it is not his responsibility and that it is the responsibility only of the Chief Commissioner. This matter has been settled.

**Shri Kapur Singh:** I wish to say that by the attitude which the hon. Minister has taken of disclaiming all responsibility for the state of affairs of the sale of kerosene oil he is trying to introduce the doctrine of split and disseparate responsibility into the Government, which is repudiative of the very bases of the Constitution and the Government under which we are governed here.

**Shri D. C. Sharma:** He has spoken very wrong English.

**Mr. Speaker:** I could not follow whether he is wrong in so far as facts were concerned or there is a grammatical mistake.

**Shri D. C. Sharma:** I refer to both.

**Shri Kapur Singh:** I could not comprehend what the hon. Member has said.

**Shri Shivaji Rao S. Deshmukh:** At the outset I must confess that this matter is not so simple as it outwardly looks. I must say that it is not part

of the Chair's job to answer questions raised on the floor of the House or to substitute what should be the answer for them; but it is certainly part of the Presiding authority's functions to ensure that questions raised on the floor of the House are adequately answered. For instance, in reply to my question, which specifically asked whether the Government had made any assessment of the consumption of the armed forces at a rapid war rate, the Minister said that it had been replied to; yet, in the next breath he said that if the consumption increased, they would think of rationing.

So, this obviously means that they have not made any assessment.

**श्री मधु लिमये :** अध्यक्ष महोदय, सबसे पहले मैं खड़ा हुआ था, लेकिन आप ने मेरी बात नहीं सुनी ।

**अध्यक्ष महोदय :** माननीय सदस्य श्री धर्मेनी बात कहें ।

**श्री मधु लिमये :** मैं ग्राम का ध्यान संविधान की धारा 353 की धोर खींचना चाहता हूँ । अभी मंत्री महोदय हम लोगों को संविधान के बारे में कुछ सिखाना चाहते थे । इस में दिल्ली का तो कोई सबाल नहीं है । जैसा कि माननीय सदस्य, डा० राम मनोहर लोहिया, ने कहा है, वह तो सीधा केन्द्र के मातहत आता है । जहाँ तक राज्यों का सबाल है, धारा 353 में साफ साफ लिखा हुआ है कि जब संकट-कालीन स्थिति रहनी है, तब केन्द्रीय सरकार को राज्य सरकारों को निदेश देने का अधिकार प्राप्त है । इस स्थिति में अगर केन्द्रीय सरकार जीवन की आवश्यक चीजों के वितरण आदि के बारे में राज्य सरकारों को निदेश देने के लिए नैपार नहीं है, तो उस का साफ मतलब होता है कि संकटकालीन स्थिति अर्थात् हीन है और केन्द्रीय सरकार अपने कर्तव्यों का पालन नहीं कर रही है ।

**अध्यक्ष महोदय :** जहाँ तक निदेश देने का सबाल है, केन्द्रीय सरकार जब मुतासिब

समझे, तब दे। यह जरूरी नहीं है कि वह डिस्ट्रिब्यूशन भी साथ ले लें।

All the questions and points of order that have been raised relate only to one fact that when Delhi is a Union Territory, how can the Central Government deny its responsibility for any action done by the Administration of Delhi. I would like the Minister to clarify whether really that position still holds. (*Interruptions*).

Order, order. There might be a provision somewhere.

**Shri Nanda:** Sir, there can be no question at all regarding our responsibility for an area like Delhi which is Centrally administered and, therefore, every question has to be answered. Maybe, at the moment, there may not be enough information available. That is a different thing. I do not think my colleague said that he did not accept it but he referred to some declaration made, some announcement made, by the Delhi Administration. But our position regarding our responsibilities is absolutely clear.

**Mr. Speaker:** This is clear then that the responsibility is of the Centre. They have to answer all those questions that relate even to the distribution of essential commodities here. That is so far as this is concerned. Now, the only answer that came was that the civil authorities here have made it clear that they have abundant stores of this commodity.

**Shri Frank Anthony:** Is it not a fact that it is available in the black-market? That was my question.

**Mr. Speaker:** That is right. The Home Minister has said that the answer might not be ready at present. Then, I would request the hon. Minister to make up the deficiency and find out the facts and answer them or he may place a statement on the Table of the House as to what the actual position is.

**Shri Hari Vishnu Kamath:** When, today or tomorrow?

**Mr. Speaker:** Next Question. **Shri S. M. Banerjee:**

**Shri Priya Gupta:** In the present Emergency, is the distribution of kerosene oil in other parts of the country the prime object. . .

**Mr. Speaker:** Order, order. **Shri S. M. Banerjee.**

**Shri Priya Gupta:** You did not give any ruling. . .

**Mr. Speaker:** He should sit down now.

### Production in Ordnance Factories

**S.N.Q. 9. Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that production has increased to the maximum in ordnance factories;

(b) if so, to what extent;

(c) whether the defence employees and their organisation—the All India Defence Employees Federation have assured unconditional support to Government; and

(d) whether they have also decided to donate one day's salary towards National Defence Fund?

**The Minister of Defence Production in the Ministry of Defence (Shri A. M. Thomas):** (a) and (b). The Production in the Ordnance Factories is being maximised to meet the current pattern of requirements. It is not in the public interest to disclose the exact extent of the increase.

(c) and (d). Yes, Sir. The All India Defence Employees Federation have assured full support to Government in the defence effort and have also decided that the members of their affiliated Unions should donate one day's pay towards the National Defence Fund in October 1965.

**Shri S. M. Banerjee:** I would like to know whether it is a fact that

India has now reached a state of self-sufficiency in the matter of conventional weapons.

**Shri A. M. Thomas:** In the matter of arms and ammunitions, we are certainly on the road to self-sufficiency. We import very little.

**Shri S. M. Banerjee:** I would like to know whether it is a fact that arms and ammunition manufactured in ordnance factories and which we have used in the recent Pakistani aggression have proved to be thousand times better than the arms and ammunition supplied to Pakistan by America.

**Shri A. M. Thomas:** The effectiveness of our weapons has been proved.

**Shri Indrajit Gupta:** In view of the uncertainty which has arisen during the present conflict as to the future supplies of arms and ammunitions which we have been importing from America, England and other countries, may I know whether the Government is considering taking timely steps to increase the production in the ordnance factories of such items which we have hitherto been importing?

**Shri A. M. Thomas:** We have reviewed our requirements and proper steps are being taken.

**श्री बागड़ी :** क्या मैं जान सकता हूँ कि इस संगठन के प्रधान कौन हैं ?

**Shri A. M. Thomas:** Shri S. M. Banerjee.

**अध्यक्ष महोदय :** क्या आपने यह सवाल आप पूछा है या किसी ने आपसे कहा था तब आपने पूछा है ?

**श्री प्रकाशवीर शास्त्री :** मैं जानना चाहता हूँ कि क्या निजी उद्योगात्मियों ने भी अपनी फॅक्ट्रियाँ सरकार को इस काम के लिए देने का मुझसे दिया है कि अगर सरकार आवश्यक समझे तो हमारे कारखानों में भी लड़ाई के

लिए उपयोगी सामग्री तैयार कर सकती है, यदि हाँ तो क्या उन में से किसी फॅक्ट्रियों के उपयोग का भी विचार किया जा रहा है ?

**Shri A. M. Thomas:** Such offers are really pouring in and we are examining these requests and are also informing them suitably.

## WRITTEN ANSWERS TO QUESTIONS

### Dandakaranya Agricultural Rehabilitation Scheme

**\*780. Shrimati Jyotsna Chanda:** Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that the Dandakaranya Agricultural Rehabilitation Scheme has failed due to administrative defects;

(b) if so, what are those defects; and

(c) the steps taken to remove them?

**The Minister of Rehabilitation (Shri Tyagi):** (a) No Sir. Upto 30th June, 1965, 9868 families have been resettled in Dandakaranya, including 2362 families resettled during the last working season.

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

### Compulsory Retirement

**\*781. Shri J. B. S. Bist:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government are maintaining a list of Officers with unsavoury reputation;

(b) whether Government are also considering to ask such Officers for compulsory retirement rather than taking departmental action against them; and

(c) if so, the number of such persons as on the 1st August, 1965, class-wise?

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

(b) and (c). There is no such general proposal under consideration at present. In accordance with the existing rules Government has the powers to require an officer to retire at any time after he has completed 30 years qualifying service or after he has attained the age of 55 years, by giving him three months notice.

#### **Enquiry Committee on Imphal Firing**

\*782. { Shri Yashpal Singh:  
Shri Hem Barua:  
Shri Hari Vishnu  
Kamath:

Will the Minister of Home Affairs be pleased to refer to the statement made on the Calling Attention Notice on the 31st August, 1965 regarding the Police firing in Imphal and state:

(a) whether the High-powered Enquiry Committee has since been appointed; and

(b) if so, its personnel and terms of reference?

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

(a) and (b). Shri Asok Mitra, Additional Secretary, Planning Commission has been appointed to enquire into the following:—

- (i) the circumstances under which the Police resorted to firing on the 27th August, 1965 at Imphal; and
- (ii) whether or not the said firing was justified and necessary.

#### **Merger of Pondicherry**

\*783. Shri Hari Vishnu Kamath:  
Will the Minister of Home Affairs be pleased to state:

(a) whether Government propose to merge the constituent areas of the Union Territory of Pondicherry in the adjoining States of Madras,

Kerala and Andhra Pradesh respectively;

(b) if so, when; and

(c) if not, the reasons therefor?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):**  
(a) to (c). Government have no such proposal under consideration; nor has there been any demand for it.

#### **Hostile Attack in a Manipur Village**

\*785. { Shri P. R. Chakraverti:  
Shri Ravindra Varma:  
Shri P. Venkatasubbalah:  
Shrimati Renuka Barkataki:  
Shri P. C. Borooah:

Will the Minister of Home Affairs be pleased to state:

(a) whether a group of uniformed Baite tribal hostiles armed with automatic weapons raided the office of Thonlan Development Block in Manipur bordering upper Burma on the 7th June, 1965;

(b) whether these hostiles go under the name of the 'Chin Liberation Army' demanding the formation of a separate 'Chin' State;

(c) whether Government have agreed to extend the truce period recommended by Rev. Michael Scott; and

(d) how far it is true that the Naga underground leaders are deliberately indulging in delaying tactics to extend their sphere of activities?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) Yes, Sir. But it is not confirmed whether they had automatic weapons with them, though it is known that they had fire arms.

(b) It is believed that they did belong to an armed group styling themselves as 'Chin Liberation Army'.

(c) Government have not yet considered any further extension of the

period of cessation of operations which expires on the 14th October this year.

(d) It is true that the Naga hostiles have of late intensified their activities within the area covered by the cessation of operations agreement, and have also sought to extend them to sub-divisions outside that area. The Government of Manipur are taking firm preventive measures which would guarantee security to citizens.

#### Indians from Burma

\*786. { Shri P. C. Borooah:  
Shri Onkar Lal Berwa:  
Shri Gulshan:

Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that some of the Indians repatriated from Burma offered a Satyagraha near the residence of the Minister of External Affairs to demand expeditious rehabilitation of such refugees;

(b) if so, their precise demands; and

(c) Government's reaction thereto?

The Minister of Rehabilitation (Shri Tyagi): (a) Yes, Sir.

(b) Demands of the repatriates were that:

(i) they should be treated at par with the migrants from East Pakistan and be given all facilities admissible to them; and

(ii) they may be resettled in the Union Territory of Delhi.

(c) It is not the policy of Government to treat the repatriates from Burma at par with the migrants from East Pakistan as the circumstances of their repatriation from Burma are different from those of migration from East Pakistan. The repatriates in question went back to Uttar Pradesh on the 19th July, 1965. The Government of Uttar Pradesh have given

them cashdoles and are taking action for their rehabilitation.

"दी काइसिस थाफ इण्डिया" नामक पुस्तक

\*787. { श्री हरुम चन्द कछवाय :  
श्री बड़े :  
श्री जगज्जल सिंह :

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

(क) क्या यह सच है कि एक विदेशी लेखन श्री रोनाल्ड सेगल द्वारा लिखित पुस्तक "दी काइसिस थाफ इण्डिया" के पृष्ठ 79 पर छत्रपति शिवाजी को 'लूटेरा सरदार' 'एरावर चीफटेन' के रूप में दर्शाया गया है, जिसने 'एक साधारण लूटेरा साम्राज्य स्थापित किया "काउंटेड ए सिम्पल रीबर स्टेट" ; और

(ख) यदि हां, तो इस मामले में सरकार ने क्या कार्यवाही की है घबरा करने का विचार किया है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री ल० ना० मिश्र) : (क) जी हां ।

(ख) इस पुस्तक के प्रयास पर रतिग लगाने का प्रस्ताव विचाराधीन है ।

#### Black-list of Contactmen

\*788. { Shri Hari Vishnu Kamath:  
Shrimati Maimoona Sultan:  
Shri J. B. S. Bist:  
Shri Kajrolkar:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a "black-list" of certain contactmen of some business houses and industrialists, indulging in malpractices, has been prepared; and

(b) if so, the particulars thereof?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) A list of undesirable Contact-

men in Delhi has been prepared by the Central Bureau of Investigation.

(b) It is not in public interest to divulge the particulars thereof.

### Fishing Industry in Andamans

\*789. { Shri P. R. Chakraverti:  
Shrimati Jyotsna Chanda:

Will the Minister of Rehabilitation be pleased to state:

(a) whether Government have finalised a scheme of developing a big deep sea fishing industry with its principal base in the Andamans for giving employment to the East Pakistan refugees;

(b) whether the Danish Government have supplied a blueprint of the Plan; and

(c) whether the present plan provides for Cold Storage in the Andamans, refrigerated transport for shipments of catches and other ancillary facilities?

The Minister of Rehabilitation (Shri Tyagi): (a) A scheme for deep sea fishing has been drawn up as a part of the accelerated resource development programme for the Islands.

(b) No, Sir.

(c) Yes, Sir.

### Administrative Tribunals

\*790. { Shri P. C. Borooah:  
Shri P. R. Chakraverti:  
Shri D. J. Nalk:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Sub-Committee of the special consultative group of M.P.s on Administrative Reforms at its meeting held in July this year had expressed concern at the growth of departmental or administrative tribunals and recommended immediate study of the functioning of these tribunals by a Committee to ensure open, fair and impartial decisions in the quickest and cheapest manner; and

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

The Minister of State in the Ministry of Home Affairs (Shri Ha hl): (a) and (b). Y.s. Sir. The sub-committee did recommend the appointment of a committee by Government to examine the functioning of existing administrative tribunals and to go into the possibility of extending the system of tribunals to new areas of administration. But the Special Consultative Group decided that the sub-committee should itself undertake the suggested study. The sub-committee has, therefore, commenced the study.

एस० जे० टी० बी० अस्पत ल, दिल्ली में  
तरेदिक के एक रोगी की मृत्यु

\*791. { श्री हुकूम खां कछराय :  
श्री बड़े :  
श्री श्रींकार लाल बेरवा :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि 26 अगस्त, 1965 को रत्रि को मिनबर जुवनी टी० बी० अस्पताल दिल्ली, के द्वारा के बाहर तरेदिक के एक रोगी का शव खून से लथपथ पाया गया ;

(ख) यदि हां, तो क्या यह भी सच है कि उसही गर्दन के पास चाकू या ऐसी ही किसी वस्तु के द्वारा किये गये घाव पाए गये ; और

(ग) यदि हां, तो किन हालात में रोगी की मृत्यु हुई ?

गृह-कार्य मंत्रालय में उपमन्त्री (श्री ल० ना० मिश्र) : (क) हां (ख) जी हां ।

(ग) दिल्ली पुलिस द्वारा मामले की जांच की जा रही है ।

**Building for Kera'a Advocates' Association**

2586. Shri A. K. Gopalan: Will the Minister of Home Affairs be pleased to state:

(a) whether Government propose to build a new building for accommodating the Kerala Advocates' Association and its Library;

(b) whether Government have received any representation from Advocates in this regard; and

(c) the action Government propose to take in this matter?

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

(b) Yes, Sir.

(c) The Association suggested construction of a building costing about Rs. 3.5 lakhs. This suggestion was considered by the Government and it was decided that the proposal being of a non-developmental nature might wait till a later date. However, improvements to the existing building have been carried out.

**Overcrowding in Sub-Jail Viyyoor**

2587. Shri A. K. Gopalan: Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 2706 on the 28th April, 1965 and state:

(a) whether overcrowding in the special sub-jail, Viyyoor has been remedied;

(b) whether the remodelling of the rooms has been completed; and

(c) if not, the reasons therefor?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) There is no overcrowding in the Special Sub-Jail, Viyyoor.

(b) No Sir.

(c) Instructions have been issued to the authorities concerned to speed up and complete the work of remodelling of the rooms as early as possible.

**Low Income Group Housing Schemes in Kerala**

2588. Shri A. K. Gopalan: Will the Minister of Home Affairs be pleased to state:

(a) whether the Kerala Administration have formulated rules for the construction of buildings for the low income group in Kerala;

(b) if so, the main features thereof;

(c) whether individuals can get loans and construct buildings according to their own plans; and

(d) if not, the reasons therefor?

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

(a) A scheme known as "Low Income Group Housing Scheme" is being implemented in the State. Under this Scheme, Government do not undertake construction of houses but loans are given to eligible individuals, co-operatives of eligible individuals and local bodies or constructing houses for their low-paid staff.

(b) Main features of the Scheme.

1. Loans will not be advanced to construct houses costing above Rs. 12500/-.

2. The maximum amount of loan to an individual will be limited to Rs. 10,000 per house or 80 per cent of the value of the house and the house site, whichever is less.

3. Loan shall not be advanced to a person who owns a house.

4. The accommodation to be provided in each house built under the scheme should not be less than 220 sq. ft. or more than 1200 sq. ft. of floor area. Each House should have an independent bath room and water-borne type latrine.

5. The loan is repayable in 30 years. The present rate of interest chargeable is 5½ per cent per annum.



6. Every person to whom loan is sanctioned will have to execute a mortgage bond in favour of Government.

7. The maximum amount that will be sanctioned to an individual corresponding to his income will be limited as follows:

Annual Income				Maximum Loan	
Upto Rs.	1201	.	.	Rs.	4000
	1201—1800	.	.	"	5500
	1801—3000	.	.	"	7000
	3001—4200	.	.	"	8500
	4201—6000	.	.	"	10,000

8. Loans are sanctioned by the District Collector concerned.

(c) and (d). Yes Sir, subject to limitation on floor area and the cost of the house.

#### Students in States

2589. Shri Hem Raj: Will the Minister of Education be pleased to state:

(a) the number of Matriculates, Intermediates, Graduates and Post-Graduates who have passed their Examinations in the year 1965 in the various States (State-wise); and

(b) the number and percentage of those who have entered for higher studies?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):

(a) The latest and corrected all India information is contained in the statement laid on the Table of the House. [Placed in Library. See No. LT-4928 (1)/65].

(b) This information is not available. But information regarding enrolment in the first year of the subsequent classes for 1961-62 is contained in the statement laid on the Table of the House. [Placed in Library. See No. LT-4928(ii)/65].

#### ग्रन्थालय साहित्य

2590. श्री उषा प्र० उद्योतिनी : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सब है कि देश में इस समय बहुत सा ग्रन्थालय, निम्न क्रांति का तथा

कामोत्तेजक साहित्य बिक रहा है, जहाँ युवकों तथा किशोरों के चरित्र तथा जीवन पर बहुत बुरा प्रभाव डाल रहा है ;

(ख) क्या देश के अनेक उत्तरदायी व्यक्तियों एवं संस्थाओं ने इस प्रकार के साहित्य के आयात और रचना पर कड़ा प्रतिबन्ध लगाने की मांग की है ; और

(ग) यदि हाँ, तो इस सम्बन्ध में सरकार क्या कार्यवाही कर रही है ?

गृह-कार्य मंत्रालय में उपमन्त्री (श्री ल० ना० मिश्र) : (क) और (ख). कुछ प्रश्लील साहित्य की बिक्री सरकार के ध्यान में आई है और ऐसे साहित्य के खिलाफ कुछ अभ्यावेदन भी प्राप्त हुए हैं ।

(ग) राज्य सरकारों से समय-समय पर अनुरोध किया गया है कि वे इस बारे में कड़ी निगरानी रखें और इस बुराई को कड़ाई के साथ दबा दें । भारत सरकार भी इस विषय में कानून को सख्त बनाने की सम्भावना पर समन्वय कर रही है ।

#### Archaeological Survey near Indo-Tibetan Border

2591. Shri Narendra Singh Mahida: Will the Minister of Education be pleased to state:

(a) whether a party consisting of Superintendent of Archaeological Survey of India, North-Western Circle has recently gone to make a survey of wall paintings and murals in the monasteries of Ki and Tobe in Spi-ti sub-division near Indo-Tibetan border;

(b) whether the survey has been undertaken in order to determine ways and means to preserve these valuable paintings and to make copies of artistically significant paintings; and

(c) if so, whether the experts have examined the paintings and made recommendations both in the matter of preservation and copying?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) Yes, Sir; the Superintendent, Archaeological Survey of India, North-Western Circle, was one of the party.

(b) Yes, Sir.

(c) The paintings have been examined and detailed report is awaited.

#### **'Identikit' System**

2592. { Shri Ram Harkh Yadav:  
Shri Murl Manohar:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government propose to start the 'Identikit' System of Police investigation by drawing pictures of absconding criminals from the description of wanted men provided by eye-witnesses;

(b) if so, the details thereof; and

(c) whether Government are seeking the help of the Scotland Yard (U.K.) in the matter?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) No, Sir.

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

**Liberalisation of Rules re. family allowances, etc. to Detenus**

{ Shri Kolla Venkalah:  
Shri Laxmi Dass:  
Shri Dinan Bhattacharya:

Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 281 on the 18th August, 1965 regarding the hunger-strike by detenus in Tinar Jail and state:

1436(A) LSD—3.

(a) whether any decision regarding liberalisation of the rules under which the family allowances, interviews, etc. are granted to the Communist detenus has been taken;

(b) if so, the details thereof; and

(c) the aspects in which the rules are to be liberalised?

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

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

#### **Old Temple Found in Andhra Pradesh**

2594. **Shri Narendra Singh Mahida:** Will the Minister of Education be pleased to state:

(a) whether an all-stone structural temple believed to have been built under the patronage of the Vaidumbas has been located at Kalakada in Chittoor District of Andhra Pradesh; and

(b) whether Government propose to declare it a preserved monument and take care of the temple as it is said to be a land-mark in the regional milieu of early structural stone temples of the post-Pallava period?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) Yes, Sir.

(b) The matter is under consideration.

#### **Excavations in U.S.S.R.**

2595. **Shri Narendra Singh Mahida:** Will the Minister of Education be pleased to state:

(a) whether an 11-metre sculpture of a sleeping Buddha, more than 300 well-preserved sculptures and admirable frescoes have been unearthed in Dushanbe in the Soviet Union;

(b) whether excavations have been under way for sometime on the Adjintepe Hill in Dushanbe which has

beneath it the ruins of a Buddhist monastery of the late 6th and early 7th centuries A.D.; and

(c) if so, whether the Indian archaeologists had visited the area under excavation and what is their report thereon?

The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis): (a) to (c). Yes, Sir. A clay sculpture of lying Buddha estimated to be 12-metres in size, paintings, frecoes and some other sculptures, the exact number of which is not yet known, have been found in Adjin Tapa Hill near Dushanbe.

The Buddhist Monastery, estimated to belong to the 6th to 8th Century A.D., has also been excavated.

The reports of the Indian archaeologists, who visited the site, are still awaited.

#### Hamycin and Chlortetracycline Hydrochloride

2598. { Shri Subodh Hansda:  
Shrimati Savitri Nigam:  
Dr. P. N. Khan:  
Shri S. C. Samanta:  
Shri M. L. Dwivedi:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether any order has been received from foreign countries for Hamycin and Chlortetracycline Hydrochloride for export to these countries;

(b) if so, from which countries; and

(c) the steps taken to meet the orders and whether the Hindustan Antibiotics has started production of these medicines?

The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagasan): (a) to (c). Hindustan Antibiotics Ltd., have finalised agreements to be concluded with firms in

U.S.A., France and Mexico in connection with the exploitation of Hamycin. The proposed agreements envisage sale of Hamycin and payment of royalty on sales outside the country. Hamycin and Chlortetracycline hydrochloride are being manufactured at Pimpri and the possibilities of exporting Chlortetracycline hydrochloride and other products are being examined by the Company.

#### Oil Exploration in Punjab

Shri Bagri:  
Shri Hem Raj:  
2599. Shri Daljit Singh:  
Shri A. N. Vidyalkar:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether Government have made any survey for exploring oil in the State of Punjab during the last three years;

(b) if so, the broad features thereof; and

(c) the results achieved so far?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):  
(a) Yes, Sir.

(b) Geological survey was continued in the foot-hill areas and seismic survey in some interesting areas. Gravity, magnetic and seismic surveys had been carried out in the Plains adjoining the foot-hills. One deep well was drilled and another spudded.

(c) Results indicate the need for further investigation.

#### Petroleum found in a Well in Punjab

2600. Shri Bagri: Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that in a village, Katwal, Rohtak District in Punjab, Petroleum was found while digging a well during the year 1963;

(b) if so, whether Government have asked for some experts' opinion in the matter; and

(c) if so, the details thereof?

**The Minister of Petroleum and Chemicals (Shri Humayun Kabir):** (a) No such information in respect of village Katwal is available with the Oil and Natural Gas Commission. Two water samples from villages Hasangarh and Kansala were received in August, 1962 but on analysis showed no indication or trace of oil.

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

#### Maternity Leave to Delhi Teachers

**2601. Shri Bagri:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that no leave substitute arrangements are made when women teachers proceed on maternity leave in Government schools in Delhi; and

(b) if so, the arrangements being made for conducting the classes regularly in their absence?

**The Minister for Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) No, Sir.

(b) Does not arise.

#### Oil-bearing Areas near Calcutta

**2602. Shrimati Savitri Nigam:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether some oil-bearing areas have been found near Calcutta; and

(b) if so, the details thereof?

**The Minister of Petroleum and Chemicals (Shri Humayun Kabir):** (a) and (b). Exploration is still in progress.

#### Fees of Students in Delhi

**2603. { Shri Marandi:  
Shri Uttiya:**

Will the Minister of Education be pleased to state:

(a) whether it is a fact that there is a disparity in the amount of fee payable by the male and female students in the capital; and

(b) if so, the reasons therefor?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) Yes in the IX, X and XI classes.

(b) For encouraging girls' education, the girls in these classes are required to pay less fees than boys.

#### Gujarat Refinery

**2604. Shri Yashpal Singh:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that the construction cost of the Gujarat Refinery Works has gone down on account of use of indigenous materials;

(b) if so, by how much it has gone down; and

(c) whether India is now in a position to construct a Refinery without any outside help?

**The Minister of Petroleum and Chemicals (Shri Humayun Kabir):**

(a) Yes, Sir.

(b) It is not yet possible to specify the amount of saving due to use of indigenous material alone but the cumulative effect of advance and careful planning, the preparation of working drawings in India, the maximum use of indigenous equipment and material under competitive conditions has been a reduction in the estimated cost of the project by about Rs. 3 crores.

(c) Not yet.

न्यायालयों में लम्बित मुकदमे

(ख) 69,111

2605. श्री विश्वनाथ पाण्डेय : क्या

(ग) 1963 3,283

गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

1964 . 4,068

(क) पिछले तीन वर्षों में इलाहाबाद उच्च न्यायालय द्वारा प्रत्येक वर्ष कितने मुकदमे निबटारे गये ;

(घ) 2,383

# Students' Enrolment in U.P.

(ख) 31 जुलाई, 1965 को वहां पर कितने मुकदमे अनिर्णित पड़े थे ;

2606. { Shri Vishwa Nath Pandey:  
Shri Kindar Lal:

Will the Minister of Education be pleased to state:

(ग) सर्वोच्च न्यायालय द्वारा गत दो वर्षों में, प्रत्येक वर्ष कितने मुकदमे निपटाये गये ; और

(a) whether the national target of enrolment of students in the age group of 6-11 and 11-14 would be achieved in Uttar Pradesh at the end of the Third Plan period; and

(घ) 31 जुलाई, 1965 से वहां पर कितने मामले लम्बित थे ?

(b) if not, the reasons therefor?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हाथी)

The Deputy Minister in the Ministry of Education (Shrimati Soundararam Ramachandran): (a) The percentage of enrolment in Uttar Pradesh by the end of Third Plan in the age group 6-11 and 11-14 is expected to be achieved as follows:

वर्ष	संख्या
(क) 1962	27,653
1963	27,925
1964 .	31,176

## Age-group

## Enrolment

6-11 U.P.

Boys	Girls	Total
100	54	78

India

95	61	78
----	----	----

11-14 U.P.

40	9	25
----	---	----

India

46	17	32
----	----	----

(b) Paucity of funds and personnel (e.g. women teachers) required for providing additional classes or schools account for most of the slow progress of enrolment.

to the State Governments to bring uniformity in the salaries of Sanskrit teachers and teachers of other languages; and

## Salaries of Language Teachers

2607. Shri Vishwa Nath Pandey: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 2731 on the 28th April, 1965 and state:

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

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes, Sir.

(a) whether it is a fact that the Central Government have suggested

(b) A statement is laid on the Table of the House. [Placed in Library. See No. LT-4929[65].

**Representation of Kuki National Assembly**

2608. { Shri P. R. Chakraverti:  
Shri P. C. Borooah:  
Shri Gulshan:  
Shri P. H. Bheel:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have received representation from the Kuki National Assembly, Manipur, asking it to extend full protection to the hills people in view of the fact that the underground Nagas have established their own Administrative Units in the State;

(b) whether the attention of Government has been drawn to the statements made in Imphal on the 31st May, 1965 by Mr. Paolen Haskip, President of Kuki National Assembly, the largest non-Naga political organisation in the State, that the so-called Federal Government of Nagaland was forcing the people to stop payment of taxes to the Manipur Government; and

(c) if so, the steps taken by Government in compliance with the suggestions of the Kuki Assembly Leader?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) and (b). Yes, Sir.

(c) Two Manipur Rifles posts were established to give protection to people in the hill areas not covered by cease-fire agreement. Home guards have also been raised in some areas and they are being trained for protection of their villages.

**State Farms for Refugee Rehabilitation**

2609. Shri Subodh Hansda: Will the Minister of Rehabilitation be pleased to refer to the reply given to Unstarred Question No. 725 on the 16th September, 1964 and state:

(a) whether the scheme for setting up State Farms under the refugee

rehabilitation programme has since been finalised; and

(b) if so, the details thereof?

The Minister of Rehabilitation (Shri Tyagi): (a) and (b). Group farming is a model Scheme which the State Governments are authorised to examine and amend so that it can be adapted to the local conditions obtaining in each State. Generally speaking, the scheme needs a large number of compact blocks of culturable lands each measuring not less than 250 acres.

**Production of Elemental Sulphur**

2610. Shri Subodh Hansda: Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether the pilot plant tests with Amjhore Pyrites ore for production of elemental sulphur have been found feasible;

(b) if so, whether any steps have been taken to set up a project for this; and

(c) if so, whether any plan and estimate has been made for this purpose?

The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan): (a) to (c). Report of M/s. Outokumpu Oy, Finland who carried out and completed pilot plant tests on Amjhore pyrites is expected by the end of the current month. According to the officer who was deputed to observe the tests, the Finish process is technically feasible. The economic feasibility of the process is being investigated.

**Boot-Legging in Delhi**

2611. { Shri P. B. Chakraverti:  
Shri P. C. Borooah:

Will the Minister of Home Affairs be pleased to state:

(a) how far it is a fact that the boot-legging in Delhi has assumed a serious proportion;

(b) whether the law is defective and stands in the way of police taking effective measures against the boot-leggers;

(c) how far the introduction of partial prohibition has been held responsible for increase in the menace of boot-legging; and

(d) whether Government have considered the question of creating a dry belt around the city of Delhi to make the prohibition scheme effective?

**The Minister of State in the Ministry of Home Affairs (Shri Hathl):** (a) Inspite of the fact that the Delhi Administration have taken various steps to discourage the drinking habits, for variety, of reasons boot-legging is still a problem in Delhi.

(b) No.

(c) No study has been made of this aspect of the question.

(d) Yes, this is under active consideration.

#### Development Schemes in Border Districts

2612. { Shri Rameshwar Tantia;  
Shri P. R. Chakravarti;  
Shri Hem Raj:

Will the Minister of Home Affairs be pleased to state the nature of assistance given by the Centre towards the development schemes undertaken by the States of U.P., Punjab, Jammu and Kashmir and Himachal Pradesh in their respective border districts adjoining Tibet during the Third Plan period?

**The Minister of State in the Ministry of Home Affairs (Shri Hathl):** The Government of India have agreed to render financial assistance ranging

from 75 per cent to 90 per cent in respect of development schemes in the border districts undertaken by the State Governments of U.P., Punjab and Jammu and Kashmir with the approval of the Government of India, during the Third Plan period. Government of India have also agreed to bear in full the cost of the pay and allowances of the key officers posted in these districts and also of certain administrative officers appointed in connection with the development of these districts at the headquarters or the State Governments and also the cost of construction or procurement for these officers. The Government of India will also bear 50 per cent of the cost of administrative and other non-development schemes undertaken in these districts.

In the case of Kinnaur District in Himachal Pradesh, the entire expenditure is borne by the Government of India as Himachal Pradesh is a Union Territory.

#### Complaints Registered by Vigilance Commission

2613. { Shri P. R. Chakravarti;  
Shri P. C. Barooah;  
Shrimati Savitri Nigam:

Will the Minister of Home Affairs be pleased to state:

(a) the number of complaints registered by the Central Vigilance Commission upto the end of June, 1965;

(b) the total number of officers involved—Gazetted and Non-gazetted; and

(c) the action taken in dealing with the complaints?

**The Minister of State in the Ministry of Home Affairs (Shri Hathl):** (a) and (b)—

	No. of complaints	No. of officers
Complaints in the Central sphere involving corruption	3,758	4,278
Complaints in the Central sphere not involving corruption	1,556	} Not available.
Complaints in the State sphere	700	

(c) 57 Complaints in the Central sphere relating to corruption were referred to the Central Bureau of Investigation for inquiry, 448 to the departments concerned for inquiry, 658 to the departments concerned for appropriate action and 2595 were filed as not warranting action. 749 Complaints in the Central sphere not relating to corruption were forwarded to the departments concerned for appropriate action and 807 were filed as not warranting action. 338 Complaints in the State sphere were forwarded for disposal to the State Governments and 362 filed as not warranting action.

#### Synthetic Drug plant in Andhra Pradesh

2614. **Shri P. R. Chakraverti:** Will the Minister of Petroleum and Che-

micals be pleased to state:

(a) whether arrangements have been made to set up a synthetic drug plant in Andhra Pradesh with Russian collaboration;

(b) whether this will be the biggest of its kind in the world;

(c) the main products and their volume; and

(d) whether any ancillary industries are proposed to be established in the neighbourhood of the Project?

The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagappa): (a) to (d). Yes. The Synthetic drugs plant being set up in Andhra Pradesh with Soviet collaboration will be a fairly large project. The main products and their capacities are given below:—

1. Sulphadimideine . . . . .	} Sulpha Drugs group	280	tonnes
2. Sulphaguanidine . . . . .		130	"
3. Sodium Sulphacyl . . . . .		50	"
4. Sulphanilamide . . . . .		50	"
5. Acetazolamide . . . . .		25	"
6. Isonicotinic Acid & Hydrazide .		20	"
7. Phenobarbitone . . . . .		10	"
8. Phenacetin . . . . .		100	"
9. Diethyl Carbamazinc Citrate		30	"
10. Amidopyrine . . . . .		40	"
11. Dipyrone . . . . .		10	"
12. Piperazine adipinate		50	"
13. Vitamin B 1 . . . . .		30	"
14. Vitamin B 2 . . . . .		5	"
15. Nicotinamide . . . . .		20	"
16. Folic Acid . . . . .		1	"
		851 tonnes	

Attempts are being made to promote ancillary industries in consultation with the State Government of Andhra Pradesh.

#### Police Set-up in Delhi

2615. { **Shri Yashpal Singh:**  
**Shri Bagri:**  
**Shri Surendra Pal Singh:**  
**Shri Onkar Lal Berwa:**

Will the Minister of Home Affairs be pleased to state:

(a) whether it is proposed to change the set up of the police in the Union Territory of Delhi by replacing the existing pattern by the Metropolitan Police Force on the lines of Bombay and Calcutta;

(b) if so, the reasons therefor; and

(c) the features of the new set-up?



The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) No Sir.

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

सम्भार में प्रयोगात्मक संयंत्र

2616. श्री हुकम चन्द कछवाय :

क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मार्च, 1962 में सम्भार में एक प्रयोगात्मक अभ्रिम संयंत्र स्थापित किया गया था और 11 अप्रैल, 1963 में इसे बन्द कर दिया गया था, और

(ख) यदि हाँ, तो इस कारखाने की मशीनों का किस प्रकार उपयोग किया गया?

पेट्रोलियम और रसायन मंत्री (श्री हुमायून् कश्मिर) : (क) और (ख). माननीय सदस्य का ध्यान 16-12-1964 के भूताराकित प्रश्न संख्या 1444 के उत्तर की ओर दिलाया जाता है।

#### Qutab Minar, Delhi

2617 Shri Yashpal Singh: Will the Minister of Education be pleased to state:

(a) whether it is proposed to close Qutab Minar in Delhi to the public for a period of two years; and

(b) if so, the reasons therefor?

The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis): (a) and (b). There is no intention at present to close the Qutab Minar to the public for a period of two years, but it may be necessary to close it for a short period, during the execution of heavy repairs so that visitors may not be exposed to the risk of being hurt.

#### Junior Agricultural Schools

2618. { Shrimati Tarkeshwari Sinha  
Shri Hem Raj:

Will the Minister of Education be pleased to state the number of Junior Agricultural Schools to be opened in the country as a result of the recommendation of the Working Group on Junior Agricultural Education?

The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis): The matter is under consideration and no final decision has been taken.

#### Augmentation of Educational Activities of Delhi University

2619. Shri P. C. Borooah: Will the Minister of Education be pleased to state:

(a) whether the Ford Foundation has recently offered to give long term financial assistance for augmenting the teaching, research and other educational activities of the Delhi University;

(b) if so, the details of the assistance offered; and

(c) the projects for which the aid will be utilised?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darsan): (a) Yes, Sir.

(b) and (c). A statement is given below.

#### STATEMENT

During the year 1964-65, the Ford Foundation has offered assistance to Delhi University for the development of University Departments or for research projects as follows:—

##### 1. Department of Linguistics:

During the year 1964-65 the Ford Foundation has offered assistance for the development of the University

Department or research projects as follows:—		\$
(i)	For a programme-specialist for one year	30,000/-
(ii)	For a consultant for one month to the Department of Linguistics.	3,000/-
(iii)	For approximately 20 man years of advanced foreign study for present and prospective members of the Department staff	1,50,000
(iv)	For books and periodicals for the Department	50,000
(v)	For administrative and professional support from Cornwell University.	6,000
(vi)	For indirect expenses incurred by Cornwell in carrying out the programme	4,000
		<hr/> 2,43,000 <hr/>
2.	<i>Department of Chinese Studies:</i>	
	For the development of programme of research and training in Chinese Studies with effect from 9th September, 1964	5,36,000
3.	<i>Department of Economics and Commerce :</i>	
	Equipment for research	3,71,000
4.	<i>Department of Zoology :</i>	
	For research and training of Physiology of Reproduction	1,95,000
5.	<i>Department of Legal Education :</i>	
	Amount not known at present	
6.	<i>Post-graduate Research and Training :</i>	
	Cost of maintaining a Planning Group and consultants from time to time.	

**Czech Rifles for Armed Forces**

to state:

2620. { Shri Indrajit Gupta:  
Shri Yashpal Singh:  
Shri Narendra Singh Mahida:

Will the Minister of Home Affairs be pleased to state:

(a) whether a consignment of Czech rifles has been imported recently for the use of the armed forces; and

(b) whether there is any agreement between India and Czechoslovakia for further supplied in future also?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) No, Sir. However some Czech rifles are being imported for training civilians under the Civilian Rifle Training Scheme.

(b) No, Sir.

**Arrest of Tripura M.L.A.**

2621. Shri Biren Dutta: Will the Minister of Home Affairs be pleased

(a) whether it is a fact that an M.L.A. of Tripura Legislative Assembly was recently arrested and handcuffed while being taken from Teliamura Police Station to Khowi town; and

(b) if so, the reasons therefor?

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

(a) Yes, Sir.

(b) He was arrested by the police in course of investigation of a pre-planned cold-blooded murder case. In view of the gravity of the offence and the apprehension that he might resort to violence in order to effect his escape, he was handcuffed.

**Paralkote Area in Dandakaranya**

2622. Shrimati Renu Chakravartty: Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that displaced persons who were sent to Paralkote area in Dandakaranya four years ago are still living there

cut off from the main Dandakaranya project areas;

(b) if so, the reasons therefor; and

(c) whether the bridge over Kutri river has not yet been completed even after 7 years of planning?

**The Minister of Rehabilitation (Shri Tyagi):** (a) No. There is road to Pakhanjore and there are link roads to villages. During the monsoon, arrangements are made for crossing the intervening rivers and nalas by ferries.

(b) Does not arise.

(c) The design and estimates for a bridge over the Kotri are under examination. Technical sanction is expected to be issued shortly and the work will be commenced thereafter.

#### Amenities in Pakhanjore area of Dandakaranya

**2623. Shrimati Renu Chakravarty:** Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that thousands of displaced persons have been sent to Pakhanjore area in Dandakaranya;

(b) whether amenities like Post Office and high schools have not yet been provided there; and

(c) if so, the steps being taken to provide these amenities?

**The Minister of Rehabilitation (Shri Tyagi):** (a) 2,595 families have been sent to village sites in the Paralokote Zone, of which the Zonal headquarters, is Pakhanjore.

(b) The Zone has already been provided with 45 primary schools, 2 middle schools, 8 adult schools, 10 community centres, 3 primary health centres, 1 mobile medical unit and 1 post office and 1 sub-post office. High School classes are at present held in the Middle School building. A building for the high school is also under construction.

(c) Does not arise.

#### ग्रामीण प्रशिक्षण तथा सहकारिता में स्नातकोत्तर डिप्लोमा

**2624. डा० महादेव प्रसाद :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) राष्ट्रीय ग्रामीण उच्च शिक्षा परिषद् के ग्रामीण प्रशिक्षण तथा सहकारिता स्नातकोत्तर डिप्लोमा में शिक्षा देने वाली कितनी संस्थाएँ हैं ?

(ख) उनमें कितन विद्यार्थी स्नातकोत्तर पाठ्यक्रम में शिक्षा ले रहे हैं; और

(ग) उनमें से सरकारी तथा गैर-सरकारी संस्थाएँ कितनी-कितनी हैं ?

शिक्षा मंत्रालय में उपमंत्री (श्री भक्त दर्शन) : (क) दो ग्रामीण संस्थान ।

(ख) संस्थानों में पाठ्यक्रम के लिए 22 नामांकन हैं ।

(ग) दोनों ग्रामीण संस्थान गैर-सरकारी हैं ।

#### Eviction of Harijans in Delhi

**2625. Shri M. N. Swamy:** Will the Minister of Home Affairs be pleased to state:

(a) whether 70,000 Harijans in the rural areas of Delhi are threatened with eviction following the acquisition of their huts under the Master Plan; and

(b) if so, whether alternative accommodation has been provided and full compensation paid?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) and (b). Under the scheme of 'Large-scale Acquisition, Development and Disposal of Land in Delhi, the "village abadis" are not being acquired. The question of evic-

tion of 'Harijans' living within the "village abadis" does not, therefore, arise. Structures which have been put up outside "village abadis" before 13-11-1959 (the date of general notification of 34,000 acres) are also not being acquired, if they can be adjusted in a "regularisation plan". Any person whose land is acquired is entitled for allotment of an alternative developed plot at fixed rate of premium subject to the condition that he or his wife or other dependent relations including unmarried children do not own any other residential plot of land or house in Delhi, New Delhi or Cantonment. Compensation is also paid to him in accordance with the provisions of the Land Acquisition Act, 1894.

#### Teaching of Mathematics

**2626. Shri Bagri:** Will the Minister of Education be pleased to state:

(a) whether the Chairman of the University Grants Commission has suggested any change in the method of teaching of Mathematics; and

(b) if so, the details thereof and Government's reaction thereto?

**The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):** (a) and (b): A statement is attached. [Placed in Library. See No. LT-4930/65].

#### Adoption of Official Language in Nagaland, Kerala and Andhra Pradesh

**2628. { Shri Kolla Venkaiah:  
Shri Laxmi Dass:  
Shri M. N. Swamy:**

Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1463 on the 24th March, 1965 and state:—

(a) whether Government have recommended or suggested to the Governments of Andhra Pradesh, Kerala and Nagaland for adoption by law the language of the State as the official language;

(b) if so, when; and

(c) the action taken by the concerned States thereon?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) No, Sir. Under Article 345 of the Constitution, it is the Legislature of a State which may by law adopt any one or more of the languages in use in the State, or Hindi as the language or languages to be used for all or any of the official purposes of that State.

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

#### Rationing in Kerala

**2629. Shri Maniyangadan:** Will the Minister of Home Affairs be pleased to state:

(a) the manner in which the enumeration work for purposes of issuing ration cards was done when informal rationing was introduced in Kerala;

(b) whether any remuneration was promised for the work;

(c) whether the remuneration has been paid; and

(d) if not, the reasons for the delay?

**The Minister of State in the Ministry of Home Affairs (Shri Hathl):** (a) The Government mainly employed school teachers for enumeration work in connection with the introduction of informal rationing in Kerala.

(b) Yes, Sir.

(c) and (d). The remuneration could not be paid during 1964-65 for want of provision of funds. Government have, however, directed the District Collectors to disburse the remuneration quickly.

#### Escape of Government Servants to Pakistan

**2630. Shri Raghunath Singh:** Will the Minister of Home Affairs be pleased to state the number of employees

of Central and State Governments who have escaped to Pakistan with money or to escape from criminal trials?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** Information is being collected and will be placed on the Table of the House.

#### Recognition of Languages

**2631. Dr. L. M. Singhvi:** Will the Minister of Education be pleased to state:

(a) the names of languages not included in the VIIIth Schedule of the Constitution but recognised by the Sahitya Akademi;

(b) the grounds and consideration on which such a recognition has been granted; and

(c) whether the claim of Rajasthani in this respect has been considered?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) English, Sindhi and Maithili.

(b) The following criteria have been laid down by the Akademi for recognition of a language as an independent literary language for purposes of its programmes:—

(i) Whether structurally a language is an independent language or is part of a system of a given language.

(ii) Whether it has had a continuous literary tradition and history for at least the last three centuries.

(iii) Whether a sufficiently large number of people use it today as a vehicle of literary and cultural expression.

(iv) Whether it is recognised by the State concerned and/or by some Universities as a medium of instruction and/or as a separate subject of study.

(v) The number of people using the speech, the current literature that is being produced in it (fiction, essays, other literature, journals, etc.) may also be considered.

(c) Not so far.

#### Use of Atomic Energy in detection of Crime

**2632. { Shri Ram Sewak Yadav:  
Shri P. G. Sen:  
Shri Hem Barua:**

Will the Minister of Home Affairs be pleased to state:

(a) whether any efforts have been made to utilize the atomic energy in the detection of crime; and

(b) if so, the details thereof?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) and (b). Exploratory work in this connection is being carried out by the Analytical Division of Atomic Energy Laboratories at Bombay.

#### चिन मुक्ति सेना

**2633. { श्री मधू लाम्जे :  
श्री रामसेवक यादव :**

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

(क) क्या चिन मुक्ति सेना मणीपुर के चुरचंदार इलाके में मिजों पहाड़ियों में तथा बर्मा के घासपास के इलाके में उपद्रव पैदा कर रही है; और

(ख) यदि हां, तो इसके क्या कारण हैं।

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री हाथी): (क) विश्वास किया जाता है कि अपने आप को "चिन मुक्ति सेना" पुकारने वाले एक सहस्र दल के सदस्य मनीपुर में

चुरचंदपुर क्षेत्र में घटित कुछ घटनाओं के लिये वे उत्तरदायी हैं। किन्तु मित्रों पहाड़ियों की घटनाओं के लिये वे उत्तरदायी नहीं प्रतीत होते।

(ख) यह कहा जाता है कि 'चिन मुक्ति सेना' का ध्येय मनीपुर, घासाम तथा बर्मा के चिन घाबादी वाले क्षेत्रों का एक संयुक्त प्रदेश बनवाना है।

**Pakistani Farmers ploughing in Nadia**

2634. { Shri Kapur Singh:  
Shri Solanki:  
Shri Gulshan:  
Shri Raghunath Singh:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Pakistani farmers under the protection of the East Pakistan Riflemen are forcibly ploughing cultivable land in Nadia District which have been allotted to the Indian farmers;

(b) whether such incidents have been continuing for the last one year; and

(c) the steps Government have taken to stop their recurrence?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) Some Pakistanis had been cultivating lands left behind by some Muslim immigrants in Nafarchandrapur, Nadia District (West Bengal). Since the lands are situated in the Indian territory, we have been cultivating them with the help of our police force.

(b) Yes.

(c) The matter was discussed between the District Officers of Nadia (West Bengal) and Kushti (East Pakistan) on 3rd August, 1965 and it was decided to demarcate the lands.

**सशस्त्र नागाओं की गिरफ्तारी**

2635. श्री श्रीकार लाल बेरवा : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि घासाम पुलिस

ने हाल ही में तीन नागाओं को गिरफ्तार किया था जिन में बड़ी मात्रा में हथियार बरामद हुए हैं ; और

(ख) यदि हां, तो इस सम्बन्ध में क्या कार्यवाही की गई है ?

**गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री हाथी):** (क) तीन नागा गिरफ्तार किये गए हैं, जिन के कब्जे से बहुत सा गोला बारूद बरामद हुआ है। उनके कब्जे से कोई हथियार बरामद नहीं हुए।

(ख) गिरफ्तार व्यक्तियों के खिलाफ मामलें दर्ज कर लिये गये हैं और उनकी जांच की जा रही है।

**Shifting of Police Training Centres**

2636. **Shri Harish Chandra Mathur:** Will the Minister of Home Affairs be pleased to state:

(a) whether National Academy of Administration, Mussoorie, Central Police Training Centre from Mount Abu are going to be shifted to the plains;

(b) if so, what considerations weighed with the Government in selecting the present locations; and

(c) what circumstances have called for a change?

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

(b) (i) The National Academy of Administration was set up in 1959 by merging the I.A.S. Staff College Simla and the IAS Training School Delhi. Since suitable accommodation was available in Charleville Estate Mussoorie, the new Institution was located there.

(ii) The Central Police Training College was established in 1947 in Mount Abu as at that time the accommodation available in the military lines was considered satisfactory.

(c) (i) The accommodation at Mussoorie is now insufficient to meet the requirements of increased number of Probationers who are to be trained there is no space available for expansion, and the Academy has also found it difficult to obtain the services of eminent University Professors, experienced Civil Servants and other public men, who cannot always find the time to go up to Mussoorie.

It has, therefore, been decided that the Academy may be situated in new premises close to the proposed Jawahar Lal Nehru University in New Delhi.

(ii) A Committee of Police officers appointed to consider aspects of training for the IPS, had recommended that the Training Centre for the IPS should have certain basic facilities to allow of complete training such as a medium size town with a number of Police Stations and a variety of law and order problems; an Army Centre; at least a Divisional headquarters of Commissioner and D.I.G. of Police; an Armed Police Battalion headquarters etc.

Hyderabad, it was felt, had all these facilities and a few others such as a Forensic Laboratory, a well established University and other Defence Establishments, and hence it was decided to locate the Police Training College in that town.

### संस्कृत का विकास

2637. श्री प्रकाशवीर शास्त्री : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को विभागा सूत्र के अन्तर्गत संस्कृत के विकास के सम्बन्ध में कोई अभ्याचेदन मिला है, और

(ख) यदि हाँ, तो इस संबंध में सरकार की क्या प्रतिक्रिया है ?

शिक्षा मंत्रालय में उपमंत्री ( श्री नरत वल्लभ ) : (क) जी, हाँ ।

(ख) मामला विचाराधीन है ।

### राज्य सरकारों के बीच विवाद

2638. श्री प्रकाशवीर शास्त्री : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्हें राज्य सरकार के बीच, विशेषकर राज्य मंत्रियों के बीच विवाद के सम्बन्ध में कोई पत्र भेजा जाय प्राप्त हुए हैं; और

(ख) क्या सरकार ने मंत्रियों के लिये कोई ऐसी आचार संहिता बनाई है या लाने का विचार है जिससे ऐसी प्रवृत्ति पर रोक लग सके ?

गृह-कार्य मंत्रालय में राज्यमंत्री ( श्री हाथी ) : (क) और (ख) सरकार को समय-समय पर राज्य सरकारों के बीच विवाद के बारे में पत्र और जापान मिलते रहे हैं। राज्यों के मंत्रियों के बीच विवादों का निपटारा, जहाँ तक उनका प्रशासनिक नीतियों से संबंध है, कार्य नियमावली के अनुच्छेद 166 (3) के अधीन बनाये गए नियमों के अनुसार करना होता है। प्रशासनिक मामलों के प्रति-रिक्त उन के बीच के अन्य विवादों का निपटारा राजनीतिक स्तर पर किया जाता है। इस बारे में मंत्रियों को कोई आचार संहिता जरूरी नहीं है ।

### Government Servants joining Private Enterprises

2639. Shrimati Tarkeshwari Sinha: Will the Minister of Home Affairs be pleased to state:

(a) whether there has been a growing tendency among the Government officials to leave Government service and to join private enterprises;

(b) whether Government have undertaken any study of this problem;

(c) if so, the details thereof; and

(d) if not, whether Government propose to undertake such a study to curb this tendency?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):

(a) No such tendency has come to Government's notice.

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

#### Corruption Cases

2640. Dr. L. M. Singhvi: Will the Minister of Home Affairs be pleased to state:

(a) the statistics regarding the num-

ber of corruption cases of Gazetted and non-Gazetted categories of Officers apprehended during the last three years with figures year-wise and category-wise; and

(b) the figures of those convicted year-wise and category-wise?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) and (b). The information required is as follows:—

Year	Number of public servants involved in new cases taken by the Special Police Establishment.		Number of public servants involved in the cases which were sent up to Courts for trial.		Number of Public servants convicted.	
	Gazetted	Non-gazetted.	Gazetted	Non-gazetted	Gazetted	Non-gazetted
1962 . . . . .	212	1113	13	261	10	159
1963 . . . . .	332	1454	19	239	6	160
1964 . . . . .	504	1966	38	236	8	133
1965 (Jan. to August)	224	1271	21	135	4	04

#### Bad Characters

2641. Dr. L. M. Singhvi: Will the Minister of Home Affairs be pleased to state:

(a) whether the Delhi Administration has a system of keeping a roll of bad characters with the Police;

(b) if so, the number of bad charac-

ters on rolls during the last five years; year-wise; and

(c) the steps taken to keep such characters under control?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) Yes, Sir.

(b) A statement is given below:

#### STATEMENT

Year	Bad characters		
	Category 'A'	Category 'B'	Category
	(Active bad characters)	(Inactive now but were active previously)	(Belonging to category 'A' who in jail)
1960 . . . . .	858	630	24
1961 . . . . .	949	759	39
1962 . . . . .	983	766	30
1963 . . . . .	996	795	44
1964 . . . . .	1037	862	40

(c) Apart from the normal surveillance and patrolling which the police undertake to keep bad characters in

check, action is also taken against them under the substantive and preventive provisions of law Provisions



of certain Section of the Bombay Police Act, 1961 have also been extended to the Union Territory of Delhi in order to control the activities of anti-social elements.

#### **Appointment of Technical Personnel at Top Administrative Posts**

**2642. Shri Mohammad Elias:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Institution of Engineers (India), at its 45th Annual Convention held at Lucknow in February last unanimously adopted a resolution regarding employment of technical men at the top administrative levels instead of the present practice of employing non-technical men in the Engineering Departments both at the Centre and States;

(b) if so, whether Government have received any communication from the Institution in that regard; and

(c) if so, the action taken in the matter?

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

(b) Yes, Sir.

(c) No change in the present pattern of staffing top administrative posts is considered necessary.

#### **Delhi Education Department**

**2643. Shri Jedhe:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the services of the Delhi Education Department are under the Delhi Union Territory and not under the Central Services.

(b) whether it is also a fact that the Principals for Delhi Government schools are being recruited on an "All India basis"; and

(c) if so, the reasons therefor.

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajar-navis):** (a) Yes, Sir.

(b) Yes, Sir, as far as fresh recruitment through Union Public Service Commission is concerned.

(c) It is unconstitutional to restrict recruitment of this nature to domiciles of any territory.

#### **Enquiry against Manipur Officers**

**2644. Shri Rishang Keishang:** Will the Minister of Home Affairs be pleased to state:

(a) the number of Officers serving under the Government of Manipur whose cases have been enquired into by the Delhi Special Police Establishment Branch and the Commissioner of Enquiry in the Ministry of Home Affairs during the period from 1962 to 1965;

(b) the number of cases which have been finally disposed of and communicated to the State Government for implementation; and

(c) the steps taken for speedy disposal of pending cases.

**The Minister of State in the Ministry of Home Affairs (Shri Hathl):** (a) During the period 1962-65 cases of 4 officers were entrusted for investigation to the Delhi Special Police Establishment and cases of 15 officers were entrusted for oral enquiry to the Commissioner for Department Enquiries.

(b) Cases of 14 officers have been finally disposed of and communicated to the Manipur Government; and

(c) Cases of 3 officers under investigation by the Delhi Special Police Establishment are at the final stage of enquiry; one case is under consideration of Manipur Government and in one case the oral inquiry by

the Commissioner for Departmental Enquiries is progressing.

#### Fees in Kerala Colleges

2644. { Shri Vasudevan Nair:  
Shri Warior:  
Shri Prabhat Kar:

Will the Minister of Education be pleased to state:

(a) whether Government have received any representation from the College students of Kerala State regarding the difference in fees in Government Colleges and Private Colleges;

(b) if so, whether Government have enquired into the matter; and

(c) the action proposed to be taken to bring down the fees in the Private Colleges to the level of the Government Colleges?

**The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):** (a) Several representations on the subject have been received by the Education Department, Kerala.

(b) and (c). The matter was taken up with the University of Kerala who have constituted a Special Committee with the Vice-Chancellor as the Chairman to examine the question and submit proposals for the consideration of the University authorities and Education Department of Kerala.

#### Course of Studies in Russian at Indian School of International Studies, New Delhi

2646. Shri Hari Vishnu Kamath: Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Indian School of International Studies, New Delhi planned to introduce a course of studies in Russian;

(b) whether the proposal has not been approved by Government because of the opposition thereto by the U.S.S.R. Government or the Soviet Embassy in India; and

1436 (A) LS-4.

(c) if so, whether Government propose to review its decision?

**The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):** (a) The Indian School of International Studies proposes to create a Department of Soviet Studies in the Fourth Plan period in which History and institutions of the Soviet Union will be studied.

(b) and (c). The School is an autonomous institution and as such the question of approval by Government of any course of studies proposed by it does not arise.

#### Polytechnic in Faridabad

2647. Shri Vishwa Nath Pandey: Will the Minister of Education be pleased to state:

(a) whether it is a fact that the National Council of the West German Y.M.C.A. has decided to set up a polytechnic Institute in Faridabad (Punjab) in consultation with the Central and Punjab Governments; and

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

**The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):** (a) No, Sir. However, the National Council of Y.M.C.A. of India with financial assistance from the Y.M.C.A. of Germany has decided to set up an Engineering Institute of sandwich courses on German pattern.

(b) The Punjab Government and the Government of India have accepted the proposal in principle.

#### Junior Colleges in Kerala

2648. { Shri Warior:  
Shri Prabhat Kar:

Will the Minister of Education be pleased to state:

(a) the number of new junior colleges started in Kerala State during 1965-66 so far; and

(b) whether any of these Colleges have not started functioning till now?

**The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):**

(a) 17.

(b) No, Sir. All colleges have started functioning.

**Scholarships to Adivasi Students of Madhya Pradesh**

**2649. Shri Lakshmu Bhawani:** Will the Minister of Education be pleased to state:

(a) the number of scholarships given to the Adivasi students of Madhya Pradesh at Higher Secondary and University levels during the year 1965-66; and

(b) the number of Adivasi students who are studying in Graduate and Post-graduate classes in the various Colleges/Universities in Madhya Pradesh.

**The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):**

(a) and (b). The information is being collected and will be placed on the table of the Sabha as soon as available.

**Vigilance Committees**

**2650. Shrimati Jyotsna Chanda:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government propose to constitute Vigilance Committees in all villages along our borders in Assam, Tripura and West Bengal with East Pakistan to prevent entry of armed infiltrators to our States and also to take steps against subversive anti-social and anti-national activities; and

(b) if so, the details thereof?

**The Minister of State in the Ministry of Home Affairs (Shri Hathl):** (a) and (b). Though no separate village vigilance committees have been constituted to keep vigil against infiltration by Pakistanis, effective arrangements exist to guard against it in the shape of border security force, village volunteer force, village defence parties etc.

**Language Commission in Kerala**

**2651. { Shri Warior:  
Shri Vasudevan Nair:**

Will the Minister of Home Affairs be pleased to state:

(a) whether the Kerala Government have taken a decision to set up a Language Commission; and

(b) if so, the steps already taken in that direction?

**The Minister of State in the Ministry of Home Affairs (Shri Hathl):** (a) The proposal to constitute an Official Language (legislature) Commission is under consideration.

(b) Does not arise.

**Public Sector Refineries**

**2652. { Shri Yashpal Singh:  
Shri Hem Barua:**

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that the two public sector refineries, Nunmati and Barauni, are running into heavy losses owing to the high cost of indigenous crude oil; and

(b) if so, the measures proposed to be taken in the matter?

**The Minister of Petroleum and Chemicals (Shri Humayun Kabir):**

(a) No, Sir.

(b) Does not arise.

**Unidentified Aircraft over West Coast of Maharashtra**

**2653. Shri Hari Vishnu Kamath:** Will the Minister of Home Affairs be pleased to refer to his statement on the Calling Attention Notice on the 31st August, 1965 regarding the reported sighting of an unidentified aircraft and state:

(a) whether the report of the high-level Committee which studied the

security arrangements at airports, etc. will be laid on the Table:

(b) if not, the reasons therefor; and

(c) which of its recommendations have been rejected and the reasons therefor?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) to (c). The report of the Airport Security Committee is still under the examination of the Government. The question of placing it on the Table of the House will be considered as soon as the examination is completed.

#### Archaeological Survey of India

**2654. Shri Hari Vishnu Kamath:** Will the Minister of Education be pleased to refer to the reply given to Starred Question No 334 on the 1st September, 1965 and state:

(a) whether the recommendations made by the Review Committee regarding the Archaeological Survey of India have been considered; and

(b) if so, with what result?

**The Minister of Cultural Affairs in the Ministry of Education (Shri R. M. Hajarnavis):** (a) and (b). No, Sir; these are still under consideration.

#### Census Organisation

**2656. { Shri Vasudevan Nair:  
Shri Warrior:**

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have decided to maintain a permanent Department of census organisation in all the States; and

(b) if so, when this decision will be implemented.

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) and (b). After completion of main

work relating to 1961 Census it is proposed to retain a nucleus staff in the States and Union Territories for attending to the inter-censal work and also to dovetail the two censuses. The switchover from the present strength to the nucleus staff will take effect from 1st March, 1966. This staff will be retained on a temporary basis and it will be quite some time before it is sanctioned on a permanent basis.

#### Promotion of Government Schools Principals in Delhi

**2657. Shri D. C. Sharma:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the cases of promotion of some Government School Principals in Delhi were rejected by the Departmental Promotion Committee which is representative body of the U.P.S.C. and after a week they were again promoted without the approval of this Committee; and

(b) if so, the circumstances under which the above promotions were made?

**The Minister for Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) Yes, Sir. There have been some such cases.

(b) The subsequent promotion was on a purely *ad hoc* and temporary basis and not on a regular basis. This was necessary because enough recommendation for filling all vacancies were not available from the Departmental Promotion Committee and the Union Public Service Commission.

#### Overpayment by I.O.C.

**2658. Shri Ram Sewak Yadav:** Will the Minister of Petroleum and Chemicals be pleased to refer to the reply given to Unstarred Question No 2258 on the 14th April, 1965 regarding the overpayment made to M/s R.B. Bhola Nath & Sons by the Indian Oil Corporation and state:

(a) whether the amount of overpayment made to M/s R.B. Bhola Nath and Sons has since been recovered and those in the Indian Oil Corporation responsible for this dealt with; and

(b) if so, the details thereof?

**The Minister of Petroleum and Chemicals (Shri Humayun Kabir):** (a) and (b). On investigation an overpayment of Rs. 550, on account of supply of sub-standard materials, to a firm called Messrs R. B. Bhola Nath & Co. was detected and arrangements were made by the Indian Oil Corporation to recover the amount from the firm. The matter was examined in consultation with the Central Vigilance Commission and no action against any official of the Corporation was considered necessary.

#### Robbery in Shahdara

**2659. Shri Lakhmu Bhawan:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that some robbers, posed as police personnel, committed a daylight robbery near Shahdara, Delhi on the 1st September, 1965; and

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

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) A dacoity (not a robbery) was committed in a village near Shahdara, Delhi, on 1-9-1965. The persons committing the crime were not in police uniform but were dressed in Khaki Shirts and Shorts.

(b) One suspect has been arrested. Armed police picket have been posted for intensive patrolling, to apprehend other culprits and also to prevent the recurrence of such crime in that area.

**I.A.S. Special Recruitment Examination (1956-57)**

**2660.** { Shri Vishwa Nath Pandey:  
Shri Kindar Lal:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that some candidates belonging to the senior scale of the I.P.S. who secured high positions in the I.A.S. special recruitment examination conducted by the U.P.S.C. in 1956-57 were not offered appointment in the I.A.S.; and

(b) if so, the reasons therefor?

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

(b) Does not arise.

**दिल्ली के कालिजों में दाखिला**

2661. { श्री हुकूम चन्द कछवाय :  
श्री बड़े :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) इस वर्ष दिल्ली के कालिजों में दाखिले के लिये कितने विद्यार्थियों ने अपना नाम दर्ज करवाया ;

(ख) कितने विद्यार्थियों को दाखिला मिला; और

(ग) कितनों को दाखिला नहीं मिला?

**शिक्षा मंत्रालय में उपमंत्री (श्री भक्त बशन):** (क) 10 253.

(ख) 9,244.

(ग) यह ठीक-ठीक बताना संभव नहीं है कि कितने विद्यार्थियों का दाखिला नहीं मिल सका क्योंकि लिस्टर करने वाले बहुत से विद्यार्थी प्रंत में नहीं आने का उदाहरण है। बहुत से विद्यार्थियों को इंजीनियरी संस्थाओं में तथा अन्यत्र, अन्य संस्थाओं में दाखिला मिल जाता है।

**भारत प्रतिरक्षा अधिनियम के अन्तर्गत निरपराधियों**

2662. { श्री बड़े :  
श्री हुकूम चन्द कछवाय :

क्या गृह-कार्य मंत्री 1 सितम्बर, 1965 के अंतराधिकृत प्रश्न संख्या 1235 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) भारतीय प्रतिरक्षा अधिनियम तथा निवारक निरोध अधिनियम के अन्तर्गत जिन 2,697 व्यक्तियों को गिरफ्तार किया गया था, उन में से ऐसे व्यक्तियों की (राज्य-वार) संख्या क्या है जिन पर जमाखोरी, मुनाफाखोरी, तथा चोरबाजारी के आरोप लगाये गये हैं ; और

(ख) ऐसे व्यक्तियों की राज्यवार संख्या क्या है जिन्हें छोड़ दिया गया है, जिन पर मुकदमा चलाया जा रहा है और जिन्हें जमानत पर रिहा किया गया है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हाथी) : (क) और (ख). सूचना एकत्रित की जा रही है और सभा-पटल पर रख दी जायगी ।

“क्रिश्चियन” नामक पुस्तक

2663. { श्री बड़े :  
श्री तुकम चन्द कच्छाय :  
श्री श्रीकार लाल बेरबा :

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

(क) क्या यह सच है कि ईसाई धर्म प्रचारकों ने आदिवासी क्षेत्रों में ‘क्रिश्चियन’ नामक पुस्तक बांटी है जिसमें भगवान राम, भगवान कृष्ण तथा महात्मा बुद्ध के प्रति अनादर दिखाया गया है ;

(ख) क्या आदिवासियों ने हाल ही में हुए अपने सम्मेलन में यह मांग की है कि यह पुस्तक जलत की जाये ।

(ग) यदि हां, तो उसका ज्वीरा क्या है ; और

(घ) इस मामले में सरकार ने क्या कार्यवाही की है ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री ल० ना० मिश्र) : (क) तथा (ख). ‘क्रिश्चियन’ नामक पुस्तक तथा आदिवासियों

के सम्मेलन में स्वीकृत प्रस्ताव केन्द्रीय सरकार के ध्यान में नहीं आए । बिहार को राज्य सरकार से इस बारे में आवश्यक सूचना मांगी गई है ।

(ग) तथा (घ). प्रश्न ही नहीं उठते ।

पाकिस्तान रेडियो सुनने पर प्रतिबन्ध

2664. श्री श्रीकार लाल बेरबा : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पाकिस्तान रेडियो बड़े पैमाने पर भारत के विरुद्ध गलत प्रचार कर रहा है ;

(ख) यदि हां, तो क्या सरकार का विचार पाकिस्तान रेडियो सुनने पर प्रतिबन्ध लगाने का है ; और

(ग) यदि हां, तो कब ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री ल० ना० मिश्र) : (क) जी हां ।

(ख) और (ग). मामला विचाराधीन है ।

Murder of S.D.O. Tamenglong (Manipur)

2665. Shri Hem Barua: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Sub-Divisional Officer of Tamenglong, Manipur has been recently shot dead by Naga hostiles;

(b) if so, the details thereof;

(c) whether any steps are taken to ensure security in the ceasefire areas of Manipur; and

(d) if so, the nature thereof?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) and (b). On September 5, 1965 at about 1220 hours, Shri N. R. Khudanpur, Sub-Divisional Officer, Tamenglong was shot dead by some unknown

miscreants on the Imphal-Tamenglong Road at Mile-stone No. 71, about 3 miles from Tamenglong Headquarters.

(c) and (d). Tamenglong is within the area covered by the cessation of operations agreement. Government have taken necessary measures to apprehend the persons responsible for the crime. Suitable measures have also been taken for the maintenance of law and order in the area.

#### **Report of Committee on Consumers Price Index Number for Delhi**

**2666. Shri Shree Narayan Das:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government have received the report of the Committee on consumers price index number for Delhi;

(b) if so, the broad features of the report; and

(c) the reaction of Government thereon?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) Report of the Committee has been received by Government in the Ministry of Labour and Employment on 11th September, 1965.

(b) The Committee has recommended certain corrections in the existing Consumers Price Index Number for Delhi for the year 1960 (Base 1944) and has also formulated this Index on the basis of the corrections deemed necessary from their point of view. On the same basis, the Committee has worked out the revised linking factor which may be adopted for linking the 1944 Series to the year 1960.

(c) The Recommendations are being examined.

#### **Books in Portuguese**

**2667. Shri Narendra Singh Mahida:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that in Panjim and Daman and Diu, there are Libraries possessing rich books in Portuguese; and

(b) if so, whether they are taken care of and arrangements made for their translation?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) and (b). The information is being collected and will be laid on the Table of the Sabha in due course.

#### **Soda Ash Factory in Tuticorin**

**2668. Shri Muthiah:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether a Japanese team visited Tuticorin on the 29th July, 1965 to examine the possibility of setting up a soda ash factory there; and

(b) if so, the result of their visit?

**The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan):** (a) Government have no information on the point.

(b) Does not arise.

#### **Class I & II Posts in Delhi Administration**

**2670. Shri Naval Prabhakar:** Will the Minister of Home Affairs be pleased to state:

(a) the total number of Class I and II posts in Delhi Administration;

(b) the number of posts among them held by Scheduled Castes;

(c) whether the number of posts held by the Scheduled Castes is less

than the required quota and if so, the reasons therefor; and

(d) the steps the Delhi Administration propose to take to fill up the deficiency?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) and (b). Out of total 202 Class I and 637 Class II employees in the Delhi Administration as on 1st January, 1985, 5 Class I and 10 Class II employees belonged to Scheduled Castes.

(c) Yes. Suitable candidates from Scheduled Castes were not available to fill a number of vacancies reserved for them in the past.

(d) The orders regarding reservation for Scheduled Castes and Scheduled Tribes, as applicable to posts under the Government of India, are already being followed by the Delhi Administration. Filling up of the deficiency depends upon availability of suitable Scheduled Caste candidates.

#### Registrar-General of India

**2671. Shri Naval Prabhakar:** Will the Minister of Home Affairs be pleased to state:

(a) the total number of employees in each category in different Divisions in the Office of the Registrar-General of India;

(b) the total number of Scheduled Castes and Scheduled Tribes employees separately in each such category and whether they fulfil the required quota of reservation for these categories;

(c) if not, the reasons therefor; and

(d) the steps proposed to be taken to fill up the reserved quota?

**The Minister of State in the Ministry of Home Affairs (Shri Nathi):** (a) to (d). A statement is laid on the Table of the House. [Placed in Library. See No. LT-4931/65].

#### Marine Technical School in Kerala

**2673. Shri Imbichibava:** Will the Minister of Education be pleased to state:

(a) whether any representation has been received by Government for starting a Marine Technical School in Kerala;

(b) whether any representation has been received from the Tavanur Institute for starting a marine fisheries technical course; and

(c) if so, the action Government propose to take in the matter?

**The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):** (a) and (b). No, Sir.

(c) Does not arise.

#### 'बोग' में प्रकाशित फोटो

- |                    |                             |
|--------------------|-----------------------------|
| 2674.              | श्री प्रकाशवीर शास्त्री :   |
|                    | श्री बड़े :                 |
|                    | श्री यू० ड० मिह :           |
|                    | श्री ब्रिजलाल सेठ :         |
|                    | श्री ओंकार लाल बेरवा :      |
|                    | श्री यशपाल मिह :            |
|                    | डा० लक्ष्मणमल्ल मिश्र :     |
|                    | श्री गौरा शंकर कश्यप :      |
|                    | श्री जगदेव सिंह सिद्धांती : |
|                    | श्री बागड़ी :               |
|                    | श्री रामेश्वरनाथ :          |
|                    | श्री रामसेवक पांडेव :       |
| श्री किशन पटनायक : |                             |
| श्री लहरी सिंह :   |                             |

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या उनका ध्यान हमरीज में प्रकाशित पत्रिका 'बोग' के दिसम्बर, 1964 के विशेष संस्करण की ओर आकर्षित किया गया है जिस में हिन्दू देवी-देवताओं के अपमानजनक फोटो दिये गये हैं जिन में उन पर



चड़ी हुई कुछ बदनाम स्त्रियां दिखाई गई हैं और उनका सारे संसार में प्रदर्शन किया गया है ;

(ख) क्या वे फोटो सरकार की पूर्वा-  
नुमति से लिये गये थे या वह सारी कार्यवाही  
गुप्त रखी गयी थी ;

(ग) क्या उक्त पत्रिका के विरुद्ध कुछ  
कार्यवाही करने के लिये भ्रमरीकी सरकार को  
कोई पत्र, आदि भेजा गया है ;

(घ) यदि हां, उसका क्या उत्तर मिला  
है ; और

(ङ) क्या उन व्यक्तियों के भी विरुद्ध  
कोई कार्यवाही की गई है जिन्होंने ये फोटो लेने  
में सहायता की थी ?

गृह-कार्य मंत्रालय में उपनग्री  
(बी ल० ना० मिश्र) :

(क) "बोग" का दिसम्बर, 1964  
का विशेष संस्करण सरकार के ध्यान में नहीं  
धिया। इस ग्रंथ की प्रति प्राप्त करने का  
प्रयत्न किया जा रहा है और उस के मिलने  
पर इस बारे में जांच की जायगी।

(ख) ऐसी आशा जरूरी नहीं है।

(ग) (घ) और (ङ). प्रश्न ही  
नहीं उठते।

#### Law Chambers for Advocates in Kerala High Court

2676. Shri A. K. Gopalan: Will the  
Minister of Home Affairs be pleased to  
state:

(a) whether the Advocates of  
Kerala High Court have represented  
for providing Law Chambers in the  
High Court premises;

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

The Minister of State in the Minis-  
try of Home Affairs (Shri Hathl): (a)  
Yes, Sir.

(b) Government have decided to  
put off the construction of the pro-  
posed building for the Advocates  
Association in view of the present  
strain on finances.

#### Library of Kerala Advocates' Association

2677. Shri A. K. Gopalan: Will the  
Minister of Home Affairs be pleased to  
state:

(a) whether Government are pay-  
ing any grant to the Library of the  
Kerala Advocates' Association;

(b) if so, how much; and

(c) whether there is any proposal  
to increase the grant?

The Minister of State in the Minis-  
try of Home Affairs (Shri Hathl): (a)  
No, Sir.

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

#### Acquisition of Garden Lands

2677-A. { Shri P. H. Bheel:  
Shri Ram Singh:

Will the Minister of Home Affairs  
be pleased to state:

(a) whether it is a fact that Gov-  
ernment have decided to acquire the  
lands of the garden owners of villages  
Bhorgarh and Kurani;

(b) if so, the reasons therefor; and

(c) if the answer to part (a) above  
be in the negative, the steps being  
taken by Government to exclude the  
same land from the Plan prepared for  
acquisition?

The Deputy Minister in the Minis-  
try of Home Affairs (Shri L. N.  
Mishra): (a) Yes, Sir.

(b) The land in question is requir-  
ed for the purpose of developing  
Narela as a Ring town in accordance

with the provisions of the Master Plan for Delhi.

(c) In view of the reply to part (a) above, the question does not arise.

#### Foreign Boats near Andamans

**2677-B. Shrimati Savitri Nigam:** Will the Minister of Home Affairs be pleased to state the number of foreign boats captured around the Andamans sea while fishing in the Indian territorial waters during the last one year?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** Altogether 10 foreign fishing vessels were captured around the Andaman and Nicobar Islands in the Indian Territorial Waters during the last one year.

11.20 hrs.

#### CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

**REPORTED SEIZURE OF INDIAN CONSULATE IN SUMATRA AND PROPERTY OF INDIANS IN JAVA AND THE CONFISCATION OF PROPERTY OF INDIANS IN INDONESIA**

**श्री हुकुम चन्द कछवाय (देवास) :** अध्यक्ष महोदय, एक बात मैं आपके ध्यान में लाना चाहता हूँ। इसके बारे में नोटिस हमने 16 तारीख को दिया था, कन इसी के सम्बन्ध में एक उत्तर राज्य सभा में दे दिया गया है। इस प्रकार के घनेकों नोटिस होते हैं जिनका उत्तर पहले बड़ा दे दिया जाता है। बहुत से महत्वपूर्ण वस्तु भी होते हैं जो कि पहले वहाँ दे दिये जाते हैं और बाद में यहाँ दिये जाते हैं। मैं चाहता हूँ कि इस तरफ आप ध्यान दें।

**अध्यक्ष महोदय :** मैं इसकी तहकीकात करूँगा।

**श्री हुकुम चन्द कछवाय :** यह प्रनुचित है।

मैं प्रबलम्बनीय लोक महत्व के निम्नलिखित विषय की घोर वैदेशिक-कार्य मंत्री का ध्यान दिलाता हूँ और प्रार्थना करता हूँ कि वह इस बारे में एक वक्तव्य दें :

“सुमात्रा में भारतीय वाणिज्य दूतावास घोर जावा में भारतीयों की सम्पत्ति पर कब्जा करने तथा इंडोनेशिया में भारतीयों की सम्पत्ति के जब्त किये जाने के समाचार”।

**वैदेशिक कार्य मंत्रालय ~ उपमंत्री (श्री विनेश सिंह) :** भारत सरकार को यह जानकर बड़ा दुख हुआ है कि नार्थ सुमात्रा यूथ फ्रंट ने 13 सितम्बर, 1965 को सबेरे मैदान में भारतीय कौंसलावास के सामने भारी प्रदर्शन किया। कौंसल के विरोध के बावजूद प्रदर्शनकारियों ने कौंसलावास की इमारत से भारत का राष्ट्रीय ध्वज नीचे उतार दिया और उसकी जगह इण्डोनेशिया का राष्ट्रीय झण्डा लगा दिया। इन प्रदर्शनकारियों ने कौंसलावास से भारत का राष्ट्र चिह्न तथा नाम पत्रिका भी हटा दी, और उसे ले गये; व किनाबों की दो छात्मारियों को भी ले गये जिनमें साइबेरी की किनाबें थी। ये लोग भारत के राष्ट्रपति का चित्र भी ले जाना चाहते थे परन्तु भारत के कौंसल ने उन्हें ऐसा करने से रोक दिया।

हमारे कौंसल ने पहले ही उल्टी सुमात्रा के गवर्नर को लिखा था कि वे

[श्री दिनेश सिंह]

कोंसलावास के कर्मचारियों और संपत्ति की सभी तरह से रक्षा करने की व्यवस्था करें। फिर भी, ड्यूटी पर जो पुलिस थी उसने प्रदर्शनकारियों को रोका नहीं। यह निस्संदेह बिल्कुल स्पष्ट है कि इण्डोनेशिया की सरकार इण्डोनेशिया की धरती पर स्थित विदेशी मिशनों की समुचित रक्षा करने के अपने अन्तर्राष्ट्रीय दायित्व को पूरा नहीं कर पाई है। हमारे कोंसल ने रिपोर्ट दी है कि वह उत्तरी सुमात्रा के गवर्नर से मिलने का प्रयत्न कर रहे हैं। जकार्ता में हमारे राजदूत ने इण्डोनेशिया के विदेश कार्यालय से विरोध प्रकट किया है।

जकार्ता में 18 सितम्बर को सभी भारतीयों की दुकानों और मकानों पर पुलिस ने ऐसे पर्चे चिपका दिये जिन पर लिखा है—“इण्डोनेशिया सरकार की रक्षा में”। पुलिस का कहना है कि यह कार्रवाई इसलिये की गई है जिससे संपत्ति की रक्षा की जा सके और कोई दुर्घटना न होने पाए। भारतीय व्यापारियों से यह भी कहा गया है कि संपत्ति यद्यपि उन्हीं की है, परन्तु वे अपनी दुकानों और मकानों को बेच नहीं सकते और न ही उन्हें हस्तांतरित कर सकते हैं। हमारे राजदूत इस प्रश्न पर भारतीय समुदाय के लोगों से बातचीत कर रहे हैं।

पश्चिम जावा के गवर्नर ने एक आदेश जारी किया है जिसके अनुसार सुरक्षा कारणों से 11 सितम्बर से भारतीय संपत्ति सुरक्षात्मक अधिकार में ले ली गई है। इस प्रांत के पुलिस-प्रध्यक्ष को यह अधिकार दे दिया गया है कि वह जब चाहे इस संपत्ति को इस आदेश की व्यवस्थाओं से मुक्त कर दे।

जकार्ता के गांधी मेमोरियल स्कूल को, जो भारतीयों का है और वे ही उसकी प्रबन्ध-व्यवस्था भी करते हैं तथा जिसे

इण्डोनेशियन नेशनल फ्रंट ने ले लिया था, अब खुलने की इजाजत दे दी गई है। मैदान का खालसा स्कूल सरकारी प्राधिकारियों ने अपने हाथ में ले लिया है।

श्री बागड़ी (हिंसार) : इस जवाब पर मेरा एक व्यवस्था का प्रश्न है। मंत्री महोदय ने ऐसा एक विचित्र जवाब दिया है जो कि बुद्धि की कसौटी पर खरा नहीं उतरता है, जो कि जंचता नहीं है। प्रदर्शनकारी लाइब्रेरी तो ले गये लेकिन राष्ट्रपति की तस्वीर ले जाने लगे तब रोक दिया गया। किताबें जब ले जा रंगे तब उनको क्यों नहीं रोक दिया था....

अध्यक्ष महोदय : यह क्या व्यवस्था का प्रश्न हुआ ? कौन से रूल की उल्लंघना हुई है जो मैं जवाब दे सकूँ। यह तो आप उन से पूछ रहे हैं। व्यवस्था का प्रश्न तो वह होता है जिसका मैंने फैसला देना होता है, मिनिस्टर को फैसला नहीं देना होता है।

श्री कृष्ण चन्द कछाड़ : इण्डोनेशिया सरकार अपने कर्तव्य का निभाने में असफल हो रही है क्या यह सही है ? क्या यह भी सही है कि वह इस तरह के काम करने के लिए लोगों को भड़का रहा है और लोगों से कह रही है कि ऐसा वे करें ? क्या यह भी सही है कि जो महिलाएँ भारत लौट रही थी उनका वहाँ उन्होंने गोली मारने की धमकी दी थी ?

श्री दिनेश सिंह : वक्तव्य में मैंने स्पष्ट कह दिया है कि इण्डोनेशिया की सरकार की जो जिम्मेदारी है वह उसको अच्छा तरह से नहीं निभा पा रहा है। इन सब बातों में कितना सरकार का हाथ है, कितना नहीं है यह हमारे लिये कहना बड़ा मुश्किल है।

अध्यक्ष महोदय : घोरतों के बारे में जो पूछा है ?

श्री विनेश सिंह: कुछ घटनाएँ वहाँ पर घुना जाता है कि हुई थी: उसका पूरा और हमारे पास नहीं आया है।

**Shri Hem Barua (Gauhati):** In view of the fact that Indonesia has openly and actively supported Pakistan's aggression on us, and these acts of violence or vandalism of Indonesian crowds are the results of this support, may I know (a) whether our Government have succeeded in projecting India's case adequately for consumption by the Indonesian public, (b) whether our Government propose any high-level dialogue with the Indonesian Government. . .

**An Hon. Member:** Dialogue?

**Shri Hem Barua:** That is good English, I suppose.

**Mr. Speaker:** I have to accept whatever the learned professor says.

**Shri Hem Barua:** . . . so as to improve relations between the two countries, and (c) whether the word 'supervision' in the Indonesian vocabulary means anything up to the confiscation of our property?

**Shri D. C. Sharma (Gurdaspur):** What about part (d) of the question?

**Shri Dinesh Singh:** We are not proposing any special dialogue. So far, it has been a monologue on the part of our Ambassador. So far as part (c) of the question is concerned, we have been informed that this property has been taken under the protection of Government only to afford protection against hooliganism, and, there is no proposal at this stage for any nationalisation or taking over.

**Shri Hem Barua:** What about part (a)?

**Shri P. Venkatasubrahmaniam (Adoni):** May I know whether this is a calculated and concerted mischievous action of the Government of Indonesia with the encouragement of Peking and Pindi to provoke us into the action of severing our diplomatic relations with that Government?

If so, will Government succumb to these machinations?

**Shri Dinesh Singh:** The House and the whole world are aware that we have not been pushed into any action because of what Pindi or Peking have done.

**श्री बसपाल सिंह (कैराना):** क्या सरकार यह बतला सकती है कि नेशनलाइजेशन से हिन्दुस्तान के दुकानदारों और व्यापारियों को कुल कितना नुकसान हुआ है। और जब पाकिस्तान से भी आगे-आगे इंडोनेशिया चल रहा है और पाकिस्तान से ज्यादा वह हिन्दुस्तान की मुखालफत कर रहा है तब क्या सरकार ने सोचा है कि उस के डिप्लोमैटिक रिसेग्न्स को खरम किया जाये और जो सिस्टम चल रहा है उस को रोकना जाये।

**Mr. Speaker:** Shri P. R. Chakraverti.

**Shri P. R. Chakraverti (Dhanbad):** Is it a fact that the Press Attache to the Indian Embassy has been threatened with violence? If so, what action has been taken by Government to save him?

**Shri Dinesh Singh:** The Indonesian Government have informed us that they are taking adequate precautions.

**श्री बागड़ी:** क्या मंत्री महोदय यह बतायेंगे कि हिन्देशिया के एक राजदूत ने अपने एक बयान के दौरान इस बात का इंकशाफ किया है कि हिन्देशिया सरकार ने भारत के खिलाफ जो नीति अपनाई है हिन्देशिया की जनता उसके पीछे नहीं है। अगर सरकार की नॉटिस में यह बात आई है तो सरकार इसके बारे में क्या कर रही है।

**श्री विनेश सिंह:** हमने तो खुद इस मदन में इस बात को उर्ज किया था कि हमारी सरकार की जो नीति इस वक़्त है उस से हम यह नहीं समझते हैं कि इंडोनेशिया की जनता उन के साथ है। हमारी जनता और इंडोनेशिया

[श्री दिनेश सिंह]

की जनता के बीच में मित्रतापूर्ण सम्बन्ध बने हैं।

श्री उदिया (गुड्डाल): जो कुछ जावा और सुमात्रा में हुआ है क्या वैसे ही हिन्दुस्तानियों के साथ वाली द्वीप में भी हुआ है।

Mr. Speaker: If he has the information, he might give it; otherwise not. It is not actually relevant here.

Shri Dinesh Singh: We are not aware of any loss.

डा० राम मनोहर लोहिया (फर्रुखाबाद): हिंदेशिया के शत्रु व्यवहार को अब सरकार ने पूरी तरह से देख लिया है। तो क्या उस से सरकार ने नतीजा निकाला कि बांडुंग सिद्धान्त और अफेशियाई देशों के बीच वर्गीकरण किया जाये अर्थात् हिन्दुस्तान के हित और दुनिया की भलाई की दृष्टि से अफेशिया में कौन से भले और मित्र देश हैं और कौन से ऐसे देश हैं जिन के प्रति अगर शत्रुता नहीं तो कम से कम उपेक्षा दिखाई जाये। अगर ऐसा किया है तो वे कौन कौन से देश हैं?

श्री दिनेश सिंह: हमारा तो प्रयत्न रहता है कि सभी देशों से मित्रतापूर्ण सम्बन्ध रहें। बीच बीच में कुछ देशों की सरकारें दिक्कतें पैदा करती हैं। जब वह दिक्कतें हमारे सामने आती हैं तो उन का हमें मुकाबला करना पड़ता है। लेकिन हम ने कोई कोशिश नहीं की है कि और देशों में किसी दूसरे देश के प्रति कोई बुरा प्रचार फैलायें।

डा० राम मनोहर लोहिया: मेरा वर्गीकरण का प्रश्न था अध्यक्ष महोदय।

Mr. Speaker: Whether any classification has been made of countries as friendly, not too friendly and so on?

Shri Dinesh Singh: I think the House is aware of that also from the actions of these countries.

श्री किशन पटनायक (सम्भलपुर): कस, अगर्, का, अफेशियाई और निरपेक्ष, इन चार प्रकार की विदेशी शक्तियों के साथ हम मित्रता की कोशिश कर रहे हैं। लेकिन अभी तक अफेशियाई और निरपेक्ष देशों के ऊपर हम जितना समय और मेहनत खर्च कर चुके हैं उस के अनुपात में, जब कि पाक और हिन्द की लड़ाई चल रही है, हमें फायदा नहीं पहुंचा है। इसको ध्यान में रखते हुए क्या भविष्य में हम अपनी विदेश नीति में कोई तब्दीली करेंगे।

श्री दिनेश सिंह: एशिया में रहते हुए एशियाई देशों के साथ हम मित्रतापूर्ण सम्बन्ध बनाने की कोशिश न करें यह हमारे लिये एक गलत नीति होगी, और यही बात अफ्रीका के सम्बन्ध में आती है। हमारे उन के जो सम्बन्ध हैं वह स्वभाविक सम्बन्ध हैं। लेकिन साथ साथ हम और देशों से भी मित्रतापूर्ण सम्बन्ध बनाने की कोशिश करते हैं। मैं नहीं समझता कि नीति में किसी परिवर्तन का सवाल उठता है।

डा० राम मनोहर लोहिया: भले ही पिछले चले जायें लेकिन नीति में परिवर्तन नहीं होगा।

Mr. Speaker: The Prime Minister would be making his statement at

15.30 hrs.

#### PAPERS LAID ON THE TABLE

#### EXPLANATORY NOTE ON THE SCHEME OF WAR RISKS INSURANCE OF MARINE HULLS

The Minister of Finance (Shri T. T. Krishnamachari): Sir, I beg to lay on the Table a copy of an Explanatory Note on the Scheme of War Risks Insurance of Marine Hulls together with the outline of the Scheme. [Placed in Library. See No. LT-4918/65].

GOVERNMENT RESOLUTION ON THE RECOMMENDATIONS OF CENTRAL WAGE BOARD FOR COFFEE PLANTATIONS INDUSTRY ETC.

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): Sir, on behalf of Shri D. Sanjivayya, I beg to lay on the Table a copy each of the following papers:—

- (1) Government Resolution No. WB-3 (14)/65 dated the 19th September, 1965, announcing acceptance of the recommendations of Central Wage Board for Coffee Plantations Industry. [Placed in Library. See No. LT-4919/65].
- (2) Notification No. S.R.O. 181/64 published in Kerala Gazette dated the 16th June, 1964, making certain amendments to the Kerala Shops and Commercial Establishments Rules, 1961, under sub-section (5) of section 34 of the Kerala Shops and Commercial Establishments Act, 1960, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President discharging the functions of the President, in relation to the State of Kerala. [Placed in Library. See No. LT-4920/65].
- (3) Annual Report on the activities of the Coal Mines Labour Welfare Organisation for the year 1963-64. [Placed in Library. See No. LT-4921/65].

DEFENCE OF INDIA (THIRD AMENDMENT) RULES ETC.

The Minister of State in the Ministry of Home Affairs (Shri Hathi): I beg to lay on the Table a copy each of the following Rules under

section 41 of the Defence of India Act, 1962:—

- (1) The Defence of India (Third Amendment) Rules, 1965, published in Notification No. G.S.R. 741 dated the 14th May, 1965. [Placed in Library. See No. LT-4922/65].
- (2) The Defence of India (Requisitioning and Acquisition of Immovable Property) Amending Rules, 1965, published in Notification No. G.S.R. 831 dated the 10th June, 1965. [Placed in Library. See No. LT-4923/65].
- (3) The Defence of India (Fourth Amendment) Rules, 1965, published in Notification No. G.S.R. 1350 dated the 10th September, 1965. [Placed in Library. See No. LT-4924/65].

SUMMARY OF RECOMMENDATIONS OF THE NARMADA WATER RESOURCES DEVELOPMENT COMMITTEE

The Minister of Irrigation and Power (Dr. K. L. Rao): I beg to lay on the Table a summary of Recommendations of the Narmada Water Resources Development Committee (Khosla Committee). [Placed in Library. See No. LT-4925/65].

Copies of the full report are also placed in the Parliament Library.

ANNUAL REPORT OF THE NATIONAL SEEDS CORPORATION LIMITED, NEW DELHI

The Deputy Minister in the Ministry of Food and Agriculture (Shri Shah Nawaz Khan): I beg to lay on the Table a copy of Annual Report of the National Seeds Corporation Limited, New Delhi, for the year 1963-64, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of sec-

[Shri Shah Nawaz Khan]

tion 619A of the Companies Act, 1956.  
[Placed in Library. See No. LT-  
4926/65].

Indian Veterinary Research  
Institute, Izatnagar.

11.36 hrs.

# ESTIMATES COMMITTEE MINUTES

Shri A. C. Guha (Barasat): I beg to lay on the Table a copy of the Statement showing the reply to the recommendation noted in Chapter V of the Fifty-seventh Report of the Estimates Committee (Third Lok Sabha) which was not furnished by Government in time for inclusion in the report; and a copy each of the Minutes of Sittings of the Estimates Committee relating to the following Reports:

- (i) Sixty-seventh to Seventieth Reports on the Ministry of Transport—Calcutta Haldia, Madras, Visakhapatnam, Tuticorin and Paradeep Port.
- (ii) Seventy-second Report on the Ministry of Rehabilitation—Dandakaranya Project.
- (iii) Seventy-sixth Report on the Ministry of Food and Agriculture (Department of Agriculture)—Indian Agricultural Research Institute, New Delhi.
- (iv) Seventy-ninth Report on the Ministry of Food and Agriculture (Department of Agriculture)—Central Potato Research Institute, Simla.
- (v) Eightieth Report on the Ministry of Food and Agriculture (Department of Agriculture)—Indian Grassland and Fodder Research Institute, Jhansi and Soil Conservation Research, Demonstration and Training Centres.
- (vi) Eighty-first Report on the Ministry of Food and Agriculture (Department of Agriculture)—National Dairy Research Institute, Karnal and

11.37 hrs.

# COMMITTEE ON PRIVATE MEM- BERS' BILLS AND RESOLUTIONS SEVENTY-FIRST REPORT

Shri Krishnamoorthy Rao (Shimoga): I beg to present the Seventy-first Report of the Committee on Private Members' Bills and Resolutions.

11.37½ hrs.

# ESTIMATES COMMITTEE—contd.

## EIGHTY-SIXTH REPORT

Shri A. C. Guha: I beg to present the Eighty-sixth Report of the Estimates Committee on action taken by Government on the recommendations contained in the Fifty-third Report of the Estimates Committee on the Ministry of Finance erstwhile Department of Revenue and Company Law (Company Law Division).

11.38 hrs.

# JUDGES (INQUIRY) BILL—contd.

Mr. Speaker: We take up the Judges (Inquiry) Bill. Shri A. S. Alva was on his legs but Government wants to bring a motion for reference to Select Committee.

Shri Hari Vishnu Kamath (Hoshangabad): For once they have done the right thing.

The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao): I beg to move

"That the Bill to regulate the procedure for the investigation and proof of the misbehaviour or incapacity of a Judge of the Supreme Court or of a High Court and for the presentation of an address by Parliament to the President be referred to a Joint

Committee of the Houses consisting of 30 members; 20 from this House namely Shri S. V. Krishnamoorthy Rao; Shri N. C. Chatterjee; Shri Sachindra Chaudhuri; Shri Homi F. Dajji; Shri R. G. Dubey; Shri Hari Vishnu Kamath; Shri Harekrushna Mehatab; Shri Shankarrao Shantaram More, Shri Gulzarilal Nanda, Shri Ghanashyam Lal Oza; Shri Tika Ram Paliwal; Shri Raghunath Singh; Shri Shivram Rango Rane; Shri N. G. Ranga; Shri Sham Lal Saraf; Dr. L. M. Singhvi; Shrimati Tarakeshwari Sinha; Shri U. M. Trivedi; Shri T. Abdul Wahid, and Shri Jaganatha Rao and 10 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the 28th February, 1966;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 10 members to be appointed by Rajya Sabha to the Joint Committee."

**Shri Hari Vishnu Kamath:** Sir, may I congratulate the Government on their wise and correct decision on this matter?

**Shri Jaganatha Rao:** Government is always responsive.

**Mr. Speaker:** May I put this motion to the vote of the House? All the Members wanted it.

**श्री बाल्मिकी (मुग्धा) :** अध्यक्ष महोदय, एक शब्द मैं कहना चाहता हूँ। हाँ, कल तक तो केवल प्रवर समिति की बात

थी, आज फिर यह संयुक्त तर्क की बात एकदम कैसे पैदा हो गयी?

**अध्यक्ष महोदय :** मेम्बरों ने चाहा और यही बात कहें, और उसी के मुताबिक गवर्नमेन्ट ने मान लिया। अब क्या कहने की जरूरत है।

**Shri Shree Narayan Das (Darbhanga):** When it is going to be referred to the Select Committee, hon. Members should be given an opportunity to express their views on the Bill for the benefit of the Select Committee.

**Shri A. S. Alva (Mangalore):** We may be allowed to speak on the Bill so that our views may be taken into account by the Select Committee.

**Mr. Speaker:** I will give some time. Now, there is no scope for discussion. The hon. Members wanted it and it was conceded.

Motion moved:

"That the Bill to regulate the procedure for the investigation and proof of the misbehaviour or incapacity of a Judge of the Supreme Court or of a High Court and for the presentation of an address by Parliament to the President be referred to a Joint Committee of the Houses consisting of 30 members; 20 from this House, namely Shri S. V. Krishnamoorthy Rao; Shri N. C. Chatterjee; Shri Sachindra Chaudhuri; Shri Homi F. Dajji; Shri R. G. Dubey; Shri Hari Vishnu Kamath; Shri Harekrushna Mehtab; Shri Shankarrao Shantaram More; Shri Gulzarilal Nanda; Shri Ghanashyam Lal Oza; Shri Tika Ram Paliwal; Shri Raghunath Singh; Shri Shivram Rango Rane; Shri N. G. Ranga; Shri Sham Lal Saraf; Dr. L. M. Singhvi; Shrimati Tarakeshwari Sinha; Shri U. M. Trivedi; Shri T. Abdul Wahid and Shri Jaganatha Rao and 10 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the



[Mr. Speaker]

tota] number of members of the Joint Committee;

that the Committee shall make a report to this House by the 28th February, 1966;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 10 members to be appointed by Rajya Sabha to the Joint Committee."

Shri A. S. Alva: Mr. Speaker, Sir, yesterday I was mentioning that the Bill which has now been brought forward is violative of the Constitution not only in letter but also in spirit. Because, under article 124(5), what has been contemplated is that Parliament can make laws so as to regulate how the address has to be presented to the President and the mode of enquiry. But as far as this Bill is concerned, it takes a different turn altogether. As a matter of fact, under article 124(4) it is for the Parliament to say whether a particular allegation of misbehaviour or incapacity is proved. It is not for any outside agency or a court. So, as for this Bill, there are lots of inconsistencies in relation to that particular article itself.

As I said yesterday, as far as clause 3 is concerned, it says that only the President can make a reference to the tribunal and he must appoint this tribunal. That means to say, nobody can move a resolution in this House or in the other House to say that a judge has to be removed. If the Government thinks that it is not necessary that an address has to be presented, the only thing they have to do is to see that the President does not make a reference. That is to say the rights of Parliament itself are curtailed.

What the Bill provides is, after the tribunal is formed—even about that I shall submit a few objections—the tribunal goes into the matter just like a court, with the powers contained in the Civil Procedure Code and gives a finding. Some charges are framed and they give the findings on these charges with a statement if necessary. They are not bound to give all the reasons; they can simply say that the charges are proved or not proved. Then these are sent to the President and the President lays them on the Table of the House. Let us consider one aspect. The Bill says that the tribunal should consist of Supreme Court judges, who had acted as such or who are sitting judges of the Supreme Court. Let us take an instance. Suppose—God forbid,—there is a charge against one judge that he is mentally incapacitated and this tribunal finds that it is so, and afterwards that finding is placed on the Table of the House. The House has no other material to come to a conclusion except that finding, but the House does not accept that finding and says, "We are not going to pass the motion by a majority of the House or by two-thirds of the total strength present and voting." Suppose this House or the other House says like that and does not pass such a resolution. Then the judge is not removed. That judge continues to serve along with the other members of the tribunal, if they are sitting members of the Supreme Court, and then he must decide cases along with them. What will be the position of that judge? These are some aspects which the Select Committee, I am sure, will have to consider seriously.

Then I come to another aspect. This Bill takes away practically the entire responsibility of finding by this House the incapacity or misbehaviour of a judge. There are no intricate questions of law or of fact involved in an enquiry of this nature. The Constitution itself provides two definite grounds and they are really very simple

grounds. One is the proved misbehaviour and the other is incapacity. For that, is it necessary that the tribunal must go into the matter with all the evidence and so on? What is the position of the tribunal? When a tribunal is there, it gives a finding. That is to say, this House will be sitting as an appellate authority over those findings. Is it a desirable thing? They can come to a different conclusion; they need not agree with the finding. Is it proper that this House should sit as an appellate authority over the Supreme Court and should we permit the Supreme Court judges to give a verdict which may not be binding or which may not be accepted by this House? I submit that the Supreme Court certainly deserves our highest admiration and our respect, and they should not be placed in that position. As I said, under clause 5, it is clearly stated that this tribunal is only for assisting the House in respect of the procedure. The tribunal must be constituted by this House and for a specific purpose. It is not as though every day or very often we will come across cases for the removal of judges. I am sure as far as we are concerned, the Supreme Court judges or the high court judges are held by us in very high regard and it may be a very rare thing when cases of this kind may come up or allegations of this kind may be made. We must, therefore, take all the precautions, and for this very purpose, the Constitution-makers have clearly stated that it must be the duty of Parliament to find out whether they could remove a judge and that should not be questioned by anyone. Otherwise, the position will become anomalous.

Therefore, my submission is that the Select Committee should take into account whether this Bill does not go beyond the scope of article 124(5) and whether it is necessary that a tribunal of this type should be constituted. After all, if it is necessary, Parliament itself may constitute a committee of eminent people which may consist of either jurists or non-jurists. We can

always find in this country such eminent people to constitute a tribunal or committee for that purpose, people of international repute and of unquestionable character. They can always say whether a judge has misbehaved or is incapacitated; in the latter case they can always take the decision of a Medical Board or team of doctors.

I am sure that for the reasons stated by me the Select Committee will whittle down or strike down a lot of unnecessary things here and that a simple procedure will be adopted whereby the tribunal would be placed under the charge of Parliament and it must be under their jurisdiction. I finally submit that this Bill requires a lot of pruning.

श्री श्रीनारायण बास : अध्यक्ष महोदय, यह जजेशन क्वायरी बिल जो अब संयुक्त प्रवर समिति को सौंपा जाने वाला है, एक मौलिक प्रश्न उपस्थित करता है। जैसा कि हमारे माननीय सदस्य ने मुझ से पहले कहा है, हमारे संविधान ने इस पानियामेंट को इस मामले में इनीशिएटिव लेने का अधिकार दिया है, लेकिन इस बिल के पास हो जाने के बाद वह अधिकार सरकार के हाथ में चला जाएगा। इस बिल द्वारा यह अधिकार प्रेसीडेंट के हाथ में दिया जा रहा है, जिसका अर्थ है कि यह अधिकार सरकार को सौंपा जा रहा है। सरकार को जब मान्य होगा कि किसी जज विशेष ने कोई ऐसा काम किया है जिसे मिनिस्ट्रीरियर कह सकते हैं, या कोई जज ऐसा हो गया है कि वह काम नहीं कर सकता, तो उस के सम्बन्ध में कार्रवाई करने का अधिकार सरकार को और सरकार के द्वारा प्रेसीडेंट को होगा। जैसा अभी हमारे माननीय सदस्य ने कहा कि इस के द्वारा पानियामेंट में जो यह अधिकार दिया गया था वह पानियामेंट का अधिकार एक तरह से छीना जा रहा है।

[श्री श्रीनारायण दास]

दूसरी बात मैं यह कहना चाहूंगा कि अगर संविधान की जो 124 धारा है उसमें किसी जज को मिसबिहेवियर या अयोग्यता के लिए हटाने का जो विधान किया गया है वह ऐसा सख्त विधान है जिसमें किसी जज को हटाने के लिए जो एड्रेस प्रेसीडेंट के सामने उपस्थित किया जायगा उसके लिए प्रत्येक सदन की समस्त संख्या के बहुमत के द्वारा तथा उपस्थित और मतदान करने वाले सदस्यों में से कम से कम दो तिहाई के बहुमत द्वारा उस के समर्थन करने की आवश्यकता पड़ती है। इस का तात्पर्य यह था कि कोई ऐसा काम साधारण बहुमत से नहीं पास किया जाय। तात्पर्य इस का यह भी था कि जो कार्यवाही हो वह यह कार्यवाही सदन में ही उठाई जाये और सदन इस बात का निर्णय कर लिया करे। जो 124 की उप-धारा 5 है उस के जरिए पालियामेंट को अधिकार दिया गया है कि वह इस बात की जांच के लिए तरीका या नियम निर्धारण कर सकती है लेकिन इस का तात्पर्य यह नहीं है कि प्रेसीडेंट इस का निर्धारण किया करे। इस बिल के द्वारा प्रेसीडेंट को जो अधिकार देने जा रहे हैं मैं समझता हूँ कि यह संविधान के खिलाफ बात होने जा रही है। इसलिए मैं समझता हूँ कि इस बिल में ऐसा संशोधन किया जाना चाहिये, कि जब यह प्रश्न कभी आये, अगर सरकार के सामने आए तो सरकार का भी इस सदन के सामने उपस्थित होना चाहिए आवश्यक कार्यवाही के लिए या किसी माननीय सदस्य को इस बात की खबर मिले कि ऐसा कोई जज है जिसने कोई मिसबिहेवियर किया है या कोई ऐसा जज है जो अपना कर्तव्य पालन स्वास्थ्य ठीक न रहने की वजह से या किसी अन्य कारण से ठीक से नहीं करता है तो उस का सदन में सवाल उठाया जाय तो मैं समझता हूँ कि सचमुच में संविधान का पालन ठीक तरीके से नहीं हो सकेगा। लेकिन इस बिल में जिस तरीके से धाराएं दी गई हैं उन से यह अधिकार लिया जा रहा है। मैं समझता

हूँ कि प्रवर समिति इस बात पर गम्भीरतापूर्वक विचार करेगी। इस बात के इति-शियेटिव लेने का अधिकार जो इस संविधान के जरिए इस सदन को मिला हुआ है वह उस अधिकार के अक्षुण्ण बनाए रखने का निश्चय करेगी। इस सदन को यह अधिकार होना ही चाहिए कि जब कोई ऐसा अवसर आये तो वह एक विशेष ट्रिब्यूनल इस काम को करने के लिए नियुक्त कर सके ताकि वह उसके प्रकाश में उपयुक्त निर्णय कर सके और यह ठीक ही होगा कि कोई भी जज बिना समुचित प्रमाण के अपने कर्तव्य पद से हटाया न जाए और इसके लिए सदन एक विशेष ट्रिब्यूनल द्वारा इस बात को जांच करा सकता है। इस बात का संरक्षण इस संविधान में दिया गया है कि इस रिपोर्ट के आने के बाद भी सदन में जब इस निर्णय के पक्ष में सदन का बहुमत होगा और जो सदस्य उपस्थिति रहेंगे उन के दो तिहाई का समर्थन मिलेगा तभी कोई जज हटाया जा सकता है।

इतना कहने के बाद अब मैं कुछ सुझाव बिल की धाराओं के सम्बन्ध में देना चाहता हूँ। मैं समझता हूँ कि जो सब से पहली बात देखनी है वह इस बिल के नाम के बारे में है। दी जजज (इन्क्वायरी) बिल यह नाम इस विधेयक का ठीक नहीं है बल्कि इस का नाम दी जजज (रिमूवल फ्रॉम प्राफिस) इन्क्वायरी बिल होना चाहिए। दी जजज इन्क्वायरी बिल में कोई भाग माने प्रकट नहीं होते हैं। किसी भी विधेयक का नाम ऐसा होना चाहिए कि उस के नाम से ही यह प्रकट हो जाय कि इस बिल में क्या है। इसलिए मैं यह सुझाव देता हूँ कि इस का नाम दी जजज (रिमूवल फ्रॉम प्राफिस) इन्क्वायरी बिल रखना चाहिए।

दूसरी बात मैं इस सम्बन्ध में जो कहना चाहूंगा वह यह है कि न तो संविधान में और न ही जहां तक मुझे मालूम है हमारे किसी

कानून में मिसबिहेवियर की परिभाषा दी गई है। मिसबिहेवियर क्या है यह एक ऐसी महत्वपूर्ण बात है जो कि साफ तौर पर डिफ़ाइन होनी चाहिए। ऐसे महत्वपूर्ण मामले में जो हमारे जजैज से सम्बंध रखने वाला है इस मिसबिहेवियर की प्रेसाईस डिफ़ीनीशन होनी बहुत जरूरी है। संविधान में अगर नहीं की गई तो वह इस बिल में की जाय ताकि जो ट्रिब्यूनल नियुक्त किया जायगा उस ट्रिब्यूनल के सामने यह स्पष्ट आ जाये कि सदन ने जो यह बिल पास किया है उसमें मिसबिहेवियर का तात्पर्य क्या था? इसलिए मैं समझता हूँ कि मिसबिहेवियर की परिभाषा भी स्पष्ट शब्दों में हो जानी चाहिए ताकि इस बात में किसी तरीके की शक की गुंजाइश न रहे।

तीसरी बात मैं यह कहना चाहूँगा जैसा कि माननीय सदस्यों ने कहा है कि यह जो स्पेशल ट्रिब्यूनल बनाया जायगा वह हाई-कोर्ट के जजैज के आचरण या आयोग्यता की जांच के लिए या सुप्रीम कोर्ट की जज की जिसमें हमारे सुप्रीम कोर्ट के चीफ जस्टिस भी शामिल होंगे इस बात की जांच के लिए बनाया जायगा यह जो तीसरा क्लॉज उप-क्लॉज 2 से जोड़ दिया गया है मैं समझता हूँ कि यह इनकारवादी को बिल्कुल निष्पक्ष या भ्रष्टा नहीं बनायेगा। अब जहाँ तक कि हाईकोर्ट के जज के सम्बन्ध में जांच करने की बात है उसमें अगर सुप्रीम कोर्ट के जज रखे जायें तो कुछ हानि नहीं है। लेकिन जब किसी सुप्रीम कोर्ट के जज या सुप्रीम कोर्ट के चीफ जस्टिस के सम्बन्ध में जांच करनी पड़े तो उसमें सुप्रीम कोर्ट के जज रखना मैं उचित बात नहीं समझता हूँ। यह बिल ऐसा है जिसकी कभी किसी खास समय में उसकी उपयोगिता हो सकती है। मैं तो ऐसा सोचता हूँ कि हमारी सरकार जजों की नियुक्ति करते समय ही इस बात की प्रत्येक सावधानी बरतेगी और ध्यान रखेगी कि कभी हमें अपने देश में इस बिल का उपयोग करने का अवसर पेश नहीं पाये। अब चाहे वह हाई कोर्ट के हों अथवा सुप्रीम कोर्ट के हों वे

ऐसे कैलीवर के होने चाहिए, वे ऐसे ईमानदार, सच्चे और कर्तव्यनिष्ठ होने चाहिए जिनके कि विषय में कभी किसी तरीके का शक करने की गुंजाइश हाँ पैदा न होने पावे। लेकिन अब कभी ऐसा मौका पेश पाये तो मैं समझता हूँ कि चाहे वह सुप्रीम कोर्ट के चीफ जस्टिस हो या सुप्रीम कोर्ट के जज की जांच होनी हो उस में सुप्रीम कोर्ट के रिटायर्ड जजैज या सुप्रीम कोर्ट के एक्टिंग जज उस स्पेशल ट्रिब्यूनल में रखना यह उचित नहीं होगा। यह बिल्कुल पार्लियामेंट के हाथ में छोड़ना चाहिये कि जब जरूरत पड़े वह कोई ऐसा ट्रिब्यूनल बनाये जिसमें अच्छे से अच्छे जूरिस्ट्स हों, देश के प्रतिष्ठित लोग हों, कानून के विशेष जानने वाले हों तो अच्छा है, कानून के जानने वाले न भी हों तो कोई बात नहीं लेकिन वह अगर ईमानदार हों तो मैं समझता हूँ कि उनको इसमें रखें। इसलिए यह जो स्पेशल ट्रिब्यूनल कांस्टीच्यूट करने का अधिकार प्रेसीडेंट को इस बिल के जरिए दिया जा रहा है मैं चाहूँगा कि उसे नियुक्त करने का अधिकार संसद् को दिया जाय। जब भी कोई ऐसा ट्रिब्यूनल नियुक्त हो तो उसको संसद् के सामने आना चाहिये। संसद् के जरिए इस का निर्माण होना चाहिए। इसमें ऐसे लोगों को रखना चाहिए जो कि दरअसल में इस महत्वपूर्ण काम को करने के लिए ईमानदारी और सच्चाई के साथ काम कर सकते हैं।

एक बात मैं यह कहना चाहता हूँ कि यह जो ट्रिब्यूनल होगा इसमें कम से कम मेम्बर कितने होंगे।

श्री हुकमचंद कच्छबा (देवास) : अध्यक्ष महोदय, मेरा एक व्यवस्था का प्रश्न है और वह यह कि उसमें कौन से होंगे।

अध्यक्ष महोदय : अब कोरम हो गया है। श्री श्रीनारायण दास अपनी स्पीच अब जारी रखें।

श्री श्रीनारायण दास : मैं कह रहा था कि यह जो ट्रिब्यूनल होगा उसमें कम से कम मेम्बर कितने होंगे इसमें इसका जिक्र

[श्री श्रीनारायण दास]

किया गया है लेकिन मैं समझता हूँ कि इस बात का भी जिक्र इसमें घाना चाहिए कि अधिक से अधिक कितने होंगे ? कभी कभी ऐम्स होता है कि ज़रूरत से भी ज्यादा सदस्य रख दिये जाते हैं इसलिए कानून में इस बात का निर्धारण होना चाहिए कि अधिक से अधिक इसमें कितने सदस्य हों ।

इस बिल में एक मैडिकल बोर्ड की भी व्यवस्था की गई है । कई माननीय सदस्यों ने कल कहा था कि मैडिकल बोर्ड की क्या आवश्यकता है ? खास कर हमारे माननीय सदस्य श्री उ० मू० त्रिवेदी ने तो इस तरह के मैडिकल बोर्ड का मखौल उड़ाया था लेकिन मैं समझता हूँ कि अगर कोई जज फिजीकल इनकैपेसिटी या मेंटल इनकैपेसिटी की वजह से अपने काम को नहीं कर सकता और उसको जब हटाने की बात होगी तो डाकटरी जांच से होगी । हमारी और उनकी जांच से यह काम नहीं होने वाला है इसलिए अच्छे से अच्छे डाक्टर की नियुक्ति इस में होनी चाहिए । इस तरह का मैडिकल बोर्ड होना बहुत जरूरी है ।

इसी डिस्कशन के दौरान में, कल माननीय सदस्य, श्री त्रिवेदी ने यह भी कहा कि जजों को डालियाँ पापड़ और न जाने क्या क्या दिया जाता है । उन के भाषण से यह मालूम होता है कि हमारे जज अपना काम करने में बहुत छोटी छोटी बातों में प्रभावित होते हैं । मैं समझता हूँ कि अभी तक हमारे देश में न्यायालयों का जो रिकार्ड है, वह इतना ऊंचा है, जितना किसी भी देश में नहीं है । हमारे देश के न्यायाधीशों ने अपने निर्णय देने में अपनी निष्पक्षता का बहुत अच्छा सबूत दिया है । इसलिए मैं समझता हूँ कि इस बिल पर विचार करते हुए हमें यह नहीं सोचना चाहिए कि हमारे न्यायाधीश बहुत ऊँचे स्तर के नहीं हैं ।

12 hrs.

**अध्यक्ष महोदय :** सिलेक्ट कमेटी में यह बिल जाने के बाद हाउस में क्लोजिङ पर बहस हो सकेगी । इसलिए इस वक्त इतनी तफसील में जाने की क्या जरूरत है ?

**श्री श्रीनारायण दास :** सिलेक्ट कमेटी इसीलिए बैठती है कि वह क्लोजिङ पर विचार करे । मैं अभी ख़त्म कर देता हूँ ।

मैं यह भी कहना चाहता हूँ कि जब इस प्रकार के उच्च ट्रिव्यूनल का निर्णय इस सदन में आये और वह निर्णय इस सदन के बहुमत तथा उपस्थित सदस्यों के दो-तिहाई बहुमत से पास न हो सके, तो वह बहुत अच्छी बात नहीं होगी । इसलिए इस बिल में ऐसी गूजाइज़ होनी चाहिए कि संविधान की आवश्यकता की पूर्ति भी हो जाए और साथ ही यह सदन बड़े अच्छे अच्छे आदमियों से बने हुए ट्रिव्यूनल के निर्णय की भी उपेक्षा न कर सके । इस बात का कोई जिक्र इस बिल में रहना चाहिए ।

माननीय उपमन्त्री ने इस बिल को सिलेक्ट कमेटी में भेजने के लिए जो प्रस्ताव रखा है, इन शब्दों के साथ मैं उस का समर्थन करता हूँ ।

**Shri Himatsingka (Godda):** Mr. Speaker, Sir, a lot of discussion has taken place on this Bill which has become necessary in order to meet the provisions laid down in article 124(5). The genesis of this Bill has been very ably explained by Dr. Singhvi yesterday. He has explained why this Bill became necessary, and in that connection he stated that one of the judges of the Supreme Court who had lost mental control and who could not follow anything would not resign in spite of requests and therefore it became necessary to lay down the procedure which could be followed and observed in taking steps in accordance with article 124(4).

Sir, some of the hon. Members who spoke yesterday, rather disparagingly referred to the judiciary. I feel, Sir, the judiciary of this country is one which we can be very well proud of. They have maintained a very high standard. It may be that there may be very rare exceptions here and there, but otherwise the judiciary of this country has been behaving very well and the judges have shown excellent character and exemplary behaviour.

The hon. Member, Shri Mukerjee, always brings forward, by way of criticism, the appointment of a particular judge of the Calcutta High Court. I do not know what justification he has in doing that. Simply because a gentleman who was appointed as a judge was in politics before that does not take away his qualifications if he was otherwise qualified to be appointed as a judge. In fact, the judge in question has been doing very excellent work. He is one of the best judges that we have in the Calcutta High Court, and it is not very proper off and on to criticise a particular judge without the judge being given an opportunity to meet the allegation.

A criticism that was put forward by the hon. Member, Shri Trivedi, was that judges are appointed, rather, in a light-hearted manner and proper steps are not taken.

श्री हुकम चन्द कछवाय

प्रध्यक्ष महोदय, मेरा व्यवस्था का सवाल है। हाउस में कौम नहीं है।

**Mr. Speaker:** The hon. Member may resume his seat. The question of quorum has been raised. The Bell is being rung.

I find there is quorum now. The hon. Member, Shri Himatsingka, may continue his speech.

**Shri Himatsingka:** As you know, Sir, the salary that is now being paid to judges is Rs. 3500, and with the deductions at the present rate of income-tax

and other deductions they are left with a very little sum. As a result, good practising lawyers, lawyers who have good practice, are generally not willing to accept judgeship. That is why there is the danger that gradually the quality will be deteriorating. Therefore, one point which should be considered by the Government is whether or not they should give more thought to the question of raising the salary of judges so that better class of lawyers who have good practice may be attracted and they may not find an opportunity or an occasion to decline an offer when it is made.

Another criticism that has been made is that it would be taking away the powers of Parliament. I have not been able to follow how the powers of Parliament is going to be taken away. Even when the Special Tribunal will have made its report, the report will be placed before the House and unless the House decides in accordance with the provisions of article 124(4) no action can be taken. As a matter of fact the whole idea of the Constitution is that it should be that the judges cannot be touched, they cannot be removed and no action can be taken unless it is a very grave matter of misbehaviour or a judge is incapable of acting as a judge. Therefore, any provision that stands in the way of any action being taken against a judge is welcome and there should be no objection to any provision that protects the office of the judge.

Therefore, the Bill merely provides what the procedure should be to enable Parliament to take action under article 124(4). After the report is available to the hon. Members of Parliament, it will be easier for them to a conclusion whether or not to support any Address that may be moved by any hon. Member or a group of Members in connection with a particular judge. I, therefore, feel that the Bill lays down a certain important procedure which should be observed, and in order that better class of people may be attracted, I also feel that the pension that is payable to a judge should

[Shri Himatsingka]

also be raised so that they may not have to look to any other work after they retire. One hon. Member said that judges after retirement move about in the corridors of the Secretariat. The judges have to live even after retirement. If they are not able to save anything, they are compelled to seek some other appointment. I, therefore, feel that the pension and other emoluments of the judges should be made such that they may live comfortably even after retirement. If these suggestions are taken into consideration, I feel that the high standard of the judiciary will be maintained.

Dr. M. S. Aney (Nagpur): First I think it is my duty to congratulate the hon. Minister who moved the Bill for having practically accepted in principle the amendment moved by Shri Kamath for reference of the Bill to a Select or Joint Committee. Therefore, much of the points that I wanted to refer to about the Bill need not be said now. There are, however, one or two points on which I would like to stress.

This Bill relates to the removal of Judges from office. A Bill of that importance was brought here by the hon. Law Minister with a view to getting it passed at one and the same sitting. The Bill was introduced and immediately the consideration motion was moved. I thought that as we were dealing with a very important question we should not do it in a light-hearted way.

If anybody reads the Constitution he will find that the sovereignty of India is practically vested in three major institutions which the Constitution has created; one of them is President, another is Parliament and the third is the Supreme Court. I do not want to go into relevant sections to explain how the relations between these three bodies are maintained. Article 141 says that the law declared by the

Supreme Court shall be binding on all courts within the territory of India. Similarly, article 142 refers to the enforcement of decrees and orders of Supreme Court. Similarly, President has ultimate power. The sovereignty of Parliament is an undoubted fact. When you are dealing with one of the three institutions on which the sovereignty of India is vested and you are drafting a Bill dealing with one institution you must see to it that the Bill is drafted in such a way that all the implications of the provisions are considered by the whole country. As sovereignty is vested specially in these three institutions, if any fundamental change is sought to be made as regards one of these institutions, it is very necessary that the opinion of the country is obtained on the Bill before it becomes law. Therefore, it would have been better if we had accepted a motion for circulating the Bill for obtaining public opinion, as originally proposed. However, as the hon. Minister has agreed to refer it to a Select Committee, I shall not say anything further on that point. Having heard the arguments he perhaps thought that there is a good deal of feeling in favour of its reference to Select Committee.

Article 124(4) lays down certain rules for the removal of a judge of a Supreme Court. It says:

"A Judge of the Supreme Court shall not be removed from his office except by an order of the President passed after an address by each House of Parliament supported by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting has been presented to the President in the same session for such removal on the ground of proved misbehaviour or incapacity."

It means that so far as the removal of a Supreme Court Judge is concerned, the other two sovereigns have to

come into the picture. At the same time, sub-clause (4) says:

"Parliament may by law regulate the procedure for the presentation of an address and for the investigation and proof of the misbehaviour or incapacity of a Judge under clause (4)."

While referring to this clause, one hon. Member suggested that word "impartiality" should also be added. I think it is better that no reference is made to impartiality. The very fact of appointment to the Supreme Court as Judge presupposes that he is impartial and has outstanding qualities. So, it is better that we make no comment about character and impartiality. In my opinion, the two words mentioned there, namely, 'misbehaviour' and 'incapacity' are sufficient for considering the question of removal of a Judge from office. There is no need to adding more disqualifications like 'impartiality'. That would open up the record of his whole service, whether he has been partial or impartial.

There is one more point. Some members feel that by means of the mechanism of the appointment of a Special Tribunal the powers of this House are being taken away. I do not think it is correct. In a way, you can say that power is diluted. Yet, the House will have to consider the findings of the Special Tribunal. I think we have to look at it from a somewhat different point of view. We are providing for a Special Tribunal consisting of eminent persons to go into the conduct of Judges. In view of that the report of the Special Tribunal will make proper material for the members of the House who are more or less lay men. Parliament is a supreme body, no doubt, and Parliament collectively has the right to do anything. But Parliament consists of people like myself who are very ill read and others very well read. When a collective body like that has to consider a question like that it should have before it material properly sifted. Otherwise, it will not be in a position to take fair

and impartial decisions. So, the Tribunal should have persons of eminence and their report should be considered by Parliament.

Regarding the qualifications of the members of the Tribunal etc., they will be considered by the Select Committee in detail. When a Bill of this importance goes to the Select Committee, it should receive proper consideration. In the meanwhile, if possible, opinions on the Bill should be invited from all those who are competent to give opinion on this question.

With these remarks, I once again congratulate and express my gratitude to the hon. Minister for having accepted the suggestion for reference of the Bill to the Select Committee. I support the substitute motion.

श्री हुकम चन्द कछवायः अध्यक्ष  
महोदय. सदन में गणपूर्ती नहीं है।

Mr. Speaker: The bell is being rung . . . Now there is quorum. Shri Kakkar.

Shri Gauri Shankar Kakkar (Fatehpur): Mr. Speaker, Sir, at the very outset I would say that I am very glad that the Minister, who has now conceded the Bill being sent to the Joint Committee, has reacted favourably to that. But I fail to understand as to what is the necessity for bringing forward any Bill of this sort which impliedly casts a sort of aspersion on the highest judiciary and, if I may be allowed to say so, even casts aspersion on the President of the Indian Union.

Sir, in accordance with the provisions of this Bill certain powers have been given to the President, namely,—

"If the President, on receipt of a report or otherwise, is of opinion that there are good grounds for making an investigation into the misbehaviour or incapacity of a Judge, he may constitute a Special Tribunal for the purpose of making such an investigation and forward the ground of such investigation to the Special Tribunal."



[Shri Gauri Shankar Kakkar]

After this Tribunal has made the inquiry and has given its finding, that has to come before this House. Now, in accordance with the provision of article 121 of the Constitution, if the requisite majority is not favourable to the finding of the Special Tribunal, it will mean that the action taken by the President and the channel that has been evoked through the President is being overthrown by the House and it will indirectly mean casting an aspersion on the President also.

श्री गुरुम चन्द कछवाय : अध्यक्ष महोदय, सदन में गणपूर्ती नहीं है।

**Mr. Speaker:** The bell is being rung . . . Now there is quorum.

**Shri Gauri Shankar Kakkar:** I was submitting, Sir, that there was absolutely no necessity for bringing forward such kind of a Bill before the House. It has been provided in article 124(5) that Parliament may by law regulate the procedure for the presentation of an address and for the investigation and proof of the misbehaviour or incapacity of a Judge under clause (4). In accordance with the mandatory provisions of the Constitution—articles 121 and 124—the proper forum for all these investigations into the misbehaviour or incapacity of a judge has exclusively been laid down as the Parliament. If there is any attempt to deprive that forum by evoking any sort of special tribunal for censuring or investigating into the misbehaviour or incapacity of a judge, it would be a very serious aspersion.

There is no denying the fact that the judiciary is the proper custodian of the democratic set-up of the country. If you are going to create any sort of tribunal for the purpose of inquiring into the misbehaviour or incapacity of a judge, it would mean creating a sort of court or tribunal above the Supreme Court. In accordance with the provisions of the Constitution it is only the Parliament which is empowered to bring a motion and

after that motion has been discussed, a representation is to be made to the President. Clause (5) of article 124 only provides for those rules and regulations for presenting that representation. So, Parliament is the proper forum.

My objection first is to the name of this Bill, namely Judges (Inquiry) Bill. This is a very wrong nomenclature given to this Bill. It would have been proper if the Bill were to be given the name in accordance with clause (5) of article 124 which says:—

"Parliament may by law regulate the procedure for the presentation of an address and for the investigation and proof of the misbehaviour or incapacity of a Judge under clause (4).".

**Mr. Speaker:** The long Title is there.

**Shri Gauri Shankar Kakkar:** Then, in sub-clause (2) of clause 3 of this Bill it has been provided, namely,—

"The Special Tribunal shall consist of such number of members, being not less than three in number, as the President may think fit to appoint from among persons who are or have been Judges of the Supreme Court".

As an amendment says, there are other persons who are able but who have not been judges of the Supreme Court. Therefore, this scope should not have been limited.

Then, my next objection is that the functions and privileges which were exclusively given to Parliament are being diverted to the President by this particular measure of legislation. After the motion it is the Parliament which can come forward to create any sort of special tribunal or committee which may go into it. It can be *in camera*—because it is a very delicate affair—so as not to publicise the proceedings

of such special tribunal to censure the conduct of a judge. I would have been glad if the Cabinet came forward with a piece of legislation to regulate and control the conduct of Ministers in this country. I wish to say that if there had been any attempt to regulate and control the executive powers vested in Ministers, it would have been a very happy chapter in the history of this Parliament; but any attempt to regulate and control the activities of the judiciary would be suicidal.

I am very glad that it is going to the Joint Committee. My only suggestion is that it would be better if the Joint Committee takes into consideration this and gives its opinion that it would not be proper to bring forward any specific Bill for this purpose and that it should be confined to what has been given in article 124.

**Mr. Speaker:** What is to be done? The Constitution requires that there ought to be a Bill for the purpose and the hon. Member says that there ought not to be any.

**Shri Gauri Shankar Kakkar:** It does provide. But who has the authority? Parliament has the authority. Parliament is legislating this Bill. The personnel of the tribunal are to be nominated by Parliament and not by the President.

**Shri C. K. Bhattacharyya (Raiganj):** Mr. Speaker, Sir, this Bill proceeds on a very delicate ground. In fact, since the British system of judiciary was established in this land, I do not know whether an Act like this has been legislated before. This is the first time that a legislation is proposed to be enacted to inquire into the conduct of the judges. As such, we ought to proceed very carefully and very cautiously.

Sir, when I look to the constitutional provisions on which this Bill is based, that is, Article 124, at times I feel that the Constitution has almost tried to

provide that such an inquiry could not be held because sub-Section 2(b) provides that a judge may be removed from his office in the manner provided in clause (4). But when the procedure is indicated in clause (4), the entire bias of the procedure is such that it makes it difficult for such an inquiry to be held. The substantive provision says that a judge may be removed but when the procedure is indicated in clause (4), it does not say that a judge may be removed. There, it completely changes the bias of the provision to the negative side that "a judge shall not be removed."

12.32 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

श्री हुकुम चन्द कछवाय : मेरा व्यवस्था का सबाल है। हाउस में गणपूर्ती नहीं है।

श्री जोकीम भाल्वा (मंगलौर) : इमर-जेंसी के वक्त में प्राप को यह धाबजेकशन नहीं साना चाहिए।

**Mr. Deputy-Speaker:** The bell is being rung....There is quorum now. The hon. Member may continue his speech.

**Shri C. K. Bhattacharyya:** As I was saying, if you look to the provision contained in sub-section 4 it is decidedly negative that a judge of the Supreme Court shall not be removed. Then, it proceeds to lay down conditions which may be necessary to fulfil before an inquiry could be conducted. Putting these two together, I feel that the bias of the Constitution is that a judge shall not be removed though a provision is there and some authority is left to the Parliament for presenting an address to the President.

When we look to our judiciary, we find our judiciary has, by eminence, made a name in the whole world and we have seen judges who could and

[Shri C. K. Bhattacharyya]

who can hold themselves up against the judges of any country in their juristic learning, in their impartiality and in their capacity to tackle very difficult cases. We have seen that in our courts. Here, I am thinking of the opinion of Mr. Justice A. K. Sarkar who was one of the Bench for that controversial reference by the President of India regarding the powers and jurisdiction of the High Court and its duties in relation to the State Legislature in that U.P. Legislature vs. Allahabad High Court case. He referred to the fact that the Parliament though having powers has not proceeded to criticise judges in any way and, though he upholds the supreme authority of the Parliament in relation to the judiciary, at the same time he points out:

"... that though article 211 is not enforceable, the legislatures have shown an admirable spirit of restraint and have not even once in all these years discussed the conduct of judges".

He commendably referred to the traditions that we have established in our legislatures. So, when we go to frame an Act like this, we should proceed very cautiously so that the judiciary may not be affected in any way.

As I was saying, we have produced judges of monumental learning. The Privy Council in regard to some of the judgments delivered by our High Courts has repeatedly referred to the juristic knowledge of the judges who delivered those judgments. We should be able to depend on the learning and the capacity of our judiciary to proceed in their own way, in an impartial way, so that a legislation like this when passed into law may not be necessary to be applied at all.

With reference to the Bill, there have been some criticisms. When I look to the Constitution and look to the Bill, I feel that the Bill has put the things rather awkwardly. The Constitution brings the Parliament first

and the President last. But the Bill brings the President at the very first instance. The Constitution says that the Parliament will proceed with an address and the address will go to the President and the President will take the steps. What the Bill proposes is that the President comes at the very first instance. It is the President who gets the report; it is the President who sets up the tribunal; it is the President who appoints the person who has to defend the judge; it is the President who receives the report and submits it to the Parliament and then the Parliament comes into the scene. I think this procedure will have to be changed. Instead of bringing the President at the very first instance, as the Bill has done, the Bill should follow the Constitution and keep the President at the ultimate stage of this entire procedure under which the conduct of the judges or their incapacity may be looked into.

Some reference was made to the conduct of some of the judges. We have seen the judges, and one of them at least was Sir Gooroodas Banerjee of the Calcutta High Court, who chose to retire before time. He earned his pension before the age of retirement. He proposed to the Chief Justice that he should be allowed to retire. The Chief Justice wanted to retain him. But he said, "My continuance on the Bench means keeping out the younger ones. I do not want to do that." When he went to the Bench, both his son and son-in-law, eminent lawyers themselves, were in the court. He was on the civil side. His son gave up his civil practice because his father was there and he spent all his life as a judge of the tribunal. His son-in-law gave up civil practice altogether; he was having a practice limited to criminal side and even in that, he rose to great heights; he became the Chief Justice of the High Court—Sir M. N. Mukherji—and then came to the Centre as a Law Member. That was the example set up by the judges there. So we should think of this conduct that

the judges have set for themselves and for the followers who go to the bench after them. When this Bill is enacted into a law, I believe, as I said now, that this will remain a dead Act; it will never be applied in relation to the members of our judiciary who have established in India such a glorious record, such a record of which we can be proud. In fact, we can present to the whole world the achievements of Indian lawyers and Indian judges.

**Shri M. P. Swamy (Tenkasi):** In deference to the wishes of the House, the Deputy Minister was pleased to refer this Bill to a Joint Committee and I hope the Joint Committee will thoroughly go into this matter and make suitable suggestions and amendments, if found necessary.

The operative clause of this Bill is clause 3, which says:

"If the President, on receipt of a report or otherwise, is of opinion that there are good grounds for making an investigation into the misbehaviour or incapacity of a Judge, he may constitute a Special Tribunal..."

Here I want to say that each and every report sent to the President is not automatically referred to the Special Tribunal; the President exercises his discretionary power; he scrutinises the report and other factors before he sends the matter for investigation to the Special Tribunal. So there we have got the fullest confidence in the discretionary power of the President.

We find that the judges are the watchdogs of liberty and freedom of the citizens against the citizens and the citizens against the Government. The judges occupy an eminent place in the society and it is a delicate matter to enact legislation to inquire into their misbehaviour. We should, therefore, bestow our best attention to framing and putting our suggestions in this connection. As the Bill stands now, clause (8), Section 3, says:

"The President may, if he so thinks fit, appoint a person to conduct the case against the Judge."

Here I would suggest that a person who is learned and who is an advocate of the Supreme Court should be appointed to conduct the case against judges before the Special Tribunal.

There is no penalty attached if a judge refuses to submit himself before the Medical Board for examination. Here, Clause (5), Section 3, only says:

"...the Judge shall submit himself to such medical examination."

There is no penalty attached if he fails or refuses to submit himself before the Medical Board. I think the Joint Committee will look into this matter.

As I said earlier, our judiciary is functioning very well and we have great confidence in them. But here we find that the Parliament is the supreme authority in conducting the whole affairs of the nation. Under Article 124, Clause (5), we have got the power to remove a judge for proved misbehaviour or incapacity. Here again we find that only the President is given the power to initiate the proceedings. What the Parliament is asked to do is either to accept or to reject the report given by the Special Tribunal. The President has got the power to exercise his discretion and only when he is of the opinion that there is a proper case, he will forward it to the Special Tribunal for investigation. So there is a safeguard here against any fictitious or frivolous allegation made against judges. If, on investigation by special tribunal, any report is proved to be false or baseless, the law must be invoked, to punish the complainant.

बी हुकम सब कलबाय : घेरा एक व्यवस्था का मसाल है. हास में कोरम इस समय मौजूद नहीं है।

**Mr. Deputy-Speaker:** The bell is being rung.

Now there is quorum. The hon. Member may continue.

**Shri M. P. Swamy:** As I was referring, it is the Parliament and Parliament alone which has got the power to accept or reject the report given by the Special Tribunal, by passing a motion to that effect, supported by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting. It is just like the procedure for amending our Constitution. So there are very many safeguards for the judges and we wish, as Shri C. K. Bhattacharyya said, that no occasion will arise to come across such cases in our country.

**Shri Jaganatha Rao:** Mr. Speaker, I am grateful to the hon. members who have evinced so much of interest in this Bill. I would have straightaway, accepted the motion of my friend, Shri Kamath, yesterday to refer the Bill to the Select Committee, but his motion was for a reference to the Committee of this House. Under the Constitution, both the Houses can present an address to the President for removal of a judge on grounds of proved misbehaviour or incapacity. Therefore, I could not accept his motion and have now come forward . . .

**Shri Hari Vishnu Kamath:** I agreed to it yesterday itself.

**Shri Jaganatha Rao:** Several points have been raised by the hon. members yesterday and today. One of the points, which, according to me, is important, is that the initiative should rest with the Parliament. This point was raised by Shri Kamath and was supported by Dr. Singhvi and Prof. Ranga. My submission is that the initiative always rests with the Parliament. The Constitution is the supreme law of the land and any legislation passed by the Parliament or the State Legislatures must conform to the provisions of the Constitution. Under the Constitution, the President is the appointing authority in the case of a Supreme Court judge or a High Court judge. The principle here is that the authority which has the power to appoint should have the authority to

remove the person so appointed. That is the principle on which the authority vests with the President to remove a judge. Certain safeguards have been provided in the Constitution to preserve the independence of the judiciary. A judge cannot be removed by the President who appoints him unless both the Houses present an address and on the ground of proved misbehaviour or incapacity. This is the first principle.

The second principle, which I would like to say in reply to the point raised is that the Parliament under Art. 124 of the Constitution can present an address to the President for removal of a judge on grounds of proved misbehaviour or incapacity, the words "proved misbehaviour or incapacity" presuppose that there should be some agency which would go into the question of the fact of incapacity or misbehaviour. Therefore, there must be some body or some agency to go into the question. Then only Parliament comes into the picture. Parliament has the final say in the matter. Therefore, according to me, Parliament should not have anything to do either with the appointment of the tribunal or with the initial stages and no discussion can take place in Parliament at that stage. That is the principle why the initiative which vests with the Parliament under the Constitution is retained and is not sought to be taken away by this Bill.

Further, no discussion can take place on the conduct of a judge either on the ground of alleged misbehaviour or incapacity unless there is adequate evidence. Otherwise, the fair name of the judge will be tarnished. Therefore, the framers of the Constitution envisaged that there should be some agency to go into this question and only when the report of that agency is forthcoming the power which vests with Parliament can be exercised.

Objection has been raised in regard to the constitution of the tribunal, and it has been asked why in clause 3 (2) it has been provided that only persons who have been or are members of the

Supreme Court shall be appointed to this special tribunal. The reason is simple. Persons who have been or are judges of the Supreme Court are men of vast judicial experience and exceptional integrity, and these are two classes of persons from among whom the members of the special tribunal shall be selected. These posts are not going to be advertised by the UPSC. One hon. Member said that persons who were qualified to be judges of the Supreme Court should also be selected. Any advocate with ten years' experience is qualified to be a Supreme Court judge....

**Shri Hari Vishnu Kamath:** On a point of order. If I have heard the Hon. Speaker aright, he had observed, when you, Sir, were not here unfortunately, that Members on both sides of the House need not go into the details, since the Joint Committee would consider all these matters at leisure.

**Shri Jaganatha Rao:** Should I not reply to the points raised?

**Shri Hari Vishnu Kamath:** They were raised because there was no proposal to refer it to a Select Committee then.

**Shri Jaganatha Rao:** Because they have been raised, I am replying to them. My hon. friend cannot take away my right to reply.

**Dr. L. M. Singhvi (Jodhpur):** Is the hon. Minister so keen to reply to the points raised now?....

**Shri Jaganatha Rao:** Why were the points raised then? Certainly, I cannot allow a point to go on record without its being replied to.

**Dr. L. M. Singhvi:** I should like the hon. Minister to tell us whether there is any parallel for the appointment of a special tribunal in any of the countries which are advanced and experienced in the process of the rule of law.

**Shri Jaganatha Rao:** There is a parallel in the Canadian Constitution and in the Australian Constitution.

**Dr. L. M. Singhvi:** There is no such special tribunal there.

**Shri Jaganatha Rao:** We have got instances in the Constitutions of the other countries of the world also. That is the reason why this clause has been incorporated in the Bill.

My hon. friend Shri U. M. Trivedi raised a point about the commencement clause of the Bill. He asked why it had been said that the Act would come into force on such date as the Central Government might by notification in the Official Gazette, appoint. The reason is simple. This Bill contemplates the framing of rules by the Central Government regarding the procedure to be followed by this House for the presentation of the address to the President, how the Address should emanate, whether it should emanate in the Lok Sabha first and then go to Rajya Sabha, and if such a motion is adopted, what the procedure for transmitting it to the other House should be, in what form the Address has to be presented and so on. These things will be regulated by rules to be framed by the Central Government which have to be placed on the Table of both Houses of Parliament. That is why some time will be taken for the implementation of this Bill. That is the reason why this commencement clause has been incorporated in this Bill.

Then, some hon. Members suggested that the tribunal should be a permanent one. It is not a vigilance commission to inquire into the conduct of judges or public servants or public men. It is only when an occasion arises or when the need arises, which we hope will very seldom arise or may not arise at all. . . .

**Shri C. K. Bhattacharyya:** It will never arise.

**Shri Jaganatha Rao:** According to me, it may never arise. But the Constitution requires that a law should be

[Shri Jaganatha Rao]

made by Parliament, and the law is being made about the procedure to be adopted.

In regard to the procedure to be adopted by the tribunal, this Bill gives the powers of a civil court to the special tribunal. The provisions of the Civil Procedure Code regarding the summoning of witnesses, their examination, and the issue of commissions and so on will apply to them. Therefore, the Central Government or the executive does not interfere with the functioning of this special tribunal at all. The fears expressed by hon. Members on this score were unfounded, because I am sure evidently they have not gone through the Bill in detail.

As regards the medical board, I am glad that two hon. Members have already replied to it. When a judge is said to be incapacitated either due to physical defect or due to mental defect, somebody has to go into the question. It is only a medical board that can give an opinion on the matter. Therefore, a medical board has to be constituted in the interests of the judge.

Then, objection was taken to the provision that Government or the President may appoint a person to conduct the case against the judge, and it was asked why the word 'person' should be there and why the words 'a senior advocate' should not be there. I would submit that it is not always necessary that a senior advocate should be there. Suppose there is a question about the capacity of a judge, whether he is really incapacitated due to physical or mental defect, then any person may be appointed, for instance, a doctor could be appointed to conduct the case. Therefore, some discretion has to be allowed to the President to appoint a suitable person according to the circumstances of the case.

Fears have been expressed that the sovereignty and the powers and supremacy of Parliament are taken away by the appointment of this special

tribunal. I would submit that they are not taken away. The words used in the Constitution are 'proved misbehaviour' or 'incapacity'. So, a fact-finding body has to be appointed, and its report will have to be laid on the Table of both Houses of Parliament, whether that report be favourable or unfavourable to the judge. The final say rests with Parliament. Parliament will have to come to a decision by a total majority and by a majority of not less than two-thirds of the Members present and voting, and then the President is bound to act on the address presented to him by both Houses of Parliament. Therefore, the fear expressed in some quarters that Parliament's right is taken away is not correct.

**Shri C. K. Bhattacharyya:** The whole thing will depend on the interpretation of the word 'proved'. What does the word 'proved' mean?

**Shri Jaganatha Rao:** It means 'proved to the satisfaction of the tribunal'.

**Shri Hari Vishnu Kamath:** Proved to the satisfaction of Parliament.

**Shri Jaganatha Rao:** It is a fact-finding body. That is why we are going to have a sitting judge or a retired judge of the Supreme Court as a member of the special tribunal, and the tribunal will go into the question; full opportunity would be given to the judge to adduce evidence in defence of himself and to rebut the allegations. . . .

**Dr. L. M. Singhvi:** It has to be proved to the satisfaction of the Parliament and not of the special tribunal. How does the hon. Deputy Minister import the concept of a special tribunal and superimpose it on article 124 (5)?

**Shri Jaganatha Rao:** The tribunal is given full powers to go into the evidence. Supposing the tribunal says that the case is not proved against the judge, the report will be laid on the Table of the House. It is then

open to any Member of Parliament to bring forward a resolution. That is not barred. That right is not taken away.

**Shri Hari Vishnu Kamath:** The hon. Deputy Minister should also be there on the Joint Committee.

**Shri Jaganatha Rao:** I shall be there on the Joint Committee. We are trying to evolve a code and a machinery by which we shall safeguard the interests of the judge and at the same time see that the Constitution is followed.

**Shri Alvarez (Panjim):** The pilot must be on the Joint Committee.

**Shri Jaganatha Rao:** I am there on it.

I need not go into the other details now. I am glad that the House has evinced great interest in this Bill, and I thank the hon. Members who have taken so much interest in this Bill.

**Shri Hari Vishnu Kamath:** On a point of clarification. The Deputy Minister was pleased to say that Parliament had not been divested of the right given to it under the Constitution. Now, the President has been given the initiative to order or direct an investigation into the misbehaviour or incapacity of a judge. Suppose in spite of—God forbid—allegations, memorials and petitions presented to the President, as has happened in some cases in the past, the President refuses to appoint a tribunal, then will Parliament still have the right, and will any Member of Parliament have the right to bring forward a motion or a resolution to advise or ask Government to order an investigation?

**Shri Jaganatha Rao:** That power is not taken away. It is open to any Member to bring forward a resolution.

**Shri Hari Vishnu Kamath:** I hope they will co-operate in bringing it about.

**Mr. Deputy-Speaker:** The question is:

"That the Bill to regulate the procedure for the investigation and proof of the misbehaviour or incapacity of a Judge of the Supreme Court or of a High Court and for the presentation of an address by Parliament to the President be referred to a Joint Committee of the Houses consisting of 30 Members; 20 from this House namely Shri S. V. Krishnamoorthy Rao, Shri N. C. Chatterjee, Shri Sachindra Chaudhri, Shri Homi F. Daji, Shri R. G. Dubey, Shri Hari Vishnu Kamath, Shri Harekrushna Mahatab, Shri Shankarrao Shantaram More, Shri Gulzarilal Nanda, Shri Ghan-shyamlal Oza, Shri Tika Ram Paliwal, Shri Raghunath Singh, Shri Shivram Rango Rane, Shri N. G. Ranga, Shri Sham Lal Saraf, Dr. L. M. Singhvi, Shrimati Tar-koshwari Sinha, Shri U. M. Trivedi, Shri T. Abdul Wahid, and Shri Jaganatha Rao, and 10 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of Members of the Joint Committee;

that the Committee shall make a report to this House by the 28th February, 1966;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 10 Members to be appointed by Rajya Sabha to the Joint Committee."

*The motion was adopted.*



Diu (Extension  
of the Code of Civil  
Procedure etc.) Bill

13 hrs.

**GOA, DAMAN AND DIU (EXTENSION OF THE CODE OF CIVIL PROCEDURE AND THE ARBITRATION ACT) BILL.**

**The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao):** I beg to move:

"That the Bill to provide for the extension of the Code of Civil Procedure, 1908, and the Arbitration Act, 1940, to the Union Territory of Goa, Daman and Diu and for certain other matters as passed by Rajya Sabha, be taken into consideration".

This Bill is a further step in the process of the integration of the legal system of the Union territory with the general pattern of the legal system in the rest of the country. A number of Indian laws, the IPC, the Indian Evidence Act and the Cr. P. C. have already been extended to the Union territory. The Code of Civil Procedure was, however, not extended as it was necessary to reorganise the subordinate civil courts before extending this to the territory. The Government of Goa, Daman and Diu have already undertaken legislation to reorganise the civil courts in the territory in consonance with the pattern obtaining under the Bombay Civil courts and have requested that parliamentary legislation be undertaken to extend the Civil Procedure Code having some of these provisions and having inter-state operation.

In the Portuguese law, civil procedure and arbitration law are interconnected. As such, it is necessary to extend the Arbitration Act along with the Civil Procedure Code.

These Acts will be enforced with effect from the date the reorganised civil courts come into existence in the Union territory. The Bill is on the lines of similar legislation for extension of laws and contains certain consequential amendments to the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963.

I move.

**Mr. Deputy-Speaker:** Motion moved;

"That the Bill to provide for the extension of the Code of Civil Procedure, 1908, and the Arbitration Act, 1940, to the Union territory of Goa, Daman and Diu and for certain other matters, as passed by Rajya Sabha, be taken into consideration".

**An hon. Member:** How much time for this Bill?

**Mr. Deputy-Speaker:** Not allotted. Let us fix one hour.

**Shri Hari Vishnu Kamath (Hoshangabad):** One to two hours.

**Shri Shinkre (Marmagoa):** I support the Bill on the broad principle that every such step as would result in further completing the integration of this territory with the rest of the country should be encouraged. But I cannot help expressing a few doubts and misgivings which I consider completely justified in view of the past experience we have had in Goa regarding the introduction and extension of so many Indian laws to the territory.

To start with, I will mention what happened when the Central Government extended the IPC and the Cr. P. C. to this territory. Before this extension, in Goa we had five criminal courts functioning with full original jurisdiction. As a result of the introduction of the Cr. P. C. all these courts with original jurisdiction were turned into a first class magistrate's courts and only one court of sessions was instituted for the entire territory. Unfortunately, after the notorious Bomb explosions which took place in Goa, this only court of sessions has been busy with the so-called "Goa bomb conspiracy case" for over months now. As a result, all other criminal cases which ought to have been submitted to the court of sessions are either pending or are not being taken

up as the court is busy exclusively with the bomb conspiracy case. As a consequence of this, so many under-trial prisoners and so many convicts are rotting in Goa jails hoping to see the day when the court of sessions will have time and chance to take up their cases or appeals.

The same thing is happening relating to cases in the court of judicial Commissioner instituted in Goa since Dec. 1963. When Government gave the existing Goa court the status of a High Court and called it the Judicial Commissioner's court, they did not think it proper to make the other arrangements necessary to enable the court to function properly. When I approached Shri Hathj more than 8 months ago with a request to appoint another Judicial Commissioner for that court which was having only two judges, as a result of which in so many cases when the Judicial Commissioners disagreed, no decision could be given, he told me that he would take necessary steps to appoint a third Judge. But what has happened in fact is that not only has a third judge not been appointed but one of the two Judges has gone on leave for the last four months and now the Judicial Commissioner's court is not functioning at all. The result is that there are so many convicts whose appeals are pending before the court and they are waiting for the day when the Government will think fit to appoint a Judge or two judges to enable that court to function properly.

You will be surprised to learn that in Goa we have come to a stage wherein one of the more important courts is not or was not functioning at least for about two months or so because the court clerk had reported sick and Government had made no arrangement to appoint a substitute. The Minister will say that this is a matter for the Goa administration to look into. But what I want to impress on Government is this: please make a proper study and research of the matter before introducing new  
1486 (Ai) LSD-6.

legislation there. Do not hurry up with with insufficiently considered legislation. If I may be permitted to say so, they never do such research and study of the background to the requisite extent and then hurry up with legislation extending laws to that territory. It is almost four years since the territory was liberated. It is only now that such basic and fundamental laws are sought to be extended there and that too in a haphazard way. That being so, I am sure the same situation will continue there after these fundamental laws of the land are extended there because I can foresee very well that this Bill, when turned into law and enforced to Goa, will reduce the quantum of work done in the courts, and there will again be so much backlog of judicial work pending before the courts. Government will say it is up to the Goa administration to do the needful. But we know in practice that the Goa administration means the centre here and everything has to be done by the Centre to see that things function properly there. I would request the Minister to look into this aspect of the matter and then only make haste to extend these laws. Otherwise, the same situation will prevail there.

श्री हुक्म चन्द कल्याण (देवास) :  
उपाध्यक्ष महोदय, हाऊस में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The bell is being rung . . . now there is quorum. Shri Shinkre.

Shri Shinkre: When the Bill in respect of the Judicial Commissioner's Court came before this House, it was piloted by the Deputy Minister of External Affairs, Shrimati Lakshmi Menon, and the explanation at that time was that, as this Union Territory was still under the jurisdiction of the Ministry of External Affairs, it was proper that the Bill should be piloted by a representative of that Ministry. Some time after that the Union Territory was transferred to the jurisdiction of the Home Ministry, and in the circumstances I think that this Bill should have been piloted by

[Shri Shinkre]

a representative of that Ministry instead of by a representative of the Ministry of law. I do not know if the Government have learnt better since then, and there is also not much point in pressing this argument because I feel that uniformity of criteria or consistency has never been the virtue of this Government.

Taking advantage of this Bill, I would request the Government to go into the larger question of research and study of so many basic laws as they existed in Goa, Daman and Diu, because there we still have one common, universal civil law, not Hindu Law, Mohammedan Law etc., community-wise as in the rest of the country. That being so, even a professional working lawyer like myself is at a loss to know whether a particular right as existed under the Civil Code is still applicable to Goa. The whole question of the fundamental laws of Goa, Diu and Daman has to be gone into and studied properly and only after that new enactments or extension of laws of this nature should be made; otherwise, it is bound to create so many problems to which the Government will never be ready with proper answers.

**Dr. M. S. Aney (Nagpur):** Why don't you demand a committee to enquire into this?

**Shri Shinkre:** They will only say that Goa is a drop in the ocean, and they will overlook it. Of course, I would strongly welcome such a committee, because, especially after the income-tax laws and many other laws were extended to Goa, there have been so many problems as the hon. Deputy Minister must be knowing.

For instance, according to the civil laws we have there, if the marital or pre-nuptial contract does not say otherwise, all the properties are supposed to be vesting really in the husband and wife.

श्री हुकम चन्द कच्छबाब : उपाध्यक्ष  
महोदय, सदन में गणपति नहीं है।

**Mr. Deputy-Speaker:** The bell is being rung...Now there is quorum.

**Shri Shinkre:** When the income-tax law was extended to Goa, so many provisions collided with the civil law there, for instance those relating to Hindu joint family etc., as there is only a universal civil law there. The income-tax authorities do not take into consideration all the provisions of the Civil Code, there, and they are also not known to them, and that has given rise to so much confusion.

Now turning to this Bill, I do not quite understand this fashion of drafting a Clause like this:

"So much of any law in force in Goa, Daman and Diu as corresponds to the Code of Civil Procedure, 1908, or the Arbitration Act, 1940, or any part of the said Code or Act, as the case may be, shall stand repealed."

This Clause has been drafted like this to save trouble, because the concerned people in the Ministry do not want to make any research or investigation to find out what clauses of the law there must necessarily be considered repealed by the new law; that is why it has been drafted in a general manner. But I want to submit that such clauses are bound to create confusion and give rise to different interpretations, because we can never be sure that all the Judges and judicial officers will interpret them in the same way.

Again, part of the existing law may be included in the new law and part of it may not be included. That also will give rise to different interpretations by different judicial officers. So, I would request the hon. Minister to look into this and provide a clause which is very specific, clear-cut and leaves no room for more than one interpretation, because otherwise time and again people will be seeking new interpretations or be victims of such interpretations.

The existing Code of Civil Procedure in Goa, Daman and Diu is very much based on so many provisions of the Civil Code, and there is repeated reference to the Civil Code in various provisions of the Civil Procedure Code. That being so, it will be very difficult to understand this repealing clause, because there may be some situations considered in both the Codes, but the relief or remedy may not be the same in both cases, and so there will be ample scope for more than one interpretation. This will only create trouble for the poor public.

After the extension of these two basic laws, I hope the hon. Deputy Minister will see to it that in Goa a situation is not allowed to be created where there is law, but no courts to enforced it, and to see that no time is wasted in appointing the necessary Judges or judicial officers, so that the people get ready justice. Certainly he knows that justice delayed is justice denied. If a man, for no fault of his but only because the court is not functioning, is forced to remain in prison even for one day, that is a very bad reflection on the whole administration of the place.

I know he will plead that it is more in the hands of the Goa Administration than in the hands of the Law Ministry or Home Ministry, but the practical fact remains that it is the Central Government which has to make provision for all these things, because we cannot create any Judicial Commissioners in Goa itself. It is mostly the members of the judiciary in the rest of the country who have to be selected and sent to Goa. But they are still neglecting and ignoring the needs of the people of Goa, Diu and Daman. I think they should not all the time be content saying that wherever there is a cry raised in Goa, that they will try to look into it. Everytime, attributing motives to the people is no solution and it is no good.

I hope that with these words I have persuaded the Deputy Minister to be more careful regarding the needs of the people whom I represent.

श्री सरजू पाण्डेय (रसड़ा) उपाध्यक्ष महोदय, गोष्ठा, दमन और दीव के बारे में जो यह बिल आया है यह एक मामूली सा बिल है। इसमें यह प्रावोजन है कि सी० धार० पी० सी० और दूसरे कानून जो हिन्दुस्तान पर लागू होते हैं वे इस क्षेत्र पर भी लागू हों। जैसा कि श्री गोष्ठा के माननीय सदस्य ने कहा, उनके यहां जो सिविल लाज है वे हमारे यहां के लाज से ज्यादा प्रोप्रेसिव है।

एक बात मेरी समझ में नहीं आती कि गोष्ठा, दमन और दीव को क्यों घलगल रखा जा रहा है और बार बार कानून का एक्सटेंशन उनके लिए किया जा रहा है जबकि वहां की जनता चाहती है कि इनका मरजूर कर दिया जाए।

Mr. Deputy-Speaker: Do not raise controversial issues: Do not speak on those matters which are not relevant.

श्री सरजू पाण्डेय : सरकार को चाहिए कि इस झगड़े को समाप्त करे और गोष्ठा, दमन और दीव को हिन्दुस्तान के किसी दूसरे प्रान्त में मिला दे, जिससे कि जो कानून वहां लागू होते हैं वे इस क्षेत्र पर भी लागू होने लगेंगे। जैसा कि माननीय सदस्य ने कहा ये सी० धार० पी० सी० और आई० पी० सी० प्रपोजों के बनाए हुए हैं, जो उन्होंने हिन्दुस्तानी जनता को दबाने के लिए बनाए थे और इसी के लिए उनको इस्तेमाल किया गया। अगर इन कानूनों को ठीक इसी तरह से दूसरे क्षेत्रों में लागू किया जायगा जहां कि पहले से प्रोप्रेसिव कानून चालू हैं, तो यह वहां की जनता के साथ न्याय नहीं होगा। जैसा कि माननीय सदस्य ने कहा है, मेरी भी यही राय है कि एक कमेटी बनाई जाए जो इस पर विचार करे। मेरी राय है कि सी० धार० पी० सी० और आई० पी० सी० को

[श्री सरजू पाण्डेय]

बुनियादी तौर से बदल देना चाहिए और इनकी जगह जांच करके नए कानून बनाए जाने चाहिए और तभी उनको गोवा, दमन और दीव पर लागू करना चाहिए।

श्री यशपाल सिंह (कराणा) : उपाध्यक्ष महोदय, पहली बात तो मुझे यह कहनी है कि चार साल हमें इस क्षेत्र को पोरबुगीज के पंजे से मुक्त किए हो गए और आज तक वहां हम अपने कानून लागू नहीं कर सके। यह तो हमारी तरफ से नेगलीजेंस है। यह प्रस्ताव तो बहुत पहले ही घाना चाहिए था।

दूसरी बात यह है कि सबकी यह मांग है कि इस क्षेत्र का विलय महाराष्ट्र में किया जाए। ऐसा होने पर वहां के कानून इस क्षेत्र पर लागू हो जाएंगे और हमको राउंड एबाउट बे में यह काम नहीं करना होगा। वहां विलय के बारे में कोई विवाद नहीं है, दोनों विधान सभाएं इसको चाहती हैं, तो फिर इस क्षेत्र को क्यों अलग रखा जाता है और उसके लिए बिल लाकर पार्लियामेंट का समय लिया जाता है। बजाय इसके कि हम इस क्षेत्र पर इस प्रकार अपने कानून लागू करें क्योंकि इसको महाराष्ट्र में विलय न कर दिया जाए और जो महाराष्ट्र के कानून हैं वह इस पर भी लागू होने दिए जायें।

श्री तुलशीदास जाधव (नांदेड़) : उपाध्यक्ष महोदय, मुझे दो मिनट के लिए बोलने का समय दिया जाए।

Mr. Deputy-Speaker: Do not raise the question of merger. If you want to say any thing about the Bill, you can say it. If I allow you to speak, I will have to allow others also. Only on this Bill, if you speak, I will allow you.

Shri Hari Vishnu Kamath: One hour has been allotted to this Bill. Let him speak.

श्री तुलशीदास जाधव : मेरा कहना है कि इस तरह से अलग अलग बिल लाने के बजाय इन छोटे छोटे क्षेत्रों को यदि नजदीक की स्टेट में मिला दिया जाए तो सेंटर का दुख मिट जाएगा। इस चीज को वहां के लोगों ने माना है और सेंट्रल गवर्नमेंट ने माना है। केवल इसमें दस वर्ष की बात कही जाती है। मेरा सुझाव यह है कि इन क्षेत्रों को जल्दी पास की स्टेट में विलय कर दिया जाए। यही मुझे कहना है।

Shri Jaganatha Rao: Sir, this is a very simple Bill which seeks to extend the Civil Procedure Code and the Arbitration Act to the Union territory of Goa, Daman and Diu. It has been complained that the Central Government is rather slow in extending the Central laws to these territories. About 33 Central laws have already been extended to these territories. There was a request from the Union territory of Goa, Daman and Diu that the Acts in question should be extended to them. But there was some difficulty in extending these Acts, because the system of administration in Goa was entirely different.

श्री हुकम चन्द कछवाय : उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है कुछ सदस्य सदन में सो रहे हैं। क्या सदन में सोना जायज है?

Shri C. K. Bhattacharyya (Raiganj): Shri Kachhavaia is becoming a bogey.

Shri Narendra Singh Mahida (Anand): He may be keeping his eyes closed.

Mr. Deputy-Speaker: Then that may not be "sleeping".

Shri Hari Vishnu Kamath: Only snoring is unparliamentary. He may be meditating; not sleeping.

**Shri Jaganatha Rao:** As I said, at the request of the Goa, Daman and Diu administration, these two Acts are being extended to them. As I said 83 Central laws have already been extended. The difficulty is that the system of administration of the Union territory of Goa, Daman and Diu is entirely different from the system that prevailed in the rest of India. On the criminal side, the administration of criminal justice has been based on the continental system in Goa, whereas in our system of administration in the rest of India, the administration of criminal justice is based on the Anglo-Saxon system. So, there has been some delay.

**Shri Shinkre:** It is not the change-over that has made the difference. (Interruption).

**Shri Jaganatha Rao:** The change-over has been done. The Criminal Procedure Code, the Indian Penal Code and the Evidence Act have been extended. On the civil side, the Civil Procedure Code and the Arbitration Act are now being extended at the request of the Government of Goa. These are Indian laws, the Central laws, and there is no question of extending any State laws. The Civil Procedure Code and the Arbitration Act apply only to the States of Maharashtra and Mysore. The Central Government cannot extend the State laws to the Union territory. So, the question of merger should not be thought of at this stage. After all, Goa is part of the Indian territory. The claims of the respective States will be there, and the extension of these laws will not invalidate the claims of any of the adjoining States.

**Mr. Deputy-Speaker:** The question is:

"That the Bill to provide for the extension of the Code of Civil Procedure, 1908 and the Arbitration Act, 1940, to the Union territory of Goa, Daman

and Diu and for certain other matters, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

**Mr. Deputy-Speaker:** We shall now take up clause-by-clause consideration. There are no amendments to clauses 2 to 4. The question is:

"That clauses 2 to 4 stand part of the Bill".

*The motion was adopted.*

*Clauses 2 to 4 were added to the Bill.*

**Clause 5.—(Rules of construction).**

**Shri Hari Vishnu Kamath:** I beg to move:

Page 3, lines 17 and 18, omit ..

"and also as including a reference to the Lieutenant-Governor".  
(1)

The amendment which stands in my name is in respect of the sub-proviso to sub-clause (1) of clause 5. The sub-clause, as it is, reads as follows:

"(b) any reference to the State Government shall be construed as a reference to the Central Government and also as including a reference to the Lieutenant-Governor."

My amendment is for the deletion or the omission of the latter part of this sub-proviso, that is to say, to delete the words "and also as including a reference to the Lieutenant-Governor". The basis of my amendment is a profound observation—f it is not actually profound it may be deemed to be profound—made by one of the Minister's colleagues, Shri Jaisukhlal Hathi.

**Shri Jaganatha Rao:** "State" includes Union territory.

and Minicoy and Amindivi Islands  
and Dadra and Nagar Haveli."

**Shri Hari Vishnu Kamath:** He has a good memory. On the 10th of this month, Friday, when the Representation of the People (Union Territories) Bill, seeking direct election to the House of the People, was on the anvil in the House, I raised a point—the hon. Speaker seemed to support my point—as to why there was no reference to the Union territory in the parent Act.

On that occasion the Minister, Shri Jaisukhlal Hathi, said—at first he was floundering a bit, he could not answer; but suddenly I think he got light from somewhere, probably from somewhere slightly outside the House, he must have got some information which was passed on to him—and suddenly he broke in and interrupting the discussion said, without any recollection of his previous observation, thus. He had previously said—may I read it out, because the sequence is interesting. When I raised the point as to why this Union Territory has not been specifically mentioned in the parent Act and that there was a lacuna in the Bill, I said—this is how it started—

"I would invite your attention and the attention of the House and of the Minister to sub-clause (b) of this clause. It pertains to sub-section (1) of section 13B of the parent Act, the Representation of the People Act, 1950.

Clause 1 of that section reads as follows:

"The electoral roll for each parliamentary constituency in the Union Territory of Delhi' etc.

Under clause 4(b), for the words 'each parliamentary constituency in the Union Territory of Delhi' the following words are substituted, namely,

'a parliamentary constituency in each of the Union Territories of Delhi, the Andaman and Nicobar Islands, the Laccadive

This is what is on the record. I am now coming to the point. Then Shri Hathi said as follows:

"In other States, it refers to Assembly constituencies and also parliamentary constituencies. So far as Delhi is concerned, there is no local Assembly; so, only parliamentary seats are there. So far as 'Government of the State' is concerned, it will be the Delhi Administration; that is the Government."

Then the Speaker asked:

"Do we call that State Government?"

—because, the parent Act referred to State Governments, and there was no reference to Union Territory therein, and that was why they wanted to insert this. The Speaker came to the rescue of the House—I won't say to my rescue, but he came to the rescue of the House—and asked:

"Do we call that State Government?"

To that Shri Jaisukhlal Hathi replied:

"We are not amending that portion today. That section is already existing and I am not bringing any amendment to that."

Thereupon the Speaker said:

"So, he says, if it is a lacuna, it is there in the original Act which we are not amending at present."

And Shri Hathi says again:

"Yes, Sir. I am only adding certain words to the section in the original Act. If there is any lacuna in the original Act, Mr. Kamath may bring forward an amendment to the original Act."

Then, suddenly, light broke through, there was a breakthrough from somewhere, and suddenly light came to him. I observed that that particular section was being amended and that this lacuna could have been cured.

The Speaker said:

"He says that part which mentions about the Government of the State is not being touched at all. If the Delhi Administration cannot be called a State Government, that is an amendment that is required in the parent Act and not this Bill."

That was the Speaker's observation, whereupon I said:

"Are they not amending this particular section by adding these words?"

—because, adding is also an amendment, and so I said that they could have cured that lacuna.

Then lo and behold, there was light, and Shri Hathi said:

"Under the General Clauses Act, 'State' includes Union Territories also."

That is why I referred to it as a profound observation which could have saved all that discussion, and saved time as well.

Sir here is an amendment, here is a Bill before us where the sub-proviso says that "any reference to the State Government shall be construed as a reference to the Central Government and also as including a reference to the Lieutenant-Governor". Now, the General Clauses Act also makes it clear that 'State Government' includes the government of the Union Territories also, which is to say the Central Government, because the Union Territory is administered by the Centre. Therefore, that is redundant. That is the first thing.

And in case the Minister wishes to insist on its being retained for abundant caution, as they say—I do not recollect immediately the Latin expression.

Shri Jagannatha Rao: *Ex abundanti cautela*.

Shri Hari Vishnu Kamath: For the sake of *ex abundanti cautela*, if they want to include it, I do not want a dual authority here, two authorities. If it includes the Central Government and also the Lieutenant-Governor, there will be a lot of buck-passing, from there to here, from here to there, and so on. Let there be only the Central Government in the picture, not the Lieutenant-Governor or the Government of Goa, Daman and Diu. Just as too many cooks spoil the broth, I am afraid that too many authorities will only result in avoidable delay. And I am sure that where Government wants to expedite matters, these so many authorities—the Central Government, the State Government, the Government of Goa—all to be consulted and brought into the picture will lead to harassing delays which in the public and national interest should be avoided.

I therefore move that the second part of the sub-proviso should be deleted. If the State Government does include the Central Government under the General Clauses Act, then that first part also is redundant. "State Government" may remain; it will include the Union Territory, as defined by my hon. friend's colleague on the previous occasion.

Shri Shankre: I share the anxiety expressed by my hon. friend Shri Kamath, but I feel that for practical purposes the sub-clause should be kept as it is in the Bill, because what happens sometimes is this. We have the experience in Goa and have had the occasion of saying:

दिन्ली ना बहुत दूर है।

So, if it is left only to the Central Government, there will be more



[Shri Shinkre]

delay, and inordinate delay. And in case of simultaneous reference both to the Central Government as well as to the Lieutenant-Governor every time, we can rely on or take it for granted that he is a reliable person....

**Shri Hari Vishnu Kamath:** If it is "or" I would have agreed, I would not agree to "and".

**Shri Shinkre:** Since we can assume safely that the person of the Lieutenant-Governor of a Union Territory will be somewhat capable, we can expect that at least in case of minor things we will be getting solutions and relief comparatively easily. If everything is to be referred to Delhi, that will only cause greater delay. In case it is left only to the Lieutenant-Governor, he might want to play very safe and refer everything to Delhi, whether it is important or otherwise, and that will cause delay. So it is better that the sub-clause remains as it is, because I think some little authority with the Lieutenant-Governor will be helpful.

**Shri Jaganatha Rao:** My friend Shri Shinkre has replied to Shri Kamath, but I shall also say something. The clause relates to the rules of construction. The light that he said....

**Shri Hari Vishnu Kamath:** Came from you, and not from outside the House?

**Shri Jaganatha Rao:** This clause provides that any reference occurring in the Code or in the Arbitration Act, to the State Government shall be construed as a reference to the Central Government and also as including a reference to the Lieutenant-Governor. Ordinarily, under clause (60) of section 3 of the General Clauses Act, 1897, "State Government" in relation to a Union territory means the "Central Government", which as defined in section 3(8) of that Act means in relation to a Union territory, the Administrator (the Lieutenant-

Governor in this case) acting within the scope of authority given by article 239 of the Constitution. Therefore, even if the proposed amendment is accepted and the reference to the Lieutenant-Governor is omitted, it will not preclude the Central Government from delegating under article 239 necessary authority to the Lieutenant-Governor. Instead of doing this by a notification the same object is achieved by a provision in the Bill itself. Shri Kamath will please be attentive—that is my first answer to his objection.

Secondly, the Civil Procedure Code and the Arbitration Act are laws falling under entry 13 of the Concurrent Legislative List and the executive power in relation to Concurrent List matters is vested in the State Government by virtue of the proviso to article 73(1) except where it is otherwise provided by the Constitution itself or by a law made by Parliament. Having regard to the fact that a State Government is functioning under the Government of Union Territories Act in Goa, Daman and Diu, it is considered desirable to vest the powers of the State Government under the laws proposed to be extended, in the Lieutenant-Governor of Goa, Daman and Diu, who will be acting on the advice of the Council of Ministers there. A similar provision has been made in the case of laws extended to Goa, Daman and Diu previously by Regulations promulgated by the President. It may be noted that according to the rule of construction specified in the Bill, the Central Government can also exercise the powers of the State Government.

Therefore, this amendment is not called for and I do not accept it.

**Mr. Deputy-Speaker:** Shall I put the amendment to vote?

**Shri Hari Vishnu Kamath:** Not necessary.

Amendment No. 1 was, by leave,

withdrawn.

**Mr. Deputy-Speaker:** The question is:

"That clause 5 stand part of the Bill."

*The motion was adopted.*

*Clause 5 was added to the Bill.*

**Clause 6.**— (Power to remove difficulties)

**Shri Hari Vishnu Kamath:** This clause says:

"If any difficulty arises in giving effect in Goa, Daman and Diu to the provisions of the Code of Civil Procedure, 1908....the Central Government may, by order in the Official Gazette, make such provisions or give such directions as appear to it to be necessary for the removal of the difficulty.

May I ask whether the Central Government in all these matters will keep in close touch with the Lieutenant-Governor and the Government of Goa, Daman and Diu, because in the clause which we have just passed, we have accepted the position that the Lieutenant-Governor and the Government of Goa, Daman and Diu would also have some locus standi in certain matters? In this clause also, whenever difficulties arise, it will be in public interest and in the interest of Goa, Daman and Diu that the Central Government should keep in close touch and have not only consultation, but the concurrence of the government of the Union Territory. You have brought the Lieutenant-Governor into the picture already, separately from the Central Government. You must be consistent. If it is accepted that they are separate entities, here also it should be accepted that the Central Government must keep in touch with and get the consent, concurrence, approval, or agreement of the Lieutenant-Governor and the Goa Government. Otherwise, it will be wholly inconsistent if in one clause they are treated as separate entities

and in this clause there is no reference to Lieutenant-Governor.

**Shri Jaganatha Rao:** The government is taking a consistent stand and is not having any double standards. There is a democratic government functioning in the Union Territory of Goa, Daman and Diu and the Lieutenant-Governor and the Government of Goa, Daman and Diu will be consulted. There is no doubt about it. I do not know why he should entertain any doubt.

**Shri Shinkre:** Why don't you extend the reference to the Lieutenant-Governor which you have made in clause 5 to clause 6 also?

**Shri Jaganatha Rao:** It is already there in clause 5 and it is not necessary in clause 6.

**Mr. Deputy-Speaker:** The question is:

"That clause 6 stand part of the Bill."

*The motion was adopted.*

*Clause 6 was added to the Bill.*

*Cause 7, Clause 1, the Enacting Formula and the Title were added to the Bill.*

**Shri Jaganatha Rao:** I beg to move:

"That the Bill be passed."

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill be passed."

**Shri Shinkre:** The hon. Deputy Minister never said anything about the difficulty I had raised. He has not been kind enough to give an assurance that in future the Central Government will see to it that the courts in Goa would not remain vacant or without functioning for want of judges and steps will be taken to see that all the courts are properly manned, equipped with the requisite personnel and the people's difficulties will be given proper attention.

**Shri Jaganatha Rao:** I am sorry I forgot to reply to that.

श्री हुकम चन्द कट्टवाब : उपाध्यक्ष  
महोदय, हाऊम में कोरम दही है।

**Mr. Deputy-Speaker:** Now there is quorum.

**Shri N. Dandekar (Gonda):** Sir, in general course there is need for a Bill like this. But I have two grave doubts: firstly, whether until the government have taken decisions on major questions about the future administration of Goa, this kind of piecemeal legislation will go on. They will have to bring forward further legislation if in one way or the other the status of these territories is changed. It seems to me in the first place that this kind of piecemeal legislation, which has become a habit, ought not to be proceeded with.

Secondly, I have grave objection to clauses of the kind of clause 6. The discussion on that clause became too short; the minister got up to reply and I did not have time to intervene. This is an extraordinary clause. Clauses of this kind are now becoming a fashion almost in all new legislation, giving to the government power for the "removal of difficulties". Obviously, they have drafted legislation which is not complete, which is sketchy and replete with all sorts of difficulties. They know it is replete with all sorts of difficulties and so they have a clause which merely says, in fact, "we have drafted this very badly; we know there are going to be any number of difficulties and therefore, we want virtually legislative power to remove those difficulties". I don't think we ought to be passing legislation of a kind that anticipates the existence of difficulties and then to have a clause conferring virtually legislative powers on the government, under the guise of removing difficulties. What are the difficulties? Why don't they list them and attempt to cover those difficulties legislatively? Why take this

kind of power? They have already rule-making and regulation-making powers and now they are adding virtually legislative powers for the removal of difficulties. I do not think this kind of legislation ought to be contemplated. It should not be approved by this House, because it detracts from the responsibilities of the House for making complete and self-contained legislation, which would have all that is required for implementing that legislation.

It seems to me perfectly plain that this enactment is going to be presented with enormous difficulties in implementation. The list of these difficulties they are concealing from us. To avoid all these difficulties they are taking unto themselves virtually law making powers for enacting what virtually amounts to legislation which will doubtless say "nothing should be done this way or that way, notwithstanding the provisions of the Code of Civil Procedure or various other procedural matters that may be affected". I, therefore, object to this Bill on these two grounds. I object, in the first place, to piecemeal legislation of this kind coming forward without Government having the courage to take a decision about the future of these territories. I object, secondly, to the content of this kind of legislation that envisage difficulties but does not submit them to the House and keeps them up their sleeves so that they can go on making laws as it suits their convenience.

**Shri H. N. Mukerjee (Calcutta Central):** Mr. Deputy-Speaker, I had no intention of participating in this discussion, but after having heard my hon. friend, Shri Dandekar, I do feel that a caveat should be entered on our behalf as far as passing this kind of legislation is concerned. It really is a matter of concern that Government comes forward very glibly with Bills to provide for the extension of legislation to the Union Territory of Goa, Daman and Diu, and I say this because the country is confronted, whether the Government

likes it or not, with the question of the future of these territories and the demand for their incorporation in certain other States is there. A public debate goes on and from time to time, also, people get into the picture in a manner which is not perhaps salutary from the point of view of our democracy. Some decisions have got to be taken as quick as ever it is possible, or if decisions cannot be taken that fact also has to be made known to the country courageously. What the Government does it to get into a kind of groove and bring forward legislation to occupy the time of the House. Most of us—perhaps it is a sort of reflection on ourselves—do not go into the details of these little Bills that come forward, but they do generally hint at something which do not redound to the credit of our democratic processes. Therefore, I feel that Government's behaviour in not making up its mind one way or the other in regard to Goa, Daman and Diu and in the meantime to bring forward this kind of interlocutory legislation should not be supported by Parliament.

My hon. friend, Shri Dandekar, has done a real service in pointing out—I am sure my hon. friend, Shri Kamath has also done it, but I must confess I was not paying any attention to the debate—that it is really fantastic that this House is being asked—I am amazed that the other House has already given its *impri-matur* to this provision—to sanction a provision which says in clause 6:

"If any difficulty arises in giving effect in Goa, Daman and Diu to the provisions of the Code of Civil Procedure, 1908 or the Arbitration Act, 1940, extended by this Act to that Union territory, the Central Government may, by order in the Official Gazette, make such provisions or give such directions as appear to it to be necessary for the removal of the difficulty."

We might as well abdicate ourselves; we might as well tell President Ayub

Khan we are following his example in certain regards. What is the kind of Parliamentary legislation containing a provision that difficulties in the implementation of that legislation would be removed by Government by a fiat about which we have nothing whatever to do? This a matter of principle on which, I am afraid, Parliament should take its stand irrespective of party allegiance. This is a matter which should never have been incorporated in any proposed legislation. I cannot for the life of me understand how this has escaped the attention of the other House. As far as we are concerned, we cannot without very serious protest allow this kind of thing to pass muster.

Mr. L. M. Singhvi (Jodhpur): Mr. Deputy-Speaker, I shall be very brief in what I have to submit in respect of this Bill. It appears that this is a part of the piecemeal approach which the Government often exemplifies in its legislative policy. I do not see why these piecemeal attempts are made to achieve legislative integration. After all, it should be easy for the Government to come forward in this House and say that so far as the entire body of Indian laws are concerned they shall be made applicable to Goa, Daman and Diu or any other territory that form part of the Indian Union. Why should this be done in such a piecemeal, *ad hoc*, day-to-day basis or, if I may be permitted to put it differently, on a hand-to-mouth basis?

I would also like to say that I am glad that this Bill has opened the eyes of some of my colleagues to the regime of subordinate legislation into which we are being sucked sometimes visibly and sometimes somewhat unwittingly. It seems that what the hon. Deputy Law Minister proposes is a legislation by proxy. What he wants to say is that we should delegate the powers to the executive government not only to implement the laws but, indeed, even to make laws, laws which are even more significant than that which is contained in this particular Bill. This, for example, would be the consequence

[Dr. L. M. Singhvi]

of clause 6 on which my hon. friends, Shri Dandekar, Shri Mukerjee and Shri Kamath have shed some light. It seems that this is a somewhat belated eye-opener, because the Government is quite accustomed to incorporate in most of the legislative enactments which it brings before the House such a clause for removal of difficulties and in the name of removal of those difficulties they wish to delegate powers to them to legislate.

Mr. Deputy-Speaker, you have presided over the Committee on Subordinate Legislation with distinction. I am sure you are familiar with the intricacies and with the ways of the Government in which insidiously power is sought to be appropriated and power is sought to be exercised by the executive government. I think it is a very serious matter. It is a good thing that this belated eye-opener has come before us and the House has begun to take a serious note of the fact that subordinate legislation, after all, cannot be allowed to extend its operation beyond a certain point. I think that point has been reached. This is a point beyond endurance. This is a vanishing point of parliamentary government where subordinate legislation takes the main part and the main legislation becomes really subordinate in every meaning of the word.

Sir, I should think that it is our duty, irrespective of party allegiance and affiliation, to resist any efforts at making subordinate legislation occupy a central place in the framework of our Government. Ours is a government by laws and if it has to be a government by laws in a democratic set up, it is very necessary that the Government must realise that it cannot in the name of removal of difficulties and in the name of extensive and pervasive subordinate legislation appropriate to itself powers of legislation which will supplant the main legislation and which will really be the content of the main legislation. I would, therefore, plead with this august House to resist any such efforts

to enable the executive government to appropriate to itself legislative powers which belong rightly to this House and the Parliament itself.

Shri Jaganatha Rao: Mr. Deputy-Speaker, objection has been taken for the piecemeal legislation. As I explained earlier my hon. friend, Shri Dandekar was not present then—these territories, these former Portuguese colonies, had an administration of their own. Therefore, we want to extend our Indian system of administration. Naturally, we have to proceed rather slowly. We cannot overnight introduce all the procedures prevailing in the rest of the country in these areas, because then there is bound to be confusion. Secondly, there is the assurance given by the late Prime Minister that the integration would be slow. Therefore, on the recommendation of the State Government we have been extending laws from time to time. As I said, 83 Acts of the Central Government have already been extended at the request of the Government of that Union territory. Now this Civil Procedure Code and Arbitration Act are being extended.

So, it is bound to be a slow process. We cannot overnight extend thousands of Indian laws to Goa.

14 hrs.

Dr. L. M. Singhvi: What is the difficulty? I don't understand it.

Shri Jaganatha Rao: They must be prepared for the change. Their civil system is entirely different.

Dr. L. M. Singhvi: Is it the suggestion of the hon. Minister that Goa is now prepared for the acceptance of the Civil Procedure Code from a particular date and not for the acceptance of other enactments?

Shri Jaganatha Rao: It is so.

Dr. L. M. Singhvi: Then it is a strange system.

Shri Jaganatha Rao: It is stated in

**The Statement of Objects and Reasons:**

"The Government of Goa, Daman and Diu are now undertaking legislation to reorganise the civil courts in the territory on the pattern obtaining under the Bombay Civil Courts Act."

It is not possible overnight to change the entire system and extend all laws to Goa.

**Shri Hari Vishnu Kamath:** Why not provide that every order so made shall be laid before Parliament?

**Shri Jaganatha Rao:** That provision is there in every Bill that is passed by this House. It is not a new clause.

**Shri Hari Vishnu Kamath:** Sir, on a point of order. You will please recollect that it has been decided by the House times without number that whenever a Bill confers powers on the Central Government to make orders or rules such orders or rules should be laid before Parliament and be subject to approval or modification; their they would be effective. That is not followed here. I do not know why it has been departed from.

**Mr. Deputy-Speaker:** It is not a rule-making power. There is no point of order. The question is:

"That the Bill be passed".

The motion was adopted.

14.02 hrs.

**MOTION RE: SUPPLY AND PRODUCTION OF CHEMICAL FERTILIZERS**

**Shri P. Venkatasubbaiah (Adoni):** I beg to move:

"That this House takes note of the statement of the Minister of Petroleum and Chemicals regarding supply and production of chemical fertilizers, laid on the Table of the House on the 27th August, 1965."

**Mr. Deputy-Speaker, Sir,** I wanted to move this motion to bring to the notice of hon. Members and also the Government the importance of production of fertilizers and the vital role it plays in increased agricultural production in the country. Fertilizer to agriculture is like steel to industry. In an agricultural country like ours, where the per-acre yield is low, supply is short of demand and population is increasing rapidly, the production of fertilizer assumes greater importance. The high per-acre yield in countries like USA and Japan is obviously due to higher consumption of fertilizer. In the present context of our facing two unscrupulous enemies who are eager to commit aggression and grab our territory, it is quite essential that we should give supreme importance to our defence requirements and defence production. At the same time, in order to keep this country self-sufficient and also to have an uninterrupted supply of foodgrains to our jawans who are fighting a valiant battle on our frontier, it is all the more necessary that we take steps to have increased agricultural production.

It assumes added significance when we consider the attitude of big powers, even those which have earlier promised assistance to India. They have no hesitation to equate us with Pakistan. Even when it is a question of economic aid, they say that they have to consider deeply whether they can give economic aid when there is armed conflict between India and Pakistan. So, we have to ensure that we no longer depend on any foreign country for our food. We cannot be at the mercy of foreign countries, especially when we have got the wherewithal and the necessary potentialities to increase our agricultural production and make this country self-sufficient.

In this context, I would say that fertilizer production plays an important role since it is an important input for increased agricultural production. Like water and good seed, fertilizer in adequate quantity and in right time will go a long way in increasing our

[Shri P. Venkatasubbaiah]

agricultural production, especially in those areas where there is irrigation potential. So far as our deficit in food-grains is concerned, it is only  $\frac{1}{2}$  million tons so far in rice and about 6 million tons in wheat. In a vast country like ours if we make a determined effort it will not be difficult to achieve self-sufficiency.

So far as our performance in the setting up of fertilizer factories for production of fertilizer is concerned, we had a disappointing and sorry picture, in the Third Five Year Plan. If we refer to the Midterm Appraisal of the Third Plan it has been clearly admitted by Government itself that on this front there has not been substantial progress and fertilizer production had received a set back. So, it is necessary that we should bestow our attention to see that this backlog is got over and we are able to produce enough fertilizer at least during the Fourth Plan, if not during the Third Plan itself.

The fertilizer industry, which is a basic industry, has been entrusted to the private sector, apart from some undertakings in the public sector.

श्री हुकम चन्द कछवाय (देवास) :

मेरा व्यवस्था का सवाल है। मदन में गण-पूति नहीं है।

**Mr. Deputy-Speaker:** He may resume his seat. The bell is being rung.....Now there is quorum. He might continue his speech.

**Shri P. Venkatasubbaiah:** I would like to give some statistics to show how we were not able to achieve the target during the Third Plan. As against an installed capacity of 1 million tonnes and production target of 800,000 tonnes of nitrogen the actual installed capacity of nitrogen was only 386,550 tonnes and the production only 220,000 tonnes. The hon. Minister has mentioned in the statement that he laid on the Table that if we attain self-sufficiency in fertilizer production we can save import of fertilizers to

the extent of Rs. 26 crores and food-grains to the extent of Rs. 78 crores per year. This is the estimate made by the hon. Minister himself. That shows what an important part fertilizer production plays in our economy.

In order to make an assessment of the performance of both the public and the private sectors, we must draw certain conclusions and make a right assessment so that it may help us in our future programme of installation of public and private sector projects in the country. Sindri has been our major public sector project. We had high hopes of its production as also of its important role in supplying fertilisers to the agriculturists. It has got an installed capacity of 117,000 tonnes, but it has seldom reached the production target of 90,000 tonnes. This is not due to any other difficulty but mainly due to administrative lapses.

I would like to quote in this connection the comments made by the Public Undertakings Committee in their Sixth Report submitted to the Third Lok Sabha. They say:—

"In evidence, the Committee were informed that it had been pointed out to Government that Sindri Unit was losing a production of 20 tons of ammonia per day (Valued at Rs. 15,000) due to delay in allocation of foreign exchange for the additional machinery worth Rs. 20 lakhs. and nothing had been done. The exchange was released only recently and the actual order in September, 1964. It was expected that the additional producers would be commissioned in the second quarter of 1966."

Another comment they made is:—

"The Committee regret to observe that there has been a delay of about 3 years in placing orders for additional equipment recommended by an Expert Committee for the Sindri Unit as far back as 1961 and that it would take another 2 years before it is

actually installed. There has been delay on the part of the Corporation in deciding on the equipment to be installed. Thereafter Government took 1½ years to release foreign exchange. It is difficult for the Committee to appreciate why it was not possible for Government to arrange foreign exchange worth Rs. 20 lakhs which could have saved loss in production of fertilizers worth Rs. 10 crores by March, 1964 alone as also avoided their imports. It is clear that the need for additional machinery was not fully comprehended and the matter was not given the serious consideration that it deserved."

That is the comment made by the Public Undertakings Committee about Sindri Fertilizers.

The second project is Nangal. The decision to establish this factory was made in July 1955 and its original capacity was 70,000 tonnes but it was subsequently raised to 80,000 tonnes. It was expected to go into production in 1959 and reach its rated capacity in 1962. Even this also had signally failed and I will quote from the Report of the Public Undertakings Committee so far as this project is concerned. They say:—

"It would thus be seen that the Corporation took about 6 to 7 years to erect and commission the fertilizer and heavy water plants at Nangal. Even after the consultants were selected, the time taken works out to 4½ and about 6 years respectively. From the date of award of contract for the fertilizer and heavy water plants it took about 3½ and 4 years respectively. The delay in erection resulted in an additional expenditure of about Rs. 75 lakhs on departmental charges alone."

That is the comment made by the Committee. There are several instances so far as these public sector projects are concerned. But, at the same

time, I do not mean to say that these factories should not be set up in the public sector. What I want to stress upon and also bring to the notice of Government is that there should be some alertness and administrative efficiency in the working of these public sector projects are concerned. Fertilizers is our basic need for agricultural production and any delay or lapse or inefficiency on the part of anybody, whether it be a governmental agency or a private agency, will be a great disservice to the nation.

Coming to private sector projects, I do not want to go into the details of everyone of those projects but I would only say that except for one or two projects that were licensed in the private sector, some of the Projects were either surrendered or were not taken up seriously while some of them are thinking of changing the entire pattern of the setting up of that project. The Minister of Petroleum and Chemicals has also been saying that there has been a rethinking so far as the setting up of fertilizer factories is concerned. He says that a revolution has taken place and from coal base now naphtha-based industries are going to be set up. Koahagudam is one such unfortunate project which did not have the proper attention of the Government. The difficulty in acquiring foreign exchange has delayed it more than what it was required to be. Now the whole project is going to be changed, I am told, from coal base to naphtha base and I do not know when it is going to be executed.

Then, about Trombay, which also is a public sector project, its performance also was most unsatisfactory. So many years have passed because there was some dispute regarding the supply of electricity. The location of the site of another public sector project like Namarup was not made properly with the result that the whole project had to be delayed for so many years. These are all public sector projects which I am mentioning. There are some other factories also. There are two factories that are going to be commissioned in Kota. I do not want to



[Shri P. Venkatasubbiah]

reiterate and re-emphasise but I only wish to say that there has not been proper co-ordination and planning.

Coming to the Fourth Plan Schemes, I am glad and happy that the Minister has taken it up in right earnest. He has realised the importance as also the necessity for putting these projects into immediate production and, thus, save much of the foreign exchange spent not only in buying fertilizers but also in importing foodgrains. The Fourth Plan envisaged and it was told to the House by the hon. Minister that he is going to plan for projects of 2.3 million tonnes capacity. Of the 2.25 million tonnes capacity fertilizer factories, he says, one million tonnes capacity fertilizers factories have already been committed and some of the others are in the proposal stage, I would only say in this connection that when a fertilizer factory is going to be set up, proper planning and proper co-ordination must be taken into consideration. We should not commit mistakes that we have committed earlier the result of which we are now reaping. I would say that the selection has to be made not only on the basic materials available in the area but also on the needs of the local agriculturists and the people who want it to a maximum extent when compared with other areas.

I would say, Andhra Pradesh is one of the States which consumes the maximum quantity of fertilizers in the country. It consumes one-fifth of the fertilizers in the country and it occupies the first place in the consumption of fertilizers. Secondly, that is the only State which uses fertilizers on the irrigated area and it is the State where a large irrigation potential has been created. There has been a phenomenal increase, because of the construction of the projects like Nagarjunsagar and Tungabhadra projects, from 8 million acres of irrigated land to 13 million acres of irrigated land.

What is the production of fertilizers in Andhra Pradesh? A quantity

of 80,000 tonnes of fertilizers are being produced in Coromandal fertilizer factory and another 60,000 tonnes are supposed to be produced at Kothagudem fertilizers factory the commissioning of which is undoubtedly doubtful and it may be delayed for some more years. I only say that all these factors must be borne in mind.

Another factor which I would like to emphasize is that in Andhra Pradesh there is naphtha available in abundant quantity and, secondly, the phosphate which is an imported material has been found out in Srun-gavarapukota of Visakhapatnam district. So, these two basic materials which are essential for the production of fertilizer are found in that part of the country. The Government has rightly selected certain places for the construction of one or more fertilizer factories. For instance, I am happy that in my neighbouring State of Madras, there are three or four fertilizer factories. I am happy about it. There is the Neyveli factory which has got a production capacity of 70,000 tonnes and also a new factory that is to be started in Madras will have a capacity of 175,000 tonnes and that of private sector project at Ennore which is having a capacity of 8000 tonnes and there will be an additional production of 8000 tonnes in the second stage. Likewise, Andhra Pradesh also requires such a factory in public sector though not of that size of 17500 tonnes but at least of a medium size which will be able to meet the requirements of the farmers.

The remaining part of fertilizers that are proposed to be supplied, that are required by the Andhra State, are to be supplied from Cochin, Madras and Goa and two of these places are far-flung places.

**Mr. Deputy-Speaker:** He should conclude now.

**Shri P. Venkatasubbaiah:** In my concluding remarks, I would only request the Government that in planning our projects and also in expediting the production capacity of these fertiliser plants sufficient care must be taken and also there must be a sufficient supervision on the performance of the private sector projects.

I would also suggest to the Government that there must be a standing reviewing committee which will go into the production aspect of all these factories and see that we reach the anticipated target, as the Minister anticipated, at the end of the Fourth Plan which will give us adequate quantity of fertilisers to increase agricultural production and also see that our country attains self-sufficiency in foodgrains and also in other agricultural commodities.

**Mr. Deputy-Speaker:** Motion moved:

"That this House takes note of the statement of the Minister of Petroleum and Chemicals regarding supply and production of chemical fertilizers, laid on the Table of the House on the 27th August, 1965."

**Shrimati Tarkeshwari Sinha (Barh):** I beg to move:

"That in the motion, -  
add at the end—

"and recommends that necessary steps be taken to negotiate another international agreement on the lines of P.L. 480 agreement, for the import of fertilisers on rupee-payment basis."

**Shri Warior (Trichur):** Mr. Deputy-Speaker, Sir, a more appropriate comment cannot be made on the statement made by the Minister of Petroleum and Chemicals than quoting from the weekly Commerce of

the 4th September, 1965. I quote:

"The first thing that strikes one after reading this statement is that much of the planning on the projects chosen for the Third Plan was mere paper work, in that no serious feasibility study at the technical level had preceded them. This is evident not only from the extremely poor progress made in establishing production capacity but from the abandonment of some of the projects as unworthy of being pursued. Meanwhile, the resources raised for these projects have been utilised for something else; they have probably been devoured by the so called non-Plan expenditure."

If this is the state of affairs, much comment is not called for. The Government has only to rectify those mistakes which they have already committed in planning, in execution, in production, in marketing, in distribution and in consumption also.

श्री हुकम चन्द कछवाय : इस समय हाउस में कौरम नहीं है ।

**Mr. Deputy-Speaker:** The bell is being rung . . . Now there is quorum. The hon. Member may continue.

**Shri Warior:** Here, I would also like to quote the comments made by our own Parliamentary Committee on Public Undertakings. In its latest Report on the Fertiliser Corporation of India, it has revealed so many factors which have already contributed to the failure of the Government in achieving the targets of the Third Plan. Much of that has already been described by my hon. friend, Shri P. Venkatasubbaiah. In this Report, it is revealed that Sindri made a loss of Rs. 10 crores between 1959 and 1964 for the mere reason that the Government refused the foreign exchange to purchase certain machinery worth only about Rs. 20 lakhs. Instead of spending Rs. 20 lakhs at the appropriate time, the Government lost Rs. 10 crores between 1959 and

[Shri Warior]

1964, that is, in five years. What is the use of our crying in the wilderness for the failure of the Government to reach the target? Sindri is a public sector undertaking and it is the Government's business to see that this unit gets whatever foreign exchange is necessary for it in the proper time. There is the question of priorities and it is surprising that the Government cannot decide then and there which priority should be given to which unit and for which production. It has failed miserably.

Again, the expansion scheme and the rehabilitation scheme of the Sindri unit is estimated to cost Rs. 15.11 crores and if that is implemented the results will come only in 1970, that is, much after the Third Plan. The Committee has also pointed out defects in planning and execution of fertiliser plants of Trombay, Namrup, Gorakhpur and Korba. We always suspect that when the decision to locate a particular unit is to be taken by the Government, the political considerations weigh more than the technical experts advice.

It is because of this that many a time the Government had to change the location, that many a time the Government had to change the decision they had taken earlier, and from this factor alone we come across much losses not only in production but also in the cost of establishing them.

Then there is the complaint that the Corporation did not develop adequate managerial talents. We had the experience of establishing units in Sindri as well as in Nangal. We can understand that, in the initial stages, our people were not technically qualified to manage those things, but the Government could have made use of the previous experiences and seen that the very same mistakes which were committed earlier were not repeated at least in connection with the establishment of the factories which were established later. This was not done by the Government and this is a great complaint which has been made by the Committee.

There is also another source of material which we have come across, i.e., the study made by the Institute of Applied Economic Research in Delhi. This institution is headed by no less a person than Dr. P. S. Lokanathan, who is an expert on economics. This study has also revealed many factors which have gone to contribute to the failure of the Government in reaching the targets. Under "The factors affecting fertiliser consumption—problem and policies" they say that adequate credit facilities are not given, high prices are there and the distribution and marketing system are defective. If these defects are not removed then there is no way out for the Government to fulfil either the targets or the necessities for our agricultural production. Even if the Government can produce sufficient quantity of fertilisers that is needed, there are other handicaps; for instance, the agriculturists are not always taking to fertilisers because of the risks involved; suppose they spend some money on using fertiliser in agriculture and finally the crop fails, then there is the added loss of the money spent on fertilisers. In order to meet that, the Government should have taken some policy decision and should have made crop insurance and other schemes available for the agriculturists. This has not been done. There are so many other small points like this.

The Government have failed miserably even in respect of what little we have already. For instance, there is a factory at alwaye, which is very well known as FACT. This factory is based on sulphur which is imported. The Government had often delayed so much that not only the production was impaired but the third phase of expansion was also delayed by one year. Whereas Government want to establish new factories based on the new technique of naphtha, why can they not see that adequate facilities—enough foreign exchange and enough encouragement—are given for the development of the existing factories? This has not been done.

Shri C. Subramaniam, the Minister for Food & Agriculture, told this House that we would not be able to meet even 50 per cent of our demands in the Third Five-Year Plan. If that is the case, I do not know what will be the fate in the Fourth Plan. This is going to affect the Fourth Plan also.

Our consumption is so low and I do not know on what basis this demand is calculated, i.e., the aggregate quantity we require in the Third and Fourth Five-Year Plans. Revealing statistics have come in this respect from the F.A.O. and other sources. In Denmark the per acre yield of wheat is 4,130 lbs.; in Japan it is 2,740 lbs. whereas in India it is only 850 lbs. I have got some figures for rice production also: Italy 3,240 lbs. per acre; Japan 2,800 lbs.; China 1,600 lbs. whereas in India it is only 900. This is the result of our having the lowest amount of fertiliser consumption in our agriculture. The consumption in Japan is 233.59 kilos per hectare whereas in India it is only 3.17 kilos. There is such a vast difference! How long will the Government take, how many Five Year Plans will the Government require, to raise our standard of consumption of fertiliser in agriculture, to the level of at least countries like China. For that the Government must not only have plans but must also see to it that they are not mere paper plans but are plans which can be implemented—the resources and other facilities must be there. In this connection I want to raise one more point, which is very important, i.e., about foreign collaboration. The Government has said in the statement that this is out of question, although the Minister denied the other day that they have completely buried the idea of having any foreign collaboration. I want to know from the Government what steps have been taken to have collaboration with other rupee countries which have offered themselves without even our asking for that; for instance, I have learnt that the Soviet Union and Rumania—both oil refining countries—which know the technique of naphtha in fertiliser production have offered themselves not

only for fertiliser production but to set up a complete petro-chemical complex in India. I would like to know whether the Government have taken any decision on this and if not, when the Government is likely to take a decision.

श्री क० न० सिबारी (बगहा)  
उपाध्यक्ष महोदय, फर्टिलाइजर के बारे में पहली, दूसरी और तीसरी फ्राइव-यीयर प्लान में सरकार की नीति यह रही है कि फ़ॉरेन एक्सचेंज खर्च कर के फर्टिलाइजर को इम्पोर्ट किया जाये। मेरा कहना यह है कि अब तक जो रुपया इस सम्बन्ध में खर्च किया गया है, अगर वह रुपया देश में फर्टिलाइजर प्लांट लगाने में खर्च किया गया होता, तो अब तक हम इस विषय में सैल्फ-सफ़िशिएंट हो जाते। इसलिए अब हम को फिर यह भूल नहीं करनी चाहिए और जल्दी से जल्दी अपने देश में फर्टिलाइजर प्लांट्स लगाने चाहिए।

सरकार इस बात को मानती है और सभी लोग इस बात को मानते हैं और एक-एक ओर फ़ोर्ड फ़ाउंडेशन प्रादि ने भी यह रिकमेंड किया है कि जब तक हम पूरे फर्टिलाइजर की व्यवस्था नहीं करेंगे, तब तक हमारी पैदावार नहीं बढ़ेगी और हम फूड ग्रेन्स के अपने टारगेट्स तक नहीं पहुँच सकेंगे। सभी एग््रीकल्चरल एक्सपर्ट्स की यह राय है कि अगर हमारे देश में इरिगेशन, फर्टिलाइजर, पैस्टीसाइड्स, इन्सेक्टीसाइड्स, ट्रान्सपोर्ट और इलेक्ट्रिसिटी, जिस से हम पाद ज़मीन को पटा सकें, की उचित व्यवस्था कर दी जाये, तो जितनी ज़मीन हमारे पास हम उसी से दुगुनी पैदावार कर सकते हैं।

हमारे यहां कहावत है कि अगर गाय से दूध लेना है, तो उस को खिलाओ। इसलिए इस बारे में सरकार की जो नीति है, वह मेरी समझ में नहीं आती। सरकार का प्लानिंग कमीशन जब बैठता है, तो वह एक दारपेट बना देता है कि हमारे यहां इतना

[श्री क० ना० तिवारी]

प्राइवशन हो जायेगा। मान लीजिये कि घाज हमारी गाय दो सेर दूध देती है और हम चाहते हैं कि वह दूध बढ़ कर तीन, साढ़े तीन या चार सेर हो जाये, तो उस गाय को अच्छी तरह से खिलाना होगा, उस को दाना बेना होगा, अच्छी घास देनी होगी, उसे अच्छी तरह से रखना होगा। तब गाय ज्यादा दूध देगी। इन चीजों की कमी होगी तो य जितना दूध देती थी, उससे भी कम देने लगेगी। इकोनोमिक्स का यह नियम है कि जहां तक लैंड की पैदावार का सम्बन्ध है, उस में ला घ्राफ डिमिनिशिंग रिटर्न ग्वेल्आई होता है। अगर लैंड में खाद न दी जाये, तो ऐसी हालत में . . .

श्री हुकम खन् बख्शवाय : उपाध्यक्ष महोदय, हाउस में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The quorum bell is being rung..... Now there is quorum. The hon. Member may continue.

श्री क० ना० तिवारी : ऐसी हालत में जब हमारे पास खाद की कमी है सरकार ने जो टारगेट फिक्स किये हैं उन तक नहीं पहुँचा जा सकता है तो खाद की आवश्यकताओं की पूर्ति कैसे हो, यह सवाल हमारे सामने आ कर खड़ा हो जाता है। सरकार का यह कहना है; प्लानिंग कमीशन का यह कहना है या किसी भी सरकारी विभाग का यह कहना है कि हम अपने फूड टारगेट को बढ़ा सकते हैं या जो टारगेट हम ने फिक्स किये हैं, उन तक पहुँच सकते हैं, गलत है। जब तक इन चीजों की समुचित व्यवस्था नहीं होगी, ये जो साधन हैं, ये उपलब्ध नहीं किये जायेंगे तब तक सरकार टारगेट्स को पूरा नहीं कर सकेगी। घ्राप को मालूम ही है कि डिमिनिशिंग रिटर्न, जो हम पैदा करते हैं, उस से बहुत जल्दी घा जाती है अगर जमीन में खाद न दिया जाये। पैदावार को बढ़ाने के लिए

सब से ज्यादा जरूरत खाद की पड़ती है। इसलिए मेरा सजेशन है कि फर्टिलाइजर प्लांट लगाये जायें। मैं इस झगड़े में नहीं पड़ता हूँ कि किस प्रान्त में वे लगाये जायें। जहाँ भी उनको लगाया जा सकता हो, लगाया जाना चाहिये और जितने भी हम लगा सकते हों, हमें लगाने चाहिये। उस में जितना भी खर्च लगे, चाहे फारेन एक्सचेंज लगे, या दूसरे खर्च लगे, वे हमें करने चाहिये।

मैं इस झगड़े में भी नहीं पड़ना चाहता हूँ कि ये प्लांट पब्लिक सेक्टर में लगे या प्राइवेट सेक्टर में लगे। घ्राज हमें इस बात को देखना है कि ज्यादा से ज्यादा खाद हम पैदा करें। पाकिस्तान से हमारी लड़ाई चल रही है। वार के लिए हमारी जो प्रोडक्शन है वह सारी की सारी पब्लिक सेक्टर में हो रही है। लेकिन यू० एस० ए० या दूसरी जगहों को जब हम देखते हैं और यह देखते हैं कि वार चीज कहां पैदा होती है तो पाते हैं कि प्राइवेट सेक्टर में ज्यादा होती है और इतना ज्यादा पैदा वे करते हैं कि अपने देशों की आवश्यकतायें ही पूरी नहीं करते हैं बल्कि दूसरे देशों को भी वे उन चीजों को सप्लाई करते हैं। ऐसी हालत में हम को इस झगड़े में नहीं पड़ना चाहिए कि ये पब्लिक सेक्टर में खुलें या प्राइवेट सेक्टर में खुलें। गाय चाहे काली हो, चाहे सफेद हो, चाहे लाल हो, हमें दूध से मतलब है। इस वास्ते इस पब्लिक और प्राइवेट सेक्टर से गवर्नमेंट को बचना चाहिए और देखना चाहिए कि किस तरह से ज्यादा से ज्यादा प्लांट और जल्दी से जल्दी लग सकते हैं और उनको लगाने का प्रबन्ध करना चाहिए।

एक बार एक सवाल यहाँ दिया गया था जिस के जवाब में फर्टिलाइजर डिपार्टमेंट के मिनिस्टर साहब ने इस बात को कहा था कि 1971 में जा कर हमारे फर्टिलाइजर प्लांट लगेंगे। घ्राज 1965 है और

घाज घाप हम से घन्न मांगते हैं, लेकिन घाप फ़टिलाइजर प्लांट 1971 में लगाते हैं, यह कहां तक उचित है। कैसे घाप घाशा कर सकते हैं कि घाप का फूड प्रोडक्शन बढ़े।

मैं यह भी कहना चाहता हूँ कि इरिगेशन के साधन देश में बढ़ रहे हैं। जब इरिगेशन के साधन बढ़ रहे हैं तो फ़टिलाइजर की डिमांड घौर भी ज्यादा हो जायेगी। अगर घाप वहां फ़टिलाइजर नहीं देंगे तो जितना रुपया घाप इरिगेशन में लगा रहे हैं, उससे फूड प्रोडक्शन बढ़ाने में जितना फायदा घाप चाहते हैं, वह नहीं मिल सकता है।

बहुत से अभी तक ऐसे प्रान्त थे जहां के कृषक फ़टिलाइजर माइंडिड नहीं थे। घाज बे भी धीरे धीरे फ़टिलाइजर माइंडिड हो रहे हैं। बिहार या उत्तर प्रदेश को घाप से लें। पंजाब, महाराष्ट्र तथा साउथ में जो लोग हैं वे फ़टिलाइजर माइंडिड थे। लेकिन बिहार और उत्तर प्रदेश के लोग फ़टिलाइजर इतना यूज नहीं करते थे जितना बे घाज करने लग गये हैं। इसका कारण एक तो प्रचार है और दूसरे इरिगेशन की सुविधाओं का बढ़ना है। इस वास्ते फ़टिलाइजर की डिमांड बढ़ रही है और इसके लिए जरूरी है कि घाप जल्दी से जल्दी प्लांट लगायें ताकि घापकी पैदावार बढ़ सके।

बी मोहन स्वर्ण (पीसीसीटी) : उपाध्यक्ष महोदय, जो मोशन हमारे सामने है उस में इस बात पर जोर दिया गया है कि सबरक की फैक्ट्रियां बनाने की आवश्यकता है। चौथे प्लान में 2.2 मिलियन टन कैपेसिटी इंस्टाल करने की बात कही गई है। बड़ी घन्छी भावना के साथ यह बक्तव्य दिया गया है। लेकिन खंड के साथ मुझे कहना पड़ता है कि जो लक्ष्य मुक़रर किये जाते हैं चाहे वे खाद्यान्न के हों या और किसी चीज के हों, वे कभी भी पूरे नहीं होते हैं। अखिरका लक्ष्य अधूरे रह जाते हैं। इसलिए वह लक्ष्य बनाने की जो एक घाइट सी बन

गई है, इस में थोड़ा सा सुधार होना चाहिये। जो लक्ष्य बनें, ऐसे बनें जिन को हम पूरा कर सकते हों। कागजी घोड़ों से और खानी जबानी बातों से कोई काम पूरा होने वाला नहीं है। यह घन्छा है कि खाद के सिलसिले में हम लक्ष्य मुक़रर कर रहे हैं लेकिन देखना यह होगा कि बे पूरे हों।

खाद की आवश्यकतायें बढ़ रही हैं। हमारे सामने फिगर्ज मौजूद हैं। नाइट्रोजन खाद की 1955-56 में 122,000 टन की हमें आवश्यकता थी जोकि 1964-65 में बढ़ कर 555,000 टन हो गई। खाद की सहायता से खाद्यान्न पैदा करने में लोगों की रुचि बढ़ रही है। इस वास्ते खादों का जो इस्तेमाल है वह भी बढ़ता जा रहा है, उस की जरूरतें भी बढ़ती जा रही हैं। नये नये गेहूँ और धान के जो हमें बीज मिले हैं उन में भी ज्यादा फ़टिलाइजर की आवश्यकता होती है। मसलन धान का टायचुग नेटिव वन की किस्म हम को मिली है। उस में बहुत ज्यादा खाद की आवश्यकता होती है। बताया जाता है कि 120 पाउंड खाद अगर उसमें इस्तेमाल की जाये तो छः हजार से घाठ हजार पाउंड पैड़ी एक एकड़ में पैदा हो सकती है। इसी प्रकार से गेहूँ की चारमा राजो, सुनारा 63, सुनारा 64 आदि जो बैराइटीज मिली हैं उन में भी खाद की मात्रा का अधिक इस्तेमाल होता है। बताया जाता है कि एक सौ पाउंड नाइट्रोजन अगर इस्तेमाल हो तो 60 से 80 मन की एकड़ गेहूँ की पैदावार बढ़ जाती है। नये नये बीज जो मिल रहे हैं उनके कारण से किसानों में जागृति पैदा हो रही है और घन्छी खेती करने की तरफ उनकी रुचि बढ़ रही है। इसलिए जाहिर है कि खाद का प्रयोग बढ़ा आवश्यक है। हमारे देश में जो खेती की भूमि है वह 376.2 मिलियन एकड़ है। लेकिन उसके बावजूद हालत यह है कि खाद्यान्न की जो आवश्यकतायें हैं वे हम पूरी नहीं कर पा रहे हैं। हमारे यहां जो पर कैपिटल

## [श्री मोहन स्वरूप]

फूडग्रेंज की एवेलेबिलिटी है उसको धाप देखें। सीरियल्स की 13.2 घाउंसिस है, पल्सिस की 2.1 घाउंसिस है और फूडग्रेंज की 15.3 घाउंसिस है। इम्पोर्ट पर हम प्राधारित हैं। हमें गल्सा प्रायात करना पड़ता है। उसी पर हमारा गुजर हो रहा है। 1962-63 में 1937.1 मिलियन रुपीज का गल्सा हमें बाहर से मंगाना पड़ा। प्रति वर्ष गल्से की मांग हमारी बढ़ रही है। यह जो खराब हालत हमारी है इसकी तरफ मैं चाहता हूँ कि सरकार ध्यान दे।

जो स्टेटमेंट दिया गया है उस में बहुत सी फैंक्टरीज का जिक्र है। इस में कहा गया है कि फ्लां फैंक्ट्री की क्षमता बढ़नी चाहिये, फ्लां फैंक्ट्री अच्छी तरह से काम नहीं कर रही है, उसको और ज्यादा तरक्की देनी चाहिये। ये सब फिगर्ज उस में दी हुई हैं। एक खास चीज यह दो गई है जो सही भी है कि अगर एक फैंक्ट्री हम खड़ी करते हैं और उससे जो खाद हम तैयार करेंगे उसका मूल्य काफी होगा। 45 करोड़ रुपये की खाद हर साल हम बाहर से मंगाते हैं। अगर हम नई फैंक्ट्रीज खड़ी कर लेते हैं तो बहुत कुछ बचत हो सकती है। यह भी उस में बताया गया है कि एक रुपया अगर हम फैंक्ट्री पर खर्च करते हैं तो उससे दो रुपये खाद पर बचेंगे और जो खाद इस्तेमाल होगी उससे छः रुपये के हिसाब से खाद्यान्न बढ़ जायेगा। इस तरह से छः रुपये की बचत खाद्यान्न पर होगी। यह काफी बड़ी बचत है। लेकिन इसका इम्प्लेमेंट करने की बात है, इसको कार्यान्वित करने की जरूरत है। उस में सुधार हो और नई प्रणाली अपनाई जाये। खाद खेत के लिए बरी आवश्यक है। जमीन में दस तत्व होते हैं जिन से पीछा उगता है। कार्बन, हाइड्रोजन, फास्फोरस, कैल्शियम, मैग्नीशियम, सल्फर, आयरन आदि दस चीजें होती हैं जिन से

पीछा उगता है और बढ़ता है। अगर इन में से कोई चीज कम हो जाये तो उस की पूर्ति के लिए खाद देनी पड़ती है। इस के लिये अब तक यह दिक्कत रही है कि खाद के सिलसिले में ज्यादातर किसान जो हैं वह फर्टिलाइजर माइडिल नहीं हैं, खाद की तरफ ज्यादा ध्यान नहीं दिया गया है। अभी हमारे सामने फ्रांकड मौजूद हैं। हमारे यहां दूसरे देशों के मुकाबले में जो लोग खाद का इस्तेमाल करते हैं उन की संख्या बहुत कम है। कंजमन फ्राफ फर्टिलाइजर इन 1961-62 इस में जहां दूसरे देशों का जिक्र है वहां पर बलजियम, नीदरलैंड, नाबे, यू० के०, यू० एस० ए० आदि के बारे में बतलाया है। मगर इंडिया का उन सब से कम है। इंडिया की भूमि के बारे में लिखा है :

“उपजाऊ भूमि में 0.5 प्रतिशत चूना, 0.2 प्रतिशत नाइट्रोजन, 0.2 प्रतिशत पोटाश और 0.15 प्रतिशत फास्फोरस होता है।”

जब कि दूसरे कंट्रीज में बहुत ज्यादा है। कारण यह है कि यहां के किसान फर्टिलाइजर माइडिल नहीं हैं। वह इस को जरूरी नहीं समझते हैं। इसलिये खाद्यान्न जो है उन में बराबर कमी होती जा रही है। जानवर कम होते जा रहे हैं क्योंकि चरने के लिये जो चरागाह हैं वह कम होते जा रहे हैं। जमीनें कल्टिवेशन में आती जा रही हैं और इसलिये चरागाह कम हो रहे हैं। उसी अनुपात से खाद्यान्न में कमी होती जा रही है। यहां पर इनप्रागेनिक खाद का इंतजाम नहीं है। खाद्यान्न को बढ़ाने के लिये इनप्रागेनिक खाद और केमिकल खादों की अत्यन्त आवश्यकता है। इसलिये मेरा निवेदन है कि इन बातों की ओर ध्यान दिया जाये।

पांचवीं जैन में हमारी जरूरतें जैसा कि लक्ष्य मुकदर किया गया है, और भी बढ़ जायेंगी। बतलाया गया है कि नाइट्रोजन

4 मिलियन टन हो जायेगी और फास्फोरस की खाद जो है वह 2 मिलियन टन हो जायेगी। इसलिये जरूरी है कि नई फैक्ट्रीज बनाने के लिये प्रविलम्ब कार्रवाई की जाये। अगर इस के लिये फारेन एक्सचेंज की या कोई और दिक्कत हो तो उस को भी दूर करना चाहिये। उत्तर प्रदेश में अब तक कोई फैक्ट्री नहीं थी। खुशी की बात है कि गोरखपुर और कानपुर में उन को बनाने का विचार है। लेकिन हो सकता है कि उत्तर प्रदेश की आवश्यकताओं के लिये यह अपर्याप्त हो। इसलिये मेरा निवेदन है कि उत्तर प्रदेश में या उस के समीपवर्ती राज्य में कुछ फैक्ट्रीज खोली जायें ताकि वहां की जरूरतें पूरी हो सकें।

दूसरी चीज जो मैं प्रज करना चाहता हूं वह यह कि रिपोर्ट ग्रॉफ कमेटी ग्रान फर्टिलाइजर्स हमारे सामने मौजूद है। उस में बहुत सी सिफारिशों का जिक्र है। उस में कहा गया है कि अब तक सेन्ट्रल पूल होता है खादों का जहां से उन को वितरित किया जाता है हर स्टेट को। उन का सुझाव है कि उस के साथ साथ एक फर्टिलाइजर प्रमोशन कारपोरेशन होना चाहिये जो कि वितरण आदि के कार्य को अपने हाथ में ले। इसी के साथ साथ इस कारपोरेशन की इयूटी यह भी होनी चाहिये कि किसानों को फर्टिलाइजर माइक्रोड बनाने के लिये सक्रिय कदम उठाये। वह देश भर में चारों तरफ जा कर लोगों की और गांव के किसानों को बतलाये कि दिक्कत क्या है। साथ ही यह भी बतलाये कि खाद का इस्तेमाल करने में हम को क्या लाभ होता है, कितना पैदावार उस से बढ़ती है और कितना फायदा हो सकता है।

खाद के सिन्ड्रोम में मैं कहना चाहता हूं कि हर एक देश में उस का इस्तेमाल हो रहा है। लेकिन खाद के साथ साथ सिंचाई के इन्तजाम की भी आवश्यकता है। जो फिर्स बतलाये गये हैं उन में भी बतलाया गया है कि हम सिंचाई में बहुत पीछे हैं। जो सिंचाई के

साधन हैं वह हमारे यहां काफी नहीं हैं। खाद जो दी जाती है उस में पानी की मात्रा भी काफी चाहिये। अगर केमिकल फर्टिलाइजर देने के बाद सिंचाई नहीं हो सकेगी तो उस से उल्टे फसल को नुकसान होत है इस वास्ते जहां हमें खाद की पैदावार बढ़ाने की तरफ तवज्जह देनी है वहां यह भी आवश्यक है कि सिंचाई के साधन बढ़ाये जायें। इस तरफ भी हम को कदम उठाना चाहिये।

Mr. Deputy-Speaker: How long would the hon. Minister take for reply?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): I would have liked half an hour. Since the Prime Minister is making a statement at 3.30, I may be called after that.

Shri Oza (Surendranagar): We are all grateful to the hon. Mover of the motion for raising a discussion on this very important subject. All of us very well realise the importance of chemical fertilisers to increase our agricultural production. This hardly requires to be emphasised.

We all know that the per acre yield increase in some countries, to which reference was made by some hon. Members, was mainly due to the use of chemical fertilisers. We know that in the US by the use of these fertilisers they have stepped up their production twice over in a very short time. I have been feeling that the greatest deterrent to the production and supply of chemical fertilisers in this country is PL 480. I know that this Ministry is very eager to produce more fertilisers and also to import more of it. The biggest and only hindrance is the paucity of foreign exchange not only for import of fertilisers but also for production of chemical fertilisers here for which we require some imported components. That is the main obstacle. If sufficient foreign exchange had been given to this Ministry, I am sure the problem would have been solved long



[Shri Oza]

ago. But because we have been able to go on importing large quantities of foodgrains and simply because we have not to pay for it in foreign exchange but in rupees, I think we have been a bit complacent about the production and supply of fertilisers to our agriculturists. I wish Government had assigned top priority to production of agriculture here. Unless we do that, I am afraid we are not going to be free from so many of the maladies we are suffering from on our economic front now. Not only will we not be able to self-supporting in regard to foodgrains, but we will not also not be able to make rapid strides in terms of industrial growth and develop our country industrially unless our agricultural base is made very sound and the per acre yield not only of foodgrains but of agricultural products generally goes up.

14.59 hrs.

[SHRI THIRUMALA RAO in the Chair]

I wish the Finance Ministry was also represented during this discussion, because I am afraid the blame does not lie at the door of this Ministry which is facing this motion. The Finance Ministry comes into the picture, and in consultation with that Ministry, we should find out what are the difficulties in releasing sufficient foreign exchange both for import of fertilisers and for supply of necessary components for production of fertilisers indigenously.

Our requirements of fertilisers are going up and as was pointed out by the mover, the targets set for the local factories are not going up. It is true there are some administrative difficulties but I understand that one of the main difficulties is insufficient release of foreign exchange. I wish this House conveys its sense of concern and anxiety to the Finance Ministry and to Government as a whole to see that sufficient foreign exchange is released to this Ministry. Of course, I know that this Ministry itself is very eager

to step up production of fertilisers. Unless sufficient foreign exchange is released, I think this cry will be in the wilderness and it will not be able to solve the problem at all. This was the only point I wanted to stress. Otherwise, I had no mind to participate in this discussion.

15 hrs.

Shrimati Tarkeshwari Sinha: I have moved my amendment specifically after receiving the report from the Minister. My amendment reads:

That in the motion,—

add at the end—

“and recommends that necessary steps be taken to negotiate another international agreement on the lines of P.L. 480 agreement, for the import of fertilisers on rupee payment basis.”

I am happy that the Minister has not only made us very much aware of the problem, but also given a very detailed report about the productive capacity and how the production programme is going to be kept up. I very well appreciate the sincerity of the hon. Minister and his colleagues. He has been trying his level best to keep this programme on a very high priority basis, and some of the measures that have been taken, reference to which is also made here, are very commendable indeed, but I have given this amendment primarily with a view to analyse the situation that is going to arise vis-a-vis the demand that we have to meet.

A large demand for foreign exchange has been made by Ministries like Petroleum and Chemicals and Food and Agriculture, and it is no secret that the requirement of foreign exchange for only one item, namely import of fertilisers, is going to be nearly Rs. 800 crores, Rs. 776.51 crores to be exact. The import, of course, is very necessary.

In spite of the production programme that we are going to bring into full swing, we are going to produce only nitrogenous fertilisers. So far as superphosphate is concerned, we are not going to fulfil the target, and we are not going to produce very substantial quantities of potash. Probably most of the potash will be imported, and therefore the problem of foreign exchange for import will be there. I wish well to the Minister who is trying his level best to reduce the quantum of foreign exchange required by encouraging indigenous resources to produce nitrogenous fertilisers, but even this requirement of Rs. 800 crores is bound to create a big strain on our foreign exchange position.

There are not many countries in the world who produce fertilisers more than their own requirements and have the capacity to export them. I think there are only three or four countries including USA and Japan. Therefore, I have moved this amendment requesting the Government to go in for negotiation on a rupee payment basis. After all, that is the way in which we can avoid this foreign exchange drain. After all, this cannot be ignored that fertiliser is very necessary for giving a fillip to our agricultural programme. Without agricultural production our whole Plan base collapses. Therefore, in order to keep the very existence of the Plan, the very existence of a prosperous economy, we need a substantial increase in food production, and for that we are now compelled to walk on a very tight rope. Therefore, the only way by which the situation can be met is by negotiating some kind of rupee-payment agreement like P.L.480 to import fertilisers. I am sure that if we try to have such an agreement, the countries which are in a position to supply fertilisers will be very helpful.

I have before me the report of the Committee on Fertilisers, and I find that AID has also conducted some

kind of survey about the fertilisers needed by this country and its productive capacity, and they have also put forward certain suggestions. Their attitude has been one of great consideration and understanding in respect of this problem.

There is a big competition so far as import of fertilisers is concerned. From the facts and figures available, I find that many backward countries which have a low base of agricultural production are now going in a big way for fertiliser programme and are having long-term arrangements with countries which are in a position to supply fertilisers. Long-term arrangement primarily means that they will assure themselves of continuous supply of fertilisers from the countries which can export.

So, it is high time that we also went in for a fertiliser programme in a big way by such an arrangement. It is no use trying to pay in foreign exchange for these imports. Therefore, it is not only the need of India, but the need of undeveloped countries as a whole to get supply of fertilisers on this basis.

I do not want to recite the figures given by the hon. Minister, but I would like to point out that our consumption and production programme of potash, superphosphate and nitrogenous fertilisers are very low. The world consumption of nitrogenous fertilizers per hectare is 9.11 Kg. while ours is 2.56 Kg. the world consumption of superphosphate per hectare is 8.21 Kg. while ours is 0.8 Kg; the world consumption of potash per hectare is 6.79 Kg. while ours is 0.23 Kg.

It is not only necessary for us to have nitrogenous fertilisers. Even with the limited resources at our disposal, the distribution has been very defective, because no soil testing has been done, and that is why our programme has not been so successful! A particular soil may not need nitrogenous fertiliser, but it is given, while a

[Shrimati Tarkeshwari Sinha]

particular soil which may require potash, is given nitrogenous fertiliser and it goes hungry of potash. Therefore, soil conservation and soil testing are the essential needs of any successful fertiliser programme.

The hon. Minister just now informed me that Belgium has the highest consumption of potash in the world. The per hectare consumption in Belgium is 201.53 Kg., while ours is 0.23 Kg. This is the difference between the advanced countries and us. Therefore, this report does not cover what is the programme that we have either the manufacturing or the import programme for potash and superphosphates which really would fulfil the growing needs of our country.

So far as internal distribution is concerned, I am very happy to hear that a Fertiliser Corporation has come into existence. We spent a long time negotiating, planning and deliberating. Years have passed when these quarrels between the private sector and the public sector went on and on and so no programme could be decided upon. After all that, we have decided what will be in the private sector and what will be in the public sector. And we decided that we should have a Fertiliser Corporation. It should have been established the day when we took over a large scale fertiliser production and distribution programme.

All the same, I may refer now to the Central Fertiliser Pool; This Central Fertiliser Pool has made a profit up-to-date of Rs. 433.5 million in the past. I would ask, how much of this has been utilised for the promotion of the fertiliser programme in this country. Hardly anything has been utilised. I do not mean to say that the amount has been wasted, but it should have been utilised to provide some kind of experimental basis for the fertiliser production as in the case of the sugar cess, where, the money obtained through the cess is utilised for the production of sugarcane and sugarcane research.

I would ask the hon. Minister why this money could not be utilised in a big way towards the promotion of the fertiliser programme. I would now request the hon. Minister to gear up these resources completely to the production and further development programme of fertilisers.

In Bihar there are rich resources like pyrites, zinc and copper and sulphur. They are the only sources, primarily for super-phosphates from which we can manufacture super phosphates. I would like the hon. Minister to go in for this in a big way. Phosphates, is very necessary for higher production of foodgrains. I would request the hon. Minister to go in for the development of this pyrites and also zinc and copper smelters, and they must be utilised to the full gear, so that we shall have a good production programme of superphosphates.

**Mr. Chairman:** The hon. Member's time is up.

**Shrimati Tarkeshwari Sinha:** I am concluding, Sir. I would request the hon. Minister to see that the distribution of fertilisers should be on the basis of, so to say, exchange. That is, if you take to the procurement programme and take grain from the agriculturists, give them fertilisers in payment for that grain. Otherwise, if you give the peasant some money for the grain, that money will be almost wasted and he will not utilise it. Therefore, I submit to the hon. Minister that he should have an organised programme by which we distribute the fertilisers to those farmers from whom we take the grains. This should be linked up with the medium of the fertiliser Corporation.

**श्री राबेलाल व्यास (उज्जैन) :** सम्भा-  
पति महोदय, मुझे प्रसन्नता है कि माननीय  
मंत्री ने जो बक्तव्य दिया था उस पर चर्चा  
करने का हम सब लोगों को यह अवसर मिला  
है। श्रीमान्, जहाँ तक मध्य प्रदेश का खजाना

है मुझे बड़े दुःख के साथ कहना पड़ता है कि केन्द्रीय सरकार का रुख मध्यप्रदेश के प्रति ध्वष्ट नहीं है क्योंकि उन्होंने अपने वक्तव्य में बड़े प्रोजेक्ट्स जिनको कि केन्द्रीय सरकार ने एप्रुव कर लिया उस में सभी प्रोजेक्ट्स को ले लिया है सिवाय एक कोरवा के। अब कोरवा के लिये मैं क्या बतलाऊँ आप को ? गवर्नमेंट के एप्रुव के बाद में करीब 70 लाख रुपया उस पर खर्च हो चुका है और अब उसके बारे में यह कहा जाता है कि उसकी एकोनामी को देखते हुए यह सम्भव नहीं है कि उसको चालू किया जाय। वैसे तो यहां एक प्रश्न के उत्तर में माननीय उपमंत्री ने यह कह दिया था कि वह समाप्त कर दिया गया है लेकिन मिनिस्टर महोदय ने उस को फोरवर्ड किया और कह दिया फौर दी टाइम बीइंग। लेकिन मैं समझता हूँ कि यह केवल हम को थोड़ा सा सन्तोष देने के लिए और समय बढ़ाने के लिए कह दिया गया है। यह कोई शुभ चिन्ह नहीं है। हमारे राज्य में इस वक्त बड़ी नाराजगी है। मध्य प्रदेश इतनी बड़ी स्टेट है जो कि खाद्यान्न में सरप्लस है।

जहां सब में कम प्रति एकड़ उत्पादन होता है जहां कि क्षमता काफी है और अगर उसको बढ़ाया जाय तो काफी अनाज हिन्दुस्तान को मध्य प्रदेश दे सकता है लेकिन उस की तरफ केन्द्रीय सरकार की उपेक्षा यह बिल्कुल एक स्पष्ट यहां दिखाई दे रही है। मुझे बड़ा आश्चर्य होता है हालांकि इसमें यह बताया गया है कि अब नेपता बेस पर नई फर्टिलाइजर फैक्टरीज बनेंगी, कोल के आधार पर फर्टिलाइजर फैक्टरीज नहीं बनाई जायेंगी। अगर यह सही है तो सिन्दरी फर्टिलाइजर फैक्टरी को करोड़ों रुपये लगा कर क्यों बनाना चाहते हैं। अगर यह सही है तो उनको जहां है वहीं रहने दिया जाय। अब अगर नेपता के आधार पर ही सारे देश में फर्टिलाइजर फैक्टरीज बननी है तो मध्य प्रदेश में एक भी फर्टिलाइजर फैक्टरी क्यों नहीं कायम की जा रही है ? जो नये

प्रोजेक्ट्स स्टेटों में बनने के लिये बतलाये गये हैं एक मध्य प्रदेश को छोड़ कर कोई भी अन्य राज्य ऐसा नहीं है जिसमें कि फर्टिलाइजर फैक्टरी नहीं बन रही है। मध्य प्रदेश इतना बड़ा राज्य है, इतना बड़ा प्रदेश हमने बनाया है लेकिन उसमें एक भी फर्टिलाइजर फैक्टरी कायम नहीं की जा रही है। मेरी समझ में नहीं आता कि इतने बड़े राज्य की इस तरह से उपेक्षा करना कोई एक ध्वष्टी बात है वहां एक भी फर्टिलाइजर फैक्टरी न देना यह कोई एक ध्वष्टी पालिसी नहीं समझी जा सकती है। फिर आज हमारे सामने जो यह आंकड़े दिये हुए हैं फर्टिलाइजर के प्रोडक्शन के इतना इतना हर एक मूलक में उत्पाद होता है तो जब हम देखते हैं कि हम फर्टिलाइजर के प्रोडक्शन में सब से पीछे हैं, छोटे छोटे राष्ट्र भी इस में हम से आगे हैं और अगर महंगा भी हमें पड़े तो क्या हर्ज है और हम कोल बेस पर भी फर्टिलाइजर फैक्टरी क्यों कायम न करें ? आखिर इस स्टेटमेंट में कहा गया है कि अगर फर्टिलाइजर का प्रोडक्शन बढ़े और उसके फलस्वरूप हम खाद्यान्न का अधिक उत्पादन करते हैं तो हम अनाज पर जो फौरन एक्सचेंज खर्च करना पड़ता है या वहां से हमकी फर्टिलाइजर इम्पोर्ट करने में खर्च करना पड़ता है, उसमें जो इतना खर्च होता है उसकी बचत होगी। मैं पृच्छना चाहता हूँ कि क्या कोल के आधार पर फर्टिलाइजर फैक्टरी यहां कायम की गई तो तबसे यह फौरन एक्सचेंज के खर्च में कमी नहीं होगी ? अगर ऐसा करने में हमारा ज्यादा खर्च भी लगे तो क्या उसकी अपेक्षा हमें जो खर्च बाहर से अनाज मंगाने और फर्टिलाइजर इम्पोर्ट करने में करना पड़ रहा है उस में कमी नहीं होगी उस में क्या बचत नहीं होगी ? इसलिए इस तरीके पर आपको सोचना चाहिए। यह सिन्दरी फर्टिलाइजर फैक्टरी को हो लीजिये। उसमें करोड़ों रुपये आप लगाने जा रहे हैं अब उस पर 70 लाख रुपया खर्च हो गया है तो उसको फिर कायम नहीं करेंगे और उसको खत्म कर

[श्री राघे नान व्यास]

देंगे तो यह कोई अच्छी बात नहीं कही जा सकती है खास कर जब उसे एक ऐप्रूव्ड प्रोजेक्ट मान लिया गया था। इसलिए मेरा यह नम्र निवेदन है कि देश हित को ध्यान में रखते हुए, मध्य प्रदेश के हित को ध्यान में रखते हुए और यह खयाल में रखते हुए कि बाहर से फर्टिलाइजर मंगाने में और भनाज मंगाने में जितना फोरेन एक्सचेंज और रुपया खर्च करना पड़ता है उस सब को देखते हुए यह जरूरी है कि हम अपने देश में फर्टिलाइजर्स का उत्पादन बढ़ाने के लिए चाहे नेपता से और चाहे कोल से जितनी भी अधिक से अधिक फर्टिलाइजर के कारखाने लगा सकें, वह हमें लगाने चाहिए। खास तौर से जिस कारखाने पर लाखों रुपये खर्च हो चुके हैं उसको इस तरीके से समाप्त नहीं करना चाहिए। धर्मी भी गुंजाइश है जैसा कि मिनिस्टर साहब ने कहा कि उसकी उत्पादन क्षमता बढ़ाने के लिए एक बड़ा प्लांट लगाने की सोच रहे हैं। मेरा कहना है कि वह इस पर गम्भीरता से विचार करें। सब बातों को ध्यान में रखते हुए कोरवा प्रोजेक्ट जो कि एप्रूव्ड हो चुका है और जिस पर विचार किया गया है उसको बराबर मध्यप्रदेश में लगाना चाहिए और उसके लिए व्यवस्था करनी चाहिए जिससे कि हमारा मध्यप्रदेश का भी उत्पादन बढ़ सके। वहां कारखाना होने से फर्टिलाइजर्स आसानी से सारे प्रदेश में पहुंचाया जा सके।

15.18 hrs.

[MR. SPEAKER in the Chair]

श्री रामसेवक यादव (बाराबंकी) : अध्यक्ष महोदय, आज जब देश को एक तरफ चीन और पाकिस्तान के मोर्चे पर लड़ना पड़ रहा है तो दूसरी तरफ खाद्यान्न के मोर्चे पर भी उसे लड़ना पड़ रहा है क्योंकि देश में घनाज की बहुत कमी है।

जहां तक खाद्यान्न की कमी का सवाल है उस को पूरा करने के लिये दो चीजों की

आवश्यकता है, पानी और खाद की आवश्यकता होती है। आज सरकार चा जितनी योजनाएं चलाये, चाहे जितना भनाज पैदा करने की बात करे वास्तविकता तो यह है कि जहां एक पानी और खाद का प्रश्न है न तो पानी मिल रहा है और न ही खाद मिल रही है।

जब से पहली पंचवर्षीय योजना बसी तब से बराबर यह कहा गया कि प्रथम पंचवर्षीय योजना की समाप्ति तक खाद्यान्न में आत्मनिर्भर होंगे लेकिन हमने देखा कि उस के बाद में लक्ष बदल गया। दूसरी पंचवर्षीय योजना और फिर तीसरी पंचवर्षीय योजना आई लेकिन हम आज तक खाद्यान्न के बारे में आत्मनिर्भर नहीं हैं।

जहां तक खाद का सवाल है और रासायनिक खाद का सवाल है हम देखते हैं कि जो लक्ष निर्धारित किया जाता है कभी उस की पूर्ती नहीं होती है और जब तक हमारे इन लक्षों को पूरा करने का काम ईमानदारी से नहीं चलाया जायेगा और जब तक उस के बारे में हम सजग नहीं होंगे तब तक अधिक धन पैदा नहीं हो सकता है। आज अगर खाद की कमी है तो उसका नतीजा है कि हम अपने लक्ष को पूरा नहीं करते। दूसरा उसका नतीजा यह है कि जब तक लक्ष पूरा नहीं होता तो खाद में मिलावट होती है। इस प्रकार से हर एक राज्य से शिकायत आती है कि खाद में नमक की मिलावट होती है और उस का तीसरा नतीजा है कि चारों तरफ चोरबाजारी में खाद बिका करती है।

उसका एक और भयंकर परिणाम यह है कि जहां जहां पर सहकारी समितियों के जरिये खाद का वितरण किया गया है, वहां जबरदस्त भ्रष्टाचार है। यहां तक होता है कि सहकारी समितियों में बोगस मेम्बर बर्तों किये जाते हैं और कुछ किसानों के नाम पर खाद ले लिया जाता है

जब कि प्रसल में उनको खाद नहीं मिलता है। साल दो साल के बाद जब उसके मूल्य को चूकाने की बारी आती है, तब उन किसानों को पता चलता है कि उन के नाम पर खाद लिया गया है। वह खाद काले बाजार में विक्रित जाता है और गरीब किसानों को खाद नहीं मिल पाता है।

जहां तक खाद के वितरण का सवाल है, वह बोधपूर्ण तो है ही, उस के दाम भी बहुत ज्यादा हैं, जिन को साधारण किसान बर्दाश्त नहीं कर सकते और उस को खरीद नहीं सकते। आप जानते हैं कि इस देश में 85 प्रतिशत किसान ऐसे हैं, जिन की जोतें धलाभकर हैं, जो सवा छः एकड़ से नीचे के किसान हैं। उन को अपने खेतों से कोई लाभ नहीं होता है। रासायनिक खाद इतनी महंगी होती है कि वे किसान उन को खरीद नहीं सकते हैं। नतीजा यह होता है कि अधिकतर किसानों को खाद से कोई लाभ नहीं होता है, हालांकि उन के नाम पर खाद ले कर काले बाजार में बेच दी जाती है।

धन में मैं तीन बातें मंत्री महोदय से कहना चाहूंगा। एक, रासायनिक खाद के उत्पादन का जो भी न्यय निर्धारित किया जाता है, उस को पूरा किया जाये। दूसरे, सहकारी संस्थाओं के जरिये खाद के वितरण में जो दोष और भ्रष्टाचार है, उन को रोका जाये और तीसरे, खाद के मूल्यों में काफी कमी की जाये, ताकि छोटे से छोटा किसान भी खाद से फायदा उठा सके और इस प्रकार हिन्दुस्तान की खेती की पैदावार बढ़ सके।

श्री यशपाल सिंह (कैराना) अध्यक्ष महोदय, फर्टिलाइजर की समस्या का आज तक साइंटिफिकली हल नहीं किया गया है। अगर आज भी गंगा और जमुना को बांध दिया जाये और वे दरिया बिना नुकेन के ऊँट

की तरह न बहें, तो देश में दस करोड़ एकड़ ऐसी जमीन निकल सकती है, जिस में पचास साल तक किसी मैग्नीरिंग की जरूरत नहीं होगी।

इसी हाउस में सरकार ने फरमाया था कि हम भूमरिका से दो सौ रुपये फी टन के हिसाब से खाद लेते हैं और काश्तकार को वह खाद 450 रुपये फी टन के हिसाब से बेचते हैं। गोया किसान से 250 रुपये फी टन का मुनाफा कमाया जाता है।

सरकार इस बात को भी नोट कर ले कि सरकारी समितियों के द्वारा जो फर्टिलाइजर तकसीम किया जाता है, उसमें ब्लैक मार्केटिंग होता है। इस लिये सरकारी कायदा यह होना चाहिये कि डिस्ट्रिक्ट एग्जीक्यूटिव आफिसर की तरफ से खाद को डिस्ट्रिब्यूट किया जाये। यह काम सहकारी समितियों के सुपुर्दे नहीं किया जाना चाहिये।

मैंने यू० पी० में खुद देखा है कि फर्टिलाइजर जबर्दस्ती दिया जाता है। जिन खेतों के लिये पानी का इन्तजाम नहीं है, जहां इरिगेशन की किसी तरह की फैसिलिटी नहीं है, वहां भी जबर्दस्ती फर्टिलाइजर दे दिया जाता है। नतीजा यह होता है कि पानी न मिलने की वजह से बीज भी वापस नहीं आता है और जो थोड़ी बहुत फसल बच भी जाती है, वह फर्टिलाइजर की गर्मी से फूट जाती है, जल जाती है।

आज आवश्यकता इस बात की है कि किसान को अपने पैरों पर खड़े होने का मौका दिया जाये। आज हर जगह जो सरकारी दखल है, उस को खत्म किया जाये। महात्मा गांधी कहा करते थे कि देट गवर्नमेंट इज दि बेस्ट, विच गवर्नमेंट लिस्ट लेकिन आज यह हालत है कि एक बोरी खाद के वितरण के लिये भी हम लॉग सरकार के मुह की तरफ देखते हैं। काश्तकारों को बीज तब दिया जाता है, जब मोहंग

## [श्री यशपाल सिंह]

सीजन निकल जाता है। फर्टिलाइजर तब दिया जाता है, जब राशतकार का नहर का हिस्सा निकल जाता है, पानी बेकार हो जाता है। इस प्रकार राशतकार फर्टिलाइजर से कोई फायदा नहीं उठा सकते।

सरदार स्वर्ण सिंह ने ग्रीन मैन्यूरिंग के बारे में कोशिश की थी। पंजाब में सरदार प्रताप सिंह कैरों ने एक नमूना पेश किया था। अगर ग्रीन मैन्यूरिंग का अच्छा इन्तजाम किया जाये, तो फर्टिलाइजर की जरूरत घाघी रह जायेगी, पचास परसेंट रह जायेगी। हमारे पेड़ों के सूखे पत्ते लाखों टन की तादाद में बेकार चले जाते हैं और उन पत्तों से जो मैन्यूरिंग हो सकती है, उस से सरकार कोई फायदा नहीं उठाती है।

यह बात जरूर है कि सहकारिता का नाम ले कर किसान को बेवकूफ बनाया जा रहा है। आज सब से ज्यादा जरूरत इस बात की है कि ये बड़े बड़े कारखाने खरम करके छोटे छोटे राशतकारों को ग्रीन मैन्यूरिंग के लिये सुविधा दी जाये। हमारे देहात कूड़े से भरे पड़े हैं, लेकिन खेतों तक कूड़ा नहीं पहुंच रहा है। जब सरकार से कहा जाता है तो सरकार कहती है कि गांव पंचायतें इसका इन्तजाम करें। गांव पंचायतें वह काम नहीं कर सकती, क्योंकि उन के पास न ट्रक हैं और न दूसरे कोई साधन हैं कि वे उस खाद को निकाल कर किसानों तक पहुंचा सकें।

सरकार ने जो पंचायतें कायम की हैं वे सिर्फ कागजों पर हैं। सारे हिन्दुस्तान में एक भी पंचायत ऐसी नहीं है, जो फर्टिलाइजर के मामले में सैल्फ-सफिशेंट हो। कहा जाता है कि गांव सभा के प्रधान और गांव पंचायत के सरपंच को कुल धन्यार होते हैं, लेकिन उनको इतना भी धन्यार नहीं है कि वे बी० एल० डब्ल्यू० को तब्दील कर सकें जो सैकड़ों लोगों को बेवकूफ बना कर

हजारों रुपये का फर्टिलाइजर ब्लैक मार्केटिंग से बेचता है। उनको इतना भी हक नहीं है कि वे बी० एल० डब्ल्यू० को सस्पेंड कर सकें या उसे दो चार दिन के लिये भी काम से घलग कर सकें।

काम तब होगा, जब किसान को अपने पैरों पर खड़ा होने का मौका दिया जायेगा। आज हम देखते हैं कि डिमिट्रिट कोप्रोपरेटिव फ्राक्सर, ए० डी० प्रो०, फर्टिलाइजर, ए० डी० प्रो०, मैन्यूरिंग, न जाने कितने फ्राक्सर मुक़रर किये हुए हैं। ये सब क्या करते हैं? मैंने पिछले साल भी कहा था कि बी० डी० प्रो० का काम देखा जाये और अगर उस के ब्लैक में साल के दौरान में पैदावार नहीं बढ़ी है, तो उस से जीप छीन ली जाये। प्रधान मंत्री ने इस हाउस में कहा था कि बी० डी० प्रो० से जीपें छीनी जायेंगी, लेकिन कहीं भी ऐसा नहीं किया गया। ये जीप गाड़ियां क्या काम करती हैं? जीप मुजफ्फराबाद से भगवानपुर तक घाती है और जाती है, जो कि बारह मील की दूरी पर है। मैंने बी० डी० प्रो० के ड्राइवर से पूछा कि किम काम के लिए गए थे, तो उस ने कहा कि, नीबू नहीं रहे थे, चार नीबू लेने के लिए गया था। आप देखिए कि चौबीस मील का सफ़र चार नीबूओं के लिए होता है। उस पर कितना पेट्रोल खर्च होता है। ड्राइवर की तनख़ाह पर और दूसरा कितना खर्च होता है, यह कोई देखता नहीं है। इसलिए श्री सुब्रह्मण्यम से मेरी दरख़ास्त है कि वह प्रागे बढ़ कर यह डिमिशन दें कि साल के बाद बी० डी० प्रो० का मुआयना किया जायेगा और अगर उस के ब्लैक में पैदावार नहीं बढ़ी है, फर्टिलाइजर का इन्तजाम नहीं हुआ है, टाइम पर ग्रीन मैन्यूरिंग नहीं हुआ है, तो उस को एक-क़लम बर्खास्त किया जायेगा।

क्या बजह है कि पैदावार घटती जा रही है और फ्राक्सर बढ़ते जा रहे हैं। होना तो

उल्टा चाहिए था। यह देखना चाहिए कि पैदावार क्यों घटती है। यू० पी० गवर्नमेंट के कृषि मंत्री ने भरे हाउस में यह कहा कि मैंने अपने गांव में खाद के दस गड्डे खुदवाए थे, लेकिन जब तक मैं लखनऊ आया, तब तक वे 120 हो गए। 120 कागज पर हो गए बी० डी० धो० ने कहा कि दस गड्डे खुदवाये, उसके साथ बी० एल० डब्ल्यू० ने कहा कि दस गड्डे खुदवाये, कोआप्रेसन के प्रफसर ने कहा कि दस खुदवाये, एक सरकारी मिनिस्टर की रिपोर्ट है कि गांव में दस गड्डे खुदवाये गये लेकिन पहुंचते पहुंचते कागज पर 120 गड्डे हो गए (इंटरप्शन) माननीय प्रधान मंत्री जी ध्या गए हैं। बड़ी भारी मूल्यवान तकरीर होने वाली है, इस वास्ते मैं बाद में जारी रख सकता हूं।

**अध्यक्ष महोदय :** धाप खत्म कीजिये एक दो मिनट में।

**श्री यशपाल सिंह :** माननीय सुब्रह्मण्यम साहब से मेरी दरखास्त है कि कागजों के ऊपर वह इस मसले को हल करने की कोशिश न करें। इस मसले को वे जा कर खेतों में हल करें। मैंने अपनी आंखों से देखा है जो मैं आपको बतलाना चाहता हूं। सहारनपुर में श्री मोर फूड की मीटिंग हो रही थी। तहसीलदार है एक किसान ने पूछा कि क्या मीटिंग हो रही है और क्या मैं भी घुमर जा सकता हूं। तहसीलदार ने कहा कि तुम्हारे मतलब की वहां कोई बात नहीं हो रही है। श्री मोर फूड की मीटिंग हो और किसान के मतलब की कोई बात न हो, यह कैसी विडम्बना है।

मैं एक बात मंत्री महोदय से जानना चाहता हूं। उनका फटिलाइजर क्या करेगा जब कि किसान का तीन तीन साल से ट्यूबवेल बना पड़ा है लेकिन उसको आज तक बिजली नहीं दी गई है। उसको पानी नहीं दिया जाता है। माननीय सुब्रह्मण्यम साहब का सब से पहला

कज यह है कि जो आज डिसपैरिटी है बिजली की दरों में इसको वह दूर करें। इंटस्ट्रियलरिट्स को आज तीन पैसे फी यूनिट के हिसाब से बिजली दी जाती है लेकिन काश्तकार को उन्न स पैसे को दर से दं जातों है। यह जो डिसपैरिटी है यह खत्म की जाए। तब किसान प्राये बड़ेगा। अगर फटिलाइजर का इंतजाज नहीं होगा तो किसान हंगिज हंगिज प्राये नहीं बढ़ सकेगा। इस मामले में भी हमें सैल्फ सफि-मेंट होना चाहिये। मैं चाहता हूं कि माननीय सुब्रह्मण्यम साहब यह भी वादा करें कि दिल्ली के दफ्तरों से सब काम नहीं होंगे प्रान्तीय राज-धानियों के दफ्तरों से ही सब काम नहीं होंगे बल्कि गांव की पंचायतों द्वारा किसानों के लिए सब काम होंगे। अगर ऐसा किया गया तो यह मसला बड़ी आसानी से हल हो जाएगा।

15.31 hrs.

STATEMENT RE. CEASE-FIRE AND OTHER MATTERS.

डा० राम मनोहर लोहिया (कश्मीर-बाद) : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है।

**अध्यक्ष महोदय :** अभी मत बोलिये। मैं आपको बयान के बाद बोलने दूंगा।

डा० राम मनोहर लोहिया : तां, बात ठीक है।

**The Prime Minister and Minister of Atomic Energy (Shri Lal Bahadur Shastri):** I place on the table of the House a copy of the Security Council resolution dated the 20th September, 1965, relating to the current conflict between India and Pakistan—a conflict which commenced on the 5th August, 1965, when Pakistan launched a massive attack on India by sending thousands of armed infiltrators across the cease-fire line in our State of Jammu and Kashmir. [Placed in Library. See No. LT-4932/65].

As the Hon'ble Members would see, the Security Council had demanded that both Governments



[Shri Lal Bahadur Shastri]

should order a cease-fire effective from 12-30 p.m. Indian Standard Time today, the 22nd September, 1965. On the question of cease-fire, the views of the Government of India were stated in detail and without any ambiguity in my letters of September 14 and 15, 1965, addressed to the Secretary-General. As stated in these letters, the Government of India had clearly accepted that they would order a cease-fire without any pre-conditions on being informed that Pakistan had agreed to do the same. On receiving the Security Council resolution, therefore, we sent a communication to the Secretary-General, in accordance with our earlier stand, informing him that we would be prepared to issue orders for a simple cease-fire effective from the appointed time and date, provided Pakistan agreed to do likewise. A copy of this communication is also placed on the Table of the House.

Throughout yesterday, there was no further message from the Secretary-General, but in the early hours of this morning we received a message from him advising us to order a unilateral cease-fire in compliance with the relevant provisions of the Security Council resolution, with the proviso that our troops could fire back if they were attacked. This, of course, was entirely impossible. In a battle which is continuing, it is just not possible for one side to ask its soldiers to stop firing, leaving the other side free to continue its operations. Our representative at the United Nations was, therefore, instructed to inform the Secretary-General accordingly.

A further report was received a short while ago that at the request of the Foreign Minister of Pakistan, an emergent meeting of the Security Council was convened, at which an announcement was made, on behalf of Pakistan that they also had agreed to issue orders for a cease-fire and cessation of hostilities. From our side, the requisite orders are now being issued to our field commanders to

effect a complete cease-fire by 3.30 a.m. tomorrow morning.

The Security Council Resolution refers to other matters which will require consideration subsequently. However, the policy of the Government of India in regard to matters which are of vital importance to us and which relate to the present conflict, has been stated by me on more than one occasion on the floor of this House and also in my recent communications to the Secretary-General.

I do not propose to go into any further details at the present stage. Detailed discussions will have to take place and there would have to be a fuller study of the problems to which I have just referred. For this purpose, our representative at the United Nations will keep himself available to the Secretary-General.

There will now be a cessation of hostilities. Peace is good. However, there is still a threat from the Foreign Minister of Pakistan, which he held out today, while speaking in the Security Council. We have, therefore, to be very watchful and vigilant.

The nation has recently been going through its greatest trial. The times have been difficult but they have served a great purpose. The whole world knows now that the people of India—Hindus, Muslims, Sikhs, Christians, Parsees and others—constitute a united nation with a determined common will and purpose. On the battle front, the supreme sacrifice has been made by the members of all communities who have shown that they are Indians first and Indians last.

To our armed forces, I would like to pay on behalf of this Parliament and the entire country, our warmest tributes. By their valour and heroism, they have given a new confidence to the people of India. Those who have lost their beloved on the battle front, have made a contribution to the preservation of our independence which will never be forgotten by a

grateful nation. Their sorrow and their pride are shared by the whole country.

Mr. Speaker, Sir, I would now seek your permission to express to all the members of this august House, to all the political parties in the country, to the leaders of public opinion, of labour organisations, of business and industry, and of many other voluntary associations, my feelings of the deepest gratitude. In the hour of trial each one of the 470 million people of this country stood up shoulder to shoulder to meet the challenge to our freedom.

I should like to inform the House that on 18th September, 1965, I received a message from Mr. Kosygin, Chairman of the Council of Ministers, USSR, offering his good offices for bringing about improved relations between India and Pakistan. Mr. Kosygin is impelled by noble intentions. No one can ever contest the view that ultimately India and Pakistan will have to live together as peaceful neighbours. We cannot therefore say no to any efforts, which may help to bring about such a situation, made by those who are sincere and genuine in their feelings of goodwill and friendship. I have, therefore, informed Mr. Kosygin today that we would welcome his efforts and good offices.

I would also like to give the House some further details about the tragic accident in which the other day, we suffered a grievous loss. Investigations conducted on the spot show that the aircraft in which Shri Balvantray Mehta was travelling, was shot down by a Pakistani plane. The marks on the fuselage establish that gun fire had been used. Preliminary investigations by the Air Force authorities who also have visited the scene confirm that the aircraft was shot down at a low height. The ammunition recovered at the site of the crash also proves that the attacking aircraft was a Pakistani plane. That a non-combatant civilian aircraft should have been shot down in this manner is one of the most inhuman acts which we

must all deplore and condemn. Shri Balvantrayji, his wife and the others who were travelling with him have laid down their lives at the altar of the freedom of the country. Their names will remain enshrined in our memory.

We are still faced with the Chinese ultimatum. The House is aware that almost at the same time when the Chinese Government announced the extension of the time-limit of the ultimatum to India by 72 hours on September 19, their troops started provocative activities at several points of the border. On the Sikkim border, about which the Chinese have been making baseless and threatening allegations, the Chinese troops crossed the well-known and delimited boundary at Dongchui La and Nathu La on 20th and 21st of September respectively. They fired at our observation posts. They have tried also to intrude into our other territories. Our armed forces have clear instructions to repel the aggressor.

Yesterday, we sent a reply to the Chinese note of September 20 in which India was alleged to have intruded into Dum Chale and committed armed provocation. The Chinese charge was rejected as a fabrication and a cover-up for the intrusion and firing at Tsakur to which I have referred a little while ago.

The House is aware that on September 19, the Chinese Government sent us a note couched in unbecoming language, extending the period of the ultimatum, making demands for destruction of military structures etc. A copy of our reply has been placed on the table of the House together with copies of two other notes we sent yesterday. Regarding the so-called military structures we have already told the Chinese Government that if after joint inspection any structures are found on the Tibetan side of the border there can be no objection to their being demolished. I have been told that China has announced that some of

[Shri Lal Bahadur Shastri]

these so-called structures have been destroyed by our troops while withdrawing. All this is a product of their imagination.

I must tell the House that we view with grave concern the Chinese activities on the border and the armed intrusions into our territory. We have urged the Chinese Government in our note of September 21 replying to the Chinese note of September 19 to forsake the path of belligerence and intimidation and to return to the path of peace and reason in its relations with India. I hope that even at this late hour China will respond to this call and prevent a major crisis.

We do not know what the Chinese will do next. We have, however, to remain vigilant all along the frontier.

There are times of the greatest trial for the nation, but the people all over the country are now in that mood which alone ensure the preservation of country's freedom. We may have to face many ups and downs, but I know the people have steelled themselves into a resolve to meet even this bigger challenge. On our Armed forces, there may be a heavier responsibility. I have no doubt that they are in good spirits. We have no intention of under-estimating the gravity of the situation. But we have resolved firmly to meet this challenge to our freedom.

Some hon. Members rose—

**Mr. Speaker:** If the House desires, I can allow a few questions, one question to each party.

**Several hon. Members:** No. questions now.

**Shri Raghunath Singh (Varanasi):** No questions today.

**डा० राम मनोहर लोहिया:** अध्यक्ष महोदय, सवाल पूछने के पहले मैं अपना व्यवस्था का प्रश्न आप के सामने रखता हूँ।

**अध्यक्ष महोदय:** अभी मैंने सवालों की इजाजत नहीं दी है।

**डा० राम मनोहर लोहिया:** अध्यक्ष महोदय, आप संविधान की धारा 105 की उपधारा 3 को देखिये :

"In other respects, the powers, privileges and immunities of each House of Parliament, and of the members and the committees of each Houses, shall be such as may from time to time be defined by Parliament by law, and until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom..."

बाकी मैं छोड़ देता हूँ। अब सवाल यह है कि जब युद्ध चलता रहे तो लोक सभा के और लोक सभा के सदस्यों के क्या अधिकार और क्या विशेषाधिकार हों, जब तक हमारी लोक सभा इस बारे में कोई कानून नहीं बना लेती है तब तक इस उपधारा के अनुसार हम को प्रश्नों की लोक सभा से उदाहरण मिलता है। और इसलिये मैं आप के सामने प्रश्नों की लोक सभा के कुछ उदाहरण रखना चाहता हूँ।

सब से पहले तो मैं आप को प्रश्नों की लोक सभा का एक उदाहरण देता हूँ जब कि वह घाठ महीने तक लड़ाई चला चके थे। मई 7, 1940 का किस्सा है। नाबू का पतन हो चुका था, अंग्रेज बड़ी मुसीबत में थे। उस वक्त भी एक स्थगन प्रस्ताव जो विरोधी दल ने रक्खा था मंजूर हुआ था और उस पर बहस हुई थी। मैं आपको खाली एक जूमला उस का पढ़ कर सुनाता हूँ। जो सस्त जूमले हैं उन को छोड़ देता हूँ क्योंकि सख्त जूमलों से शायद उन को चोट लग जाये। लेकिन जो कुछ मामूली जूमले हैं जब कि स्थगन प्रस्ताव प्राया मई 7 और मई 8, 1940 को.....

**अध्यक्ष महोदय:** यह तो जो आप का प्रार्थम्य है उस को सपोर्ट करने के लिये आप मिसालें दे रहे हैं। आप चाहते क्या

हैं यह बतलाइये। जो प्राप का प्वाइंट आफ  
आर्डर है उस को बतलाइये।

डा० राम मनोहर लोहिया : वह बतलाता  
हूँ। 16 अगस्त से हम लोग यहां बैठे हुए  
हैं—मुझ को तो खैर, तब से ही बोजने का  
मीका नहीं दिया गया मैं बहुत बाद में प्राया  
था—घीर अब 24 सितम्बर आ रही है।  
एक युद्ध चला, युद्ध खत्म भी हो रहा है,  
लेकिन यह अद्भुत लोक सभा रही है जो  
कि इस पर बहस नहीं होने देती।

अब मैं आपके सामने प्रश्नों की लोक  
सभा के उदाहरण देना हूँ जिसमें स्वयं  
प्रस्ताव, सवाल और सारी चीजें होती रही  
हैं, उस वक्त जब कि प्रश्नों के सामने  
बड़ी मुसीबत के दिन थे। मैं खाली एक  
उदाहरण स्वयं प्रस्ताव का दूंगा एक  
उदाहरण खाली प्राप को सवालों का दूंगा  
एक बहस का दूंगा। इससे ज्यादा नहीं।  
उसके बाद मेरा निवेदन प्राप से होगा...

अध्यक्ष महोदय : जरा एक मिनट प्राप  
मेरी बात सुन लें। अगर किसी सेंट प्राप  
सर्कमस्टान्सेज में, किन्हीं हालात में, जब कि  
वहां जंग चल रही हो, उन्होंने बहस की हो,  
तो क्या हम पर यह लाजमी हो जाता है कि  
जब यहां जंग चलती हो तो हम जरूर बहस  
करें। प्राप जो मुझे बतालायेंगे वह यही तो  
कि जब वहां जंग चल रही थी तो उन्होंने  
बहस की। पार्लियामेंट बैठी रही, रेजोल्यूशन  
पास हुआ। उन्होंने जो कुछ किया उस  
की ही मिसालें तो प्राप मुझे देंगे। मैं प्रापसे  
अर्ज करना चाहता हूँ कि उन मिसालों को  
सुन कर भी तो हम को ही अपना बिजनेस  
रेगुलेट करना है। मैं यह नहीं कहता कि  
हक नहीं हो सकता इस पार्लियामेंट को कि वह  
रेजोल्यूशन पास करे। किसी चीज पर डिक्शन  
करना चाहे तो करे, बैठी रहे, और बैठना  
चाहे तो और बैठ ले।

इस हक से यह हाउस महकूम नहीं हो  
गया। इस हाउस के वही हक हैं जो वहां  
के हाउस के हैं। मगर हमको क्या करना  
चाहिए इसका प्रवृत्तार तो इस हाउस को  
है। यह नहीं कि जो दूसरे हाउस ने वहां  
किया है वह हमें जरूर करना है।

श्री मधु सिमये (मुंगेर) : वह विशेषा-  
धिकार की बात कहते हैं। उसका जवाब तो  
दीजिए।

Shri S. M. Banerjee (Kanpur): The  
House has never decided that there  
should be no discussion.

अध्यक्ष महोदय : मैं ने हाउस की  
सेंस ले ली थी।

डा० राम मनोहर लोहिया : मैं ने  
आपको उदाहरण पढ़ कर सुनाया है। आपको  
यह अधिकार नहीं है कि प्राप सदस्यों की  
खाली राय ले लें। या तो इस सम्बन्ध में  
प्राप इस संसद का कोई कानून बताएं,  
क्योंकि धारा में लिखा है :

'defined by Parliament by law'.

इस सम्बन्ध में कोई आपका ला है नहीं।  
इसलिए युद्धकाल में मेरे जो भी विशेषाधिकार  
होते हैं उस सम्बन्ध में मैं प्रश्नों की लोक सभा  
का उदाहरण आपके सामने रखने का अधिकार  
रखता हूँ।

अध्यक्ष महोदय : प्राप क्या विशेषा-  
धिकार चाहते हैं। वह कौन सा अधिकार  
है ?

डा० राम मनोहर लोहिया : मेरे सभी  
विशेषाधिकार खत्म किए गए, ....

Shri U. M. Trivedi (Mandsaur):  
When the Prime Minister had sent  
out this message and when he had  
called all the leaders, it was agreed

[Shri U. M. Trivedi]

that we would not ask any questions on this matter. That is why we all have kept quiet. His leader was also present then.

**डा० राम मनोहर लोहिया :** मुझे मेरी बात आप खत्म नहीं करने देंगे ? हो सकता है कि आपने जो अपना दिमाग बना रखा है, मेरे उदाहरणों के बाद आप उस दिमाग को बदल दें, क्योंकि यह हम सब लोगों के लिए शर्म की बात होगी, यह लोक सभा परमां खत्म हो जाएगी और हम न तो किसी स्थगन प्रस्ताव के द्वारा, न किसी सवाल के द्वारा न किसी और बहस के द्वारा अपनी राय बता सके हैं। यह एक अद्भुत बात होगी। जिस किताब में से मैं आपको पढ़ कर सुनाना चाहता था उसका नाम है "दी ग्लोरी आफ पार्लियामेंट" यह अंग्रेजों की पार्लियामेंट की किताब है, और हमारे लिए लिखा जाएगा 'हिन्दुस्तान की लोक सभा की शर्म' और उसमें हम सब भागीदार होंगे, और सब से ज्यादा भागीदार अध्यक्ष महोदय आप होंगे, क्योंकि सारी बहस को चलाने वाले आप हैं। इसलिए मैं पहले आपको स्थगन प्रस्ताव के बारे में पढ़ कर सुनाना चाहता हूँ . . . . .

**अध्यक्ष महोदय :** मैं ने मान लिया कि वहाँ उन्होंने बहस भी की होगी, उन्होंने डिस्कशन भी किया होगा, उन्होंने सवाल भी पूछे होंगे, उन्होंने कोई रिजोल्यूशन भी पास किए होंगे। आप यही हवाले तो देंगे। मैं यह माने लेता हूँ कि जो बातें इसमें लिखी हैं वहाँ की गयीं। लेकिन मैं ने अर्ज की कि उनके वहाँ करने से हमें भी वैसा करने का अवसर तो हो जाता है कि हम वैसा कर सकते हैं, लेकिन हम पर यह पाबन्दी तो नहीं हो जाती कि अगर उन्होंने डिस्कशन किया जिस दिन वहाँ गोलाबारी हुई तो हम भी जिस दिन वहाँ गोलाबारी हो डिस्कशन करें . . . . .

**Shri S. M. Banerjee:** When should we discuss?

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

**Shri S. M. Banerjee:** Is this Lok Sabha or Parlok Sabha that we should discuss it post-mortem? (Interruptions).

**Shri Kapur Singh (Ludhiana):** I protest against this.

**अध्यक्ष महोदय :** आप बैठ जाएं। मैं नहीं कह सकता कि यह परलोक सभा है। आपके लिए यह परलोक सभा होगी पर दूसरों के लिए तो यह लोक सभा है।

**एक माननीय सदस्य :** आप इसे परलोक सभा बनाना चाहते हैं।

**अध्यक्ष महोदय :** जो मैं ने सुना है उसमें कोई प्वाइंट आफ आर्डर नहीं है।

**श्री मधु लिमये :** उनके उदाहरण तो सुन लीजिए।

**अध्यक्ष महोदय :** उदाहरण से कोई फायदा नहीं होगा। उससे मुझे क्या मदद मिलेगी ?

**डा० राम मनोहर लोहिया :** आप ध्यान दीजिए।

**अध्यक्ष महोदय :** उदाहरण से कोई फायदा नहीं होगा। मैं ने आपका आररयूमेंट सुन लिया।

**डा० राम मनोहर लोहिया :** आपने नहीं सुना।

**अध्यक्ष महोदय :** मैंने सुन लिया। उसमें कोई प्वाइंट आफ आर्डर नहीं है।

15.54 hrs.

The Lok Sabha then adjourned till Ten of the Clock on Thursday, September 23, 1965 (Asvina 1, 1887 (Saka).