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LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Thursday September 1, 1966/Bhadra
10, 1888 (Saka).

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

हिमाचल प्रदेश तथा पंजाब के कृषकों का
पुनर्वास
+

*778. श्री विभूति मिश्र :
श्री क० ना० तिवारी :

क्या सिचाई और विद्युत् मंत्री यह बताने
की कृपा करेंगे कि :

(क) क्या यह सच है कि राजस्थान
नहर क्षेत्र में 3.5 लाख एकड़ भूमि हिमाचल
प्रदेश तथा पंजाब से विस्थापित हुए कृषकों
के पुनर्वास के लिए पृथक्-रक्षित की गई
है; और

(ख) यदि हां, तो क्या सरकार का
विचार अन्य क्षेत्रों में भी विस्थापित व्यक्तियों
के लिए भूमि को पृथक्-रक्षित करने का
है ?

The Minister of State in the Ministry of Irrigation and Power (Dr. K. L. Rao): (a) An area of about 3.25 lakh acres of land is proposed to be set apart in the Rajasthan Canal area by Rajasthan Government for the resettlement of oustees from Punjab and Himachal Pradesh.

(b) No, Sir.

श्री विभूति मिश्र : मैं यह जानना
चाहता हूँ कि इस साढ़े तीन लाख एकड़
जमीन का किस अनुपात से उन लोगों में
बटवारा होगा ?

Dr. K. L. Rao: In the Rajasthan Canal area, most of the area is not inhabited. People who will be ousted from the area of the Pong Dam and other projects connected with the Rajasthan Canal will be given land there. Besides, some more land will of course be given to these people from Rajasthan and other parts of the country.

Shri Bibhuti Mishra: My question is not that. I asked about the proportion.

सिचाई और विद्युत् मंत्री (श्री कल्याण सिंह) : अभी इस का फैसला नहीं हुआ है, अभी तो यह दो सरकारों में फैसला है कि कितनी जमीन राजस्थान सरकार दे सकती है, इसकी इत्तिला पंजाब गवर्नमेंट को दी जायगी और उस के बाद पंजाब गवर्नमेंट यह देख कर कि कितनी जमीन हर एक काश्तकार को दी जायगी, इस का फैसला करेगी । इसी की बाबत मैं मेम्बर साहब को यह बतलाना चाहता हूँ कि अभी जो एक नई बात का जिक्र राजस्थान के चीफ़ मिनिस्टर ने किया है, वह मामला एक्सपर्ट कमेटी को दे दिया गया है, सितम्बर के आखिर में जब उसका फैसला होगा तब यह सवाल आयेगा कि इतनी जगह की रिहैबिलिटेशन के लिए जरूरत है या नहीं ।

श्री विभूति मिश्र : जिनको पुनर्वास के लिए यह जमीन दी जायगी, उन को सरकार

और कौन कौन सी मदद देगी ताकि वे इस जमीन पर ठीक से फसल पैदा कर सकें ?

श्री फल्लूद्दीन अहमद : जब जमीन दी जायगी तो वहाँ पानी का इन्तजाम होगा, रास्ते का इन्तजाम होगा, स्कूल वगैरह का इन्तजाम होगा ।

श्री क० ना० तिवारी : अभी मंत्री जी ने बताया कि इन विस्थापितों का मामला एक कमेटी को रेफर किया गया है तथा दोनों सरकारों से बातचीत हो रही है । मैं यह जानना चाहता हूँ कि इसकी टर्म्ज आफ रेफ्रेंस क्या हैं और कब तक यह बात तय हो जायगी, जिससे इन लोगों को सुविधा मिल सके और उनको ज्यादा तकलीफ न हो ?

श्री फल्लूद्दीन अहमद : अभी जो मीटिंग हुई थी उस में राजस्थान के मुख्य मंत्री ने यह कहा था कि बजाय एक्सेटेन्सिव इरिगेशन फैसिलिटीज के इन्टेन्सिव इरिगेशन फैसिलिटीज दी जायें तो इस से ज्यादा लोगों को फायदापहुंच सकता है और प्रोडक्शन बढ़ सकती है और उन्होंने कुछ स्कीम्ज भी बतलाई थीं, जो कि हम ने एक्सपर्ट कमेटी को दी हैं और वह उनकी जांच कर रही है । इस महोदय के आखिर में जब रिपोर्ट आयेगी, तब यह फैसला किया जायगा कि कितनी दूर तक राजस्थान कैनल को लाया जायगा और आया इस इन्टेन्सिव स्कीम के मुताबिक काम किया जाय ।

श्री काशी राम गुप्त : अभी मंत्री महोदय ने बताया कि राजस्थान के चीफ मिनिस्टर ने एक नई योजना दी है । पहली योजना में 50 लाख एकड़ का प्रश्न पैदा होता था अब यह जो योजना दी है, इस के तहत जो रकबा या क्षेत्रफल कम होगा और उस के आधार पर जो पानी दिया जायगा तो क्या उस से हिमाचल प्रदेश और पंजाब के लोगों के लिए जो साढ़े तीन लाख एकड़

जमीन रखी गई है, उस पर भी असर आयेगा और ऐसी सूरत में उन को कहां बसाया जायगा ।

Dr. K. L. Rao: Actually, the modification the Chief Minister of Rajasthan has suggested will result in getting in the first phase itself nearly 22 lakh acres out of 29 lakh acres. It will hasten the utilisation of the waters in the Rajasthan Canal.

श्री काशी राम गुप्त : अध्यक्ष महोदय, मेरे प्रश्न का उत्तर नहीं आया । इस के कारण से जो हिमाचल प्रदेश और पंजाब के लोगों को साढ़े तीन मिलियन एकड़ जमीन देनी है, क्या उस में कोई फर्क नहीं आयेगा ?

अध्यक्ष महोदय : उन्होंने जवाब दे दिया है, एक्सेटेन्सिव के बजाय इन्टेन्सिव इरिगेशन पर विचार किया जा रहा है ।

श्री काशी राम गुप्त : लेकिन इसका क्या उन पर असर आयेगा ?

अध्यक्ष महोदय : वह तो पड़ेगा ।

Dr. K. L. Rao: I may submit that 3.25 lakh acres have been agreed to between Punjab and Rajasthan for giving to these oustees from these projects. As a result of the intensity of irrigation—earlier it was estimated at 78 per cent; now it is going to be increased to 100 per cent or more—it is very likely that some area may be reduced, but the extent thereof has got to be determined still.

श्री बूटा सिंह : यह जो पौंग डम और दूसरे डैमों की वजह से जो किसान और भूमिहीन खेतीहर मजदूर उजड़े हैं, उनकी संख्या क्या है और सरकार जिनको बसाने जा रही है, क्या उन में खेतीहर भूमिहीन मजदूर भी शामिल हैं ?

श्री फल्लूद्दीन अहमद : उस में किसान तो जरूर ही हैं, लेकिन उन के साथ साथ

जी लेकर है, जिनके पास जमीन नहीं है, उन का भी उस में ख्याल रखा गया है।

श्री बूटा सिंह : मैं यह जानना चाहता हूँ कि क्या उन को जमीन मिलेगा.

अध्यक्ष महोदय : “ख्याल रखा गया है” इस का मतलब क्या होता है।

श्री भागवत झा आजाद : ऐसी योजना मैं बिहार के विस्थापितों के अनुभव के आधार पर मैं यह जानना चाहता हूँ कि यह धनराशि जिसका आपने अभी जिक्र किया है, यह अन्तरिम ग्रांट है या सरकार ने अपने ऊपर यह भार ले लिया है कि इस नहर योजना से जो विस्थापित होंगे उनको रिहैबिलिटेट करने का पूरा इन्तजाम किया जायगा ?

श्री फ़ख़रुद्दीन अहमद : जहाँ तक इनके रिहैबिलिटेशन का सवाल है, यह मामला इन दोनों सरकारों—पंजाब और राजस्थान—के दरमियान है। इसके लिये कोई यूनीफार्म पोलिसी नहीं बनाई जा सकती। जहाँ जहाँ जैसे सवाल उठेंगे, उसी के मुताबिक सोचा जायगा।

Shri D. J. Naik : I want to know whether any amount will be spent out of the National Defence Fund to rehabilitate those people who have been displaced on account of the war with Pakistan.

श्री फ़ख़रुद्दीन अहमद : उसका कोई सवाल नहीं है।

श्री बागड़ी : क्या मंत्री महोदय यह बताने की कृपा करेंगे कि कितने परिवार पंजाब और राजस्थान में इस स्कीम के तहत उखाड़े जायेंगे और फिर इनके लिए जो जमीन ली जायगी, उस के ऊपर अगर

पुराने काश्तकार होंगे तो क्या उनको हटा कर इन को बैठाया जायगा, अगर उनको उखाड़ा जायगा तो उनके बसाने की क्या व्यवस्था की जायगी ?

Dr. K. L. Rao : The total number of oustees under the Rajasthan Canal Project, taking all the four components of the project together, is about 35,000 and all these people will be naturally rehabilitated.

Shrimati Savitri Nigam : As you are aware, it has been our unfortunate experience that because of administrative delays and indecisiveness on the part of the Government, most of the time these uprooted farmers have always suffered a lot. I would like to know what precaution Government is going to take this time to see that the farmers are given not only land but also other facilities to get themselves rehabilitated properly?

Shri Fakruddin Ahmed : As I have already pointed out, all the necessary facilities in the matter of provision of drinking water, provision of roads, schools, hospitals, all these things will be provided.

श्री बागड़ी : क्या दोनों मंत्रियों के बयान मुतजाद नहीं हैं। सरदार बूटा सिंह ने पूछा था कि क्या दोनों को बसाया जायगा, राव साहब ने सिर्फ किसानों के लिए कह दिया है।

श्री श्रींकार लाल बेरवा : मैं यह जानना चाहूँगा कि इस योजना की वजह से राजस्थान नहर परियोजना में 100 करोड़ रुपये की कटौती कर दी गई है और जो जमीन विस्थापितों को बसाने के लिए थी, वह भी इस में आ गई है, तो क्या राजस्थान के जो भूमिहीन किसान हैं उन पर इस 100 करोड़ रुपये की कटौती का असर पड़ेगा, अगर नहीं तो उनको कहां जमीन दी जायगी।

श्री कलशदीन अहमद : उन पर असर नहीं पड़ेगा ।

Shri Hem Raj: May I know whether it is a fact that the 100 families who are going to be displaced by the Pong Dam within two months have not been provided land in Rajasthan and no decision has been taken so far regarding the landless labour which is going to be displaced from that area?

Dr. K. L. Rao: Actually, all the details have been worked out, it is just awaiting final touches. In fact, we are very anxious to see that these oustees are settled as early as possible because we are having two canals which will supply irrigation water in the course of the next few months.

भारतीय लेखा परीक्षा तथा लेखा विभाग का कर्मचारी संघ

+

*779. डा० राम मनोहर लोहिया :

श्री बागड़ी :

श्री मधु लिमये :

श्री किशन पटनायक :

श्री प० कुन्हन :

श्री वासुदेवन् नायर :

श्री सोलंकी :

श्री नारायण दांडेकर :

क्या वित्त मंत्री भारतीय लेखा परीक्षा तथा लेखा विभाग के कर्मचारियों द्वारा की गई भूख हड़ताल के बारे में 9 मार्च, 1966 को दिये गये अपने वक्तव्य के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को अखिल भारतीय लेखा-परीक्षा तथा लेखा कर्मचारी संघ के

रांची में हुए सम्मेलन का प्रतिवेदन इस बीच प्राप्त हो गया है ;

(ख) क्या सरकार ने दिये गये आश्वासन के अनुसरण में नियंत्रक तथा महा लेखा परीक्षक को इस संघ को मान्यता देने की सिफारिश की है; और

(ग) इस बारे में नियंत्रक तथा महा लेखा परीक्षक की क्या प्रतिक्रिया है ?

वित्त मंत्रालय में उपमंत्री (श्री ल० ना० मिश्र) : (क) जी, हाँ ।

(ख) ऐसा कोई आश्वासन नहीं दिया गया था : लेकिन नियंत्रक महालेखापरीक्षक को सलाह दी गई थी कि संघ और उसके पदधारियों के साथ वस्तुतः मान्यता के आधार पर व्यवहार किया जाय क्योंकि अभी ऐसे कोई नियम नहीं हैं जिनके अन्तर्गत औपचारिक मान्यता दी जा सके ।

(ग) नियंत्रक महालेखापरीक्षक गृह-मंत्रालय के साथ सलाह करके मामले पर विचार कर रहे हैं । उन्होंने संघ को भी लिख दिया है कि उसे वस्तुतः मान्यता दिलाने के लिए आवश्यक कार्यवाही की जायेगी ।

Shri S. M. Banerjee: I rise on a point of order.

The hon. Minister just now said that no such assurance was given. May I invite your kind attention to the assurance given by the hon. Finance Minister in reply to a calling attention notice on 9th March, 1966.

Mr. Speaker: That might be an incorrect answer. It is not a rule; I have not to interpret it . . . (*Interruptions*).

Shri S. M. Banerjee: My point of order is this. Kindly hear me. This question has been based on a reply given by the hon. Finance Minister on 9-3-1966; we waited patiently. In the course of a discussion on this issue, the Finance Minister assured the House that once the association holds a conference and elects its working committee and office-bearers, the question of granting *de facto* recognition will be favourably considered; it was not left to the Comptroller and Auditor General but it was an assurance given on the floor of the House. Is it open to the Minister to act differently now? I want a ruling from you. Can he deviate from the past assurance?

Mr. Speaker: It is not a matter of rules that I can give a ruling on that.

Shri Hem Barua: But Members can draw your attention.

Mr. Speaker: That is a different thing; there is a different procedure. Dr. Lohia.

डा० राम मनोहर लोहिया : मई 1965 में गृह मंत्रालय ने एक फैसला लिया था कि जो कोई संघ मान्यता के नियम चाहे खत्म कर दिये गये हैं लेकिन उनके अनुरूप होगा उस को असली यानी अमली मान्यता दे दी जायगी यह मई 65 का फैसला है जो अभी मंत्री जी के कहने के खिलाफ़ जाता है और यह भी देखते हुए कि इस संघ ने अप्रैल महीने में अपने अफसरों और कार्यकारिणी के सदस्यों की सूची सरकार को दे दी जो वित्त मंत्री ने मांगी थी तो मैं जानना चाहता हूँ कि जितनी भी बातें उन्होंने कही थीं वह सब पूरी हो

जाने पर भी संघ को मान्यता अभी तक क्यों नहीं दी गई ?

श्री ल० ना० मिश्र : मैं बनर्जी साहब और डाक्टर साहब को एक साथ जवाब देना चाहूंगा। अब बनर्जी साहब ने या तो उत्तर समझने की कोशिश नहीं की या शायद भ्रम में हैं। यह बात नहीं कि हम मान्यता देना नहीं चाहते हैं। जो 9 मार्च को आश्वासन वित्त मंत्री ने दिया था वह अभी तक कायम है। इसीलिए मैं कहता हूँ कि कुछ दिन पहले उन को कहा गया था कि डिफैक्टो रेकग्नीशन उन को दे दिया जायगा। इस को फौरमल रेकग्नीशन देने में दिक्कत है। सुप्रीम कोर्ट का जजमेंट है जिसके कि अनुसार हम फौरमल रेकग्नीशन उस हालत में नहीं दे सकते हैं लेकिन डिफैक्टो रेकग्नीशन हम देना चाहते हैं। हम ने उनसे कहा है और वह उन मिलने जा रहा है।

डा० राम मनोहर लोहिया : अभी ऐलान क्यों नहीं कर देते कि दे रहे हैं ? यहां पर ऐलान कर दीजिये कि हम उन्हें डिफैक्टो रेकग्नीशन दे रहे हैं।

श्री ल० ना० मिश्र : हम तो नहीं दे सकते।

डा० राम मनोहर लोहिया : फिर कौन दे सकता है ?

श्री स० मो० बनर्जी : आश्वासन तो आप ने पार्लियामेंट में दिया है ?

श्री ल० ना० मिश्र : रेकग्नीशन मैं तो नहीं दे सकता। वहां के जो मालिक हैं और जो कर्मचारी हैं दोनों के बीच में बात होगी। हम पार्लियामेंट वाले चाहें या सरकारी मिनिस्टर्स वहां जाकर सलाह नहीं देते। हम लोगों ने यहां से राय दी है, सलाह दी है, कि उन्हें डिफैक्टो रेकग्नीशन दे देना चाहिए

और उम्मीद है कि दे दिया जायेगा बाक़ी में यहां कैसे कह दूँ कि दे दिया जायगा ?

हया : इस में जो सारे आडिट, हिसाब वाले कर्मचारियों में सब से नीची तनख्वाह के मजदूर को सब भत्तों समेत और तनख्वाह समेत कुल कितना रुपया मासिक मिलता है और सब से ऊंची तनख्वाह वाले अफसर को सब भत्तों और सब सुविधाओं समेत कुल कितनी तनख्वाह मिलती है ?

श्री ल० ना० मिश्र : यह तो सवाल अध्यक्ष महोदय, रेकगनीशन देने के विषय में था। अब जहां तक वेतनों आदि में असमानता और डिस्पैरिटी का सवाल है वह तो जैसी हमारे देश में सामाजिक व्यवस्था चल रही है उसी के अनुरूप होगी।

अध्यक्ष महोदय : सवाल रेकगनीशन के बारे में था अब वह तनख्वाहों और डिस्पैरिटी आदि के बारे में अभी नहीं बतला सकते।

डा० राम मनोहर लोहिया : ठीक है पेज की डिस्पैरिटीज के बारे में वह अभी नहीं बतला सकते लेकिन आखिर आप कभी कोई फैसला करें कि मंत्री लोग जब यहां सवालों के जवाब देने आया करें तो उस विषय की बुनियादी और मामूली जानकारी ले कर आया करें।

अध्यक्ष महोदय : डाक्टर साहब, यह तो वाजिब बात है कि वह जरूरी इनफ़ोरमेशन लेकर आया करें तो सवाल तो रेकगनीशन के बारे में था अब यह कि वहां कम से कम तनख्वाह कितनी मिलती है और ज्यादा से ज्यादा कितनी मिलती है तो वह इनफ़ोरमेशन उनके पास इस वक्त नहीं है।

डा० राम मनोहर लोहिया : कोई चीज मालूम न हो खाली कह दिया कि मान्यता देंगे।

श्री बागड़ी : मंत्री महोदय ने अपने जवाब में कहा है कि उस को मान्यता देने

का हमें अधिकार नहीं है तो मैं मंत्री महोदय से यह जानना चाहूंगा कि जो यह कर्मचारी हैं वह तो सरकारी कर्मचारी हैं तो फिर सरकारी कर्मचारियों को मान्यता देने का किस को अधिकार है और अगर हो तो जो सरकारी अफसर मान्यता देने वाले हैं उन से मंत्री महोदय का क्या सम्बन्ध रहेगा ?

श्री ल० ना० मिश्र : सम्बन्ध बहुत अच्छे हैं और अभी भी कायम हैं। बात यह है कि हम लोग उन के जो दैनिक काम हैं उन में दखल नहीं देते हैं चूंकि यह एक पालिसी की बात थी कि उन को रेकगनीशन डिफ़ैक्टो दें या डिजूर दें तो उचित समझा गया कि डिफ़ैक्टो रेकगनीशन देना चाहिए और वह उसे दे रहे हैं और यह उन के फायदे की बात है। बनर्जी साहब ने चुनाव के झगड़े के बारे में सवाल उठाया। उन का चुनाव हुआ सन् 60 में और 63 में जा कर आफिस विएरस बनाये लेकिन इस बीच में आफिस विएरस का कोई चुनाव नहीं हुआ। लेकिन अब इन सवालों को उन्होंने तय कर लिया है और अप्रैल के महीने में सरकार को खबर दे दी गई। सरकार ने कहा कि उन को मान्यता दे दी जाय। हमारे और उनके बीच में सैद्धांतिक मतभेद कोई नहीं है।

श्री बागड़ी : मैंने कहा कि यह सरकारी कर्मचारी हैं.....

अध्यक्ष महोदय : वह उन्होंने बतलाया तो है।

श्री बागड़ी : जो सरकारी कर्मचारी हैं फिर उन्हें कौन मान्यता देगा ? मंत्री जी ने कहा कि हम उन्हें यह मान्यता नहीं देते हैं तो कम से कम इतना ऐलान तो कर देते कि उन्हें मान्यता दी जा रही है।

श्री मधुलिमये : अध्यक्ष महोदय, जहां तक सम्मेलन और अन्य अफसरों के चुनाव का सवाल है मैंने पिछली बार, मुझे याद है कि सीधे सवाल वित्त मंत्री से किया था कि

क्या नये अफसरों का चुनाव होने के बाद, नये सम्मेलन के बाद क्या तुरन्त मान्यता दे दी जायगी ? खेद की बात है कि अभी तक यह मान्यता नहीं मिली है । मैं मंत्री महोदय से यह जानना चाहता हूँ कि यह तो बात सही है कि औडीटर जनरल नियुक्त किये जाते हैं राष्ट्रपति के द्वारा और उन के दफ्तर में जो कर्मचारी काम करते हैं राष्ट्रपति की सलाह से उन के लिए नियम बनते हैं लेकिन जहाँ तक संघ बनाने का सवाल है मैं मंत्री महोदय से एक सीधी बात का जवाब चाहता हूँ कि क्या संघ स्वतंत्रता के बारे में कोई एक ऐसा नियम बनाया जायेगा जो सभी लोगों के लिए लागू किया जायगा चाहे औडीटर जनरल हो या केन्द्रीय सरकार के विभिन्न मुहकमे हों, यदि कोई ऐसा नियम है तो उस पर कब और कैसे अमल किया जायगा ?

श्री ल० ना० मिश्र : माननीय सदस्य को मालूम है कि जो रेकगनीशन देने की जो नियमावली है उस विषय में मुझे खास तजुर्बा तो नहीं है लेकिन जब मैं श्रम मंत्रालय में था तो मुझे याद है, उसमें दर्ज था कि किस हालत में यह दिया जाय और किस हालत में यह न दिया जाय । जो माननीय वित्त मंत्री ने कहा था कि चुनाव के बाद दिया जायेगा तो उस विषय में मैं अभी भी कहता हूँ, कि सरकार ने आदेश दिया है कि डिफिक्टो रेकगनीशन आप उन को दे दें ।

श्री मधु लिमये : लेकिन नये औडीटर जनरल भी आ गये कब दी जायगी वह मान्यता ? मार्च में यह सवाल उठा था । मैं पूछना चाहता हूँ कि वह मान्यता कब उन्हें मिलेगी ?

अध्यक्ष महोदय : उन्होंने इस बारे में लिख दिया है और वह दे देंगे ।

श्री मधु लिमये : आखिर यह बतलायें कि कब दी जायगी ? नया औडीटर जनरल भी आ गया है । आप पूछें तो शायद मंत्री महोदय जवाब भी दे दें ।

अध्यक्ष महोदय : वह जवाब दे चके हैं ।

श्री मधु लिमये : कब मिलेगी ?

श्री ल० ना० मिश्र : मैं एक या दो दिन की ऐसी कोई निश्चित तिथि तो नहीं बतला सकता बाकी हो सकता है कि उनको रेक-नीशन मिल भी गया हो ।

श्री मधु लिमये : नहीं मिली है ।

श्री ल० ना० मिश्र : लेकिन हम लोगों ने (व्यवधान) उत्तर नहीं सुनना चाहते तो मैं बैठ जाता हूँ ।

श्री मधु लिमये : अगर जवाब आ जाय तो हमें बारबार बोलने की जरूरत नहीं पड़ेगी लेकिन जब एक सीधा सा सवाल पूछा जाता है कि यूनियन को कब मान्यता मिलेगी

Mr. Speaker: Order, order. Commentary is going on incessantly. There ought to be some end to it.

श्री किशन पटनायक : 9 मार्च को सरकार ने सदन में कहा था कि रेकगनीशन सम्बन्धी रूल्स अभी बनने जा रहे हैं या **औरन बी प्वाइंट आफ बीइंग फाइनलाइज्ड** । तो मैं जानना चाहता हूँ कि क्या यह रूल्स अभी तक बन गये हैं और अगर नहीं बने हैं तो क्यों नहीं बने हैं और इस वक्त उन की शिकायतों की सुनवाई की क्या मशीनरी है ?

श्री ल० ना० मिश्र : जहाँ तक रूल्स का सवाल है तो उस के रेकगनीशन के बारे में सुप्रीम कोर्ट के जजमेंट के बाद एक नये सिरे से उसे करने की बात हो रही है और हम डिफिक्टो रेकगनीशन का शब्द इस्तेमाल कर रहे हैं ।

Mr. Speaker: Shri (Vasudevan Nair. (Interruptions.)

श्री ल० ना० मिश्र : इस संस्था को रेकगनीशन मिला था लेकिन 58 में कुछ कारनामे ऐसे हुए कि उन को रेकगनीशन नहीं मिला ।

श्री किशन पटनायक : पिछली दफ़े कहा था कि वह बन गयी है ।

श्री ल० ना० मिश्र : अभी नहीं बनी है ।

श्री किशन पटनायक : अध्यक्ष महोदय, मेरा सवाल यह था कि कब बनेगी, अगर बनी नहीं है तो क्यों नहीं बनी क्योंकि उस दिन कहा था 9 मार्च को कि इट इज ग़ौन दो प्वाइंट औफ़ बीइंग फाइनेलाइज्ड ।

अध्यक्ष महोदय : कब तक बन जायेगा ।

श्री ल० ना० मिश्र : इस में दो तीन बातें हैं । उन को बतलाने में उत्तर बहुत लम्बा हो जायेगा । बीच में बात चली थी ... (व्यवधान)

अध्यक्ष महोदय : श्री वासुदेवन नायर ।

श्री राम सेवक यादव : इस का उत्तर तो आया ही नहीं ।

अध्यक्ष महोदय : आप उत्तर देने नहीं देते तो मैं क्या करूं । जब मंत्री महोदय जवाब देने लगते हैं तो बराबर कमेन्ट्री चलती रहती है ।

श्री मधु लिमये : अगर प्रश्न का जवाब आयेगा तो हम मुंह नहीं खोलेंगे ।

अध्यक्ष महोदय : किसी वक्त तो बीच में बोलना बन्द होना चाहिए ताकि मैं समझ सकूँ कि वह क्या कह रहे हैं । श्री वासुदेवन नायर ।

श्री राम सेवक यादव : हम को उत्तर का पता तो लगना चाहिए । मैं चाहूंगा कि आप इस पर कुछ अपनी व्यवस्था दें ?

श्री मधु लिमये : मेरा प्वाइन्ट आफ़

आर्डर है । प्रश्न पूछे जाते हैं जानकारी के लिए । दो प्रश्न पूछे गये कि मान्यता कब दी जायेगी, इस की कोई तारीख़ बताई जाये, नियमावली कब बनाई जायेगी, इस की तारीख़ बताई जाये । मैं कहता हूँ कि आखिर हम कोई जानकारी मांग रहे हैं, लेकिन उस का उत्तर क्यों नहीं मिल रहा है । मैं इस पर आप का निर्णय चाहता हूँ ।

अध्यक्ष महोदय : इस पर मुझे निर्णय नहीं देना है । जवाब मंत्री महोदय को देना है । उन्होंने कहा कि नियमावली नहीं बनी है । वह कोई तारीख़ नहीं बतला सकते कि कब तक बन जायेगी तो इस में मैं क्या कर सकता हूँ ।

श्री बागड़ी : वह जवाब दे रहे थे लेकिन आप दूसरे मेम्बर बुला रहे हैं ।

श्री राम सेवक यादव : मैं आप से निवेदन करना चाहता हूँ कि ..

अध्यक्ष महोदय : मैं नहीं समझता कि मैं क्या कर सकता हूँ । वह बार बार कहते हैं कि नियमावली नहीं बनी । उस के बनने की तारीख़ वह अभी नहीं बतला सकते ।

एक माननीय सदस्य : वह बात । रहे हैं ।

अध्यक्ष महोदय : जो सवाल जवाब किया जाता है उसे कोई नहीं सुनता । लोग बीच में ही बोलने लग जाते हैं । इस तरह से कैसे काम चलेगा । ... (व्यवधान) । यह रेकार्ड पर नहीं जायेगा ।

श्री मधु लिमये : *

श्री राम सेवक यादव : *

श्री बागड़ी : *

अध्यक्ष महोदय : मैं सब को एक साथ कैसे बुला सकता हूँ। जब तक सब लोग चुप नहीं हो जाते मैं किसी को सुन नहीं सकता हूँ। श्री रामसेवक यादव।

श्री रामसेवक यादव : दो सीधे से प्रश्न थे। एक तो यह कि नियमावली के सम्बन्ध में आश्वासन दिया गया था कि वह बनने वाली है। कुछ उस का समय भी बतलाया गया था। लेकिन अब तक वह बन नहीं पायी। उस के कारण पर प्रकाश डालते हुए उन्होंने कहा कि उत्तर बहुत लम्बा हो जायेगा। हमें उत्तर दिया जाये कि जब तक वह नियम नहीं है तब तक कौन सा तरीका है यह मशीनरी है जिस से शिकायतें दूर होंगी। जो नियम बनाये जाने हैं वह कब तक बन जायेंगे। सीधा सा सवाल है। उसका उत्तर नहीं मिलता तो प्रश्न पूछने का कोई महत्व नहीं रह जाता।

श्री ल० ना० मिश्र : मैं आप का आभारी हूँ कि आप ने बात को साफ किया। मेरा उत्तर साफ है कि नियमावली बनाने का प्रयास किया जा रहा है लेकिन जैसा आप ने कहा वह बन नहीं पाई है और मैं निश्चित तिथि नहीं बतला सकता हूँ। लेकिन जहाँ तक शिकायतों को दूर करने का सम्बन्ध है उस के दो तरीके हैं। एक तो यह कि हम उन की यूनियन को डी फेक्टो रेकग्नीशन देने जा रहे हैं। इस के बारे में आडिटर जनरल से बात हो चुकी है। दूसरे यह कि ज्वॉयेंट कौंसिलिएशन मशीनरी को भी सेट अप करने की बात हो रही है। मगर यहाँ पर सदस्य लोग जो बाहर की बात ले कर चल आते हैं....

Shri S. M. Banerjee: I only interrupted and asked whether they are not included in the JCM.

उन्होंने कहा है कि "बाहर की बात ले कर चले आते हैं।"

Is it open to him to say like that?

उन्होंने कहा कि बाहर की बात ले कर चले आते हैं। यहाँ बाहर वाला कोई सवाल नहीं है। सवाल यह है कि ज्वॉयेंट कंसिलिएशन मशीनरी में उन को इन्क्लूड नहीं किया जा रहा है, वह इस वजह से रिकग्नाइज नहीं हुए हैं। इस सवाल का एक सिम्पल सा जवाब होना चाहिए। लेकिन आधा घंटा हो गया कोई जवाब नहीं आ रहा है। .. (व्यथधान)

अध्यक्ष महोदय : इस तरह से जो मेम्बर दखल देते रहेंगे उन को मैं नहीं बुलाऊंगा।

श्री स० मो० बनर्जी : मैं प्वाइंट आफ आर्डर रोज कर रहा हूँ।

अध्यक्ष महोदय : मैं दखल देने वाले मेम्बरों को नहीं बुलाऊंगा। श्री वासुदेवन नायर।

श्री स० मो० बनर्जी : मंत्री महोदय ने जो बाहर वाली बात कही उस के ऊपर आप ने कुछ नहीं कहा।

अध्यक्ष महोदय : क्या बनर्जी अब बैठेंगे नहीं।

श्री स० मो० बनर्जी : क्या मेरी बेइज्जती हो जाये। मंत्री महोदय जानकारी नहीं देते हैं और कहते हैं कि बाहर वाली बात लाते हैं।

अध्यक्ष महोदय : इस में कौन सी बेइज्जती हो गई। आप मेरी बात नहीं सुनते हैं बाहर की बात सुनाते हैं ऐसा कहने में क्या बेइज्जती हो गई। कोई बेइज्जती नहीं है।

श्री स० मो० बनर्जी : वह झूठ बोलते हैं। वह झूठ है।

Mr. Speaker: Order, order—Shri Vasudevan Nair.

Shri Vasudevan Nair: Sir, just a few days back....

श्री शिव नारायण : वह कहते हैं कि मिनिस्टर झूठा है यह क्या है ।

Shri Vasudevan Nair: Sir, I had occasion to attend a very largely attended meeting of this.....

Shri Sinhasan Singh: Sir, I rise to a point of order. The hon Member,

Shri Banejee said: "मिनिस्टर झूठा है ।" Is it parliamentary to use such language? Does it not amount to misuse of the privilege that he has as a Member of this House? Had he said the same thing outside, action would have been taken against him in a criminal court or civil court for defamation or something like that. Here he has the privilege to say anything. He has called the Minister "Jhoota." I want your ruling as to whether this comes under the privilege that he enjoys as a Member of this House.

Mr. Speaker: I cannot answer that orally, whether it comes within the privilege or not. If some notice is given, I can consider that. Otherwise, this word, I have already ruled more than once that it is not parliamentary, it should not be used and it is wrong on the part of any hon. Member to use that word.

Shri Bhagwat Jha Azad: If it is wrong, it should be expunged from the proceedings.

श्री स० मो० बनर्जी : असत्य भाषण दिया है उन्होंने । मैं झूठ को वापस लता हूँ । मैं कहता हूँ कि वह असत्य भाषण कर रहे हैं । वह असत्यता के प्रतीक हैं ।

अध्यक्ष महोदय : मैं श्री बनर्जी से कहूंगा कि वह बाहर चले जायें ।

श्री स० मो० बनर्जी : मैं चला जाऊंगा ।

श्री मधु लिमये : उन के द्वारा लफ्फ वापस लेने पर भी आप कह रहे हैं कि वह बाहर चले जायें ।

अध्यक्ष महोदय : मैं बार बार कह रहा हूँ लेकिन वह रुकने के लिए तैयार नहीं हैं ।

Shri Umanath: Sir, he has withdrawn his remarks. (Interruption).

अध्यक्ष महोदय : वह बाहर चले जायें ।

श्री स० मो० बनर्जी : मैं किसी की मर्जी से यहाँ नहीं आया हूँ ...

अध्यक्ष महोदय : मैंने आप से कहा है कि आप बाहर चले जायें ।

श्री स० मो० जी : कांग्रेस ने मुझे टिकट नहीं दिया है । मैं कांग्रेस की वफादारी नहीं करता, मैं वफादारी देश की करता हूँ ।

अध्यक्ष महोदय : अब आप बाहर चले जायें ।

श्री स० मो० बनर्जी : बाहर तो मैं चला ही जाऊंगा ।

Shri Umanath: I would like to know, Sir, why he is asked to go out. He withdrew the remarks....

Mr. Speaker: He obstructed the proceedings. I asked him nearly six times that he should resume his seat. He did not sit down and went on interrupting. Therefore, I have asked him to go out.

श्री बागड़ी : आप माननीय सदस्य को इस तरह से निकालते हैं यह तरीका ठीक नहीं है । आप हमेशा एक ही तरीका इस्तेमाल करते हैं कि कोई सवाल उठाये तो वह बाहर चला जाये । (व्यवधान) ।

अध्यक्ष महोदय : वह मेरे बार-बार रोकने पर भी बोलना बन्द नहीं कर रहे थे ।

श्री बागड़ी : आप माननीय सदस्य को बैठे रहने दीजिये ।

(*Shri S. M. Banerjee then left the House.*)

Shri Vasudevan Nair: Sir, just a few days back I had an occasion to attend a largely attended meeting of these employees. What I understood was this, that the ex-CAG was, particularly, standing in the way of recognition being granted to this association. Their representatives were saying that they hoped, in view of the fact that he has retired and the new CAG has assumed office and also in view of the fact that in their Ranchi Conference they had done everything that was expected of them by this Minister, they will be given recognition. May I know whether in view of this new situation the Government are reconsidering the whole matter and they are going to give recognition to this Union?

Shri L. N. Mishra: As said earlier also, only a few days back this association has been informed that steps are being taken to give them *de facto* recognition. There is no question of the old CAG or the new CAG; it is not a question of individuals, it is a question of policy and facts.

Shrimati Renu Chakravartty: We are not able to follow you. Please speak a bit loudly.

Shri L. N. Mishra I was telling that only a few days back the association has been informed that steps are being taken to give them *de facto* recognition, and they are getting it. There is no question of denying it at all. I was mentioning about the joint conciliation machinery. It is a fact. I only said that efforts are being made to set up the joint conciliation machinery. The hon. Member Opposite said that it was not a fact. Efforts are

being made. I only warn the people who want recognition to be given to Government employees' associations not to rake up the past. The past is not so good as the hon. Member on the other side thinks. They should not ask me to rake up the past of this association (*Interruptions*).

Shri Ranga: Sir, I can easily appreciate the strength of the feelings expressed by some of the Members here, though not in the manner that you could possibly permit or approve of. The hon. Minister himself has stated that when he was in charge of labour, this question was there. Now also it is there. For the last six or seven years this trouble has been there. So many of us have been trying to discourage these people from going on strike and doing anything of this nature. Parliament itself is more intimately interested in seeing that this office works in harmony, than the Finance Minister or the Labour Minister. Therefore, in view of the delicacy that generally prevails, and ought to prevail also between the executive section on the one side and the office of the Comptroller and Auditor-General on the other, may I know whether Government have considered, or would they consider now, the feasibility of using the good offices of the President, the Chairman and the Speaker and see to it that no further delay is caused and that expeditious steps are taken to see that the rules are formulated and recognition is given, or rather even before the rules are formulated the recognition is given and harmonious relations between the executive heads of this office and the employees are achieved?

Shri L. N. Mishra We would only welcome any help in the matter. But I might say that the situation is not as bad as described by Professor Ranga... (*interruptions*).... Let me have my say in a minute. There is no lack of effort or appreciation of the position on the part of the Government. We are not at all lukewarm in the matter. In fact, recognition was given in 1956. It was be-

cause of not very healthy activities on their part that this was withdrawn in 1959. In between, the judgment of the Supreme Court came and we had no right to give them recognition. That situation has continued till now. Therefore, we have thought of an other alternative, to give them *de facto* recognition. Therefore, so far as Government is concerned, we are all for giving them any assistance we can. A joint conciliation machinery is also being set up. I think the position has considerably improved. But if any help is given to us, we will only welcome it.

Mr. Speaker: Next question. Shri Linga Reddy.

Shri Umanath: Sir, I have been repeatedly standing.

Some hon. Members rose—

Mr. Speaker: They might ask for a discussion on it, if they so desire. 25 minutes have already been taken on this. I cannot give any more time. If Members do desire, a separate discussion may be asked for, by giving notice. Now, Shri Linga Reddy.

Shri Umanath: Sir I want to put only one question I never stand up like this and insist on putting a question.

Mr. Speaker: I agree that he has been standing repeatedly. I also agree that I have not been able to call him. I am sorry for it. But I cannot give him an opportunity now, not in this manner.

Shri Umanath: I would like to submit that the only way of having a discussion on this is to give notice of a half-an-hour discussion. I understand from the Secretariat that notices have already been received for a large number of half-an-hour discussions during this session. So, there is no chance of its coming up in this session.

Mr. Speaker: I will see that the hon. Member is accommodated.

Exploitation of Rivers for Power and Irrigational Purposes

780. **Shri H. C. Linga Reddy:**

Shri P. R. Chakraverti:

Shri Warior:

Shri Vasudevan Nair:

Shri Prabhat Kar:

Shri Ram Harkh Yadav:

Will the Minister of **Irrigation and Power** be pleased to state:

(a) the extent to which the rivers of the country have been exploited for irrigation and power so far in the last three five year plan periods;

(b) the extent to which they still remain to be exploited in the Fourth Plan period and whether Government have a phased programme for doing it; and

(c) if so, the details thereof?

The Minister of State in the Ministry of Irrigation and Power (Dr. K. L. Rao): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

Irrigation

The available river water resources in the country have been estimated at about 1360 million acre-feet, but owing to physiographical conditions only about 450 million acre feet can be used for irrigation. Upto 1951, only about 76 million acre-feet or 17 per cent of the usable annual flow were utilised. This increased by the end of the Third Plan to about 150 million acre-feet or 33 per cent of the usable flow.

Another 50 million acre-feet are likely to be used in the Fourth Plan. This will bring the total utilisation at the end of the Fourth Plan to 200 million acre-feet or about 45 per cent of the usable flow. The spillover projects from the Fourth Plan will utilise another 50 million acre-feet. This leaves 200 million acre-feet for subsequent exploitation.

Power

The hydro-electric potential of the country is estimated at approximately

41 million KW at 60 per cent load factor of which only about 1 per cent was exploited till the beginning of the First Five Year Plan. During the past three Five Year Plans 7.0 per cent of additional hydro potential was exploited. The total hydro potential exploited at the end of the Third Five Year Plan was, therefore, 8 per cent.

At the beginning of the Fourth Plan, approximately 92 per cent of the hydro potential remained unexploited. During the Fourth Plan about 6.0 per cent of the hydro potential is expected to be exploited. Work on schemes will continue which, on completion, will result in exploitation of additional 5.2 per cent of the hydro potential. All these would result in exploitation of about 19 per cent of the hydro potential of the country. There is no phased programme for exploitation of the remaining 81 per cent of the hydro potential. During the Fourth Plan period, stress is being laid on investigation of as many hydro sites as possible so that a selection could be made of the most economic schemes for future implementation.

Shri H. C. Linga Reddy: It is seen from the statement laid on the Table by the hon. Minister that only 33 per cent of the irrigation potential and 8 per cent of the hydro potential are exploited for irrigation and for other purposes. Is it not true that there are States with limited financial resources, which are not in a position to execute schemes costing more than Rs. 50 crores? In view of this, may I know whether there is any proposal before the Central Government to have Centrally sponsored schemes for schemes costing more than Rs. 50 crores like the Upper Krishna scheme in Mysore costing Rs. 120 crores? The State Government is not able to execute it because of its limited financial resources.

Mr. Speaker: Instead of asking a question, the member is making a speech.

Dr. K. L. Rao: It is true that we could have taken up more projects

if there were funds available. It is under the consideration of the Government whether to take up some of these major projects or how to assist them to accelerate the progress of their work.

Shri H. C. Linga Reddy: Some river disputes like the Krishna-Godavari water dispute, are responsible for the delay in the execution of irrigation and power schemes. Therefore, may I know whether legislation is being brought forward for settlement of water or river disputes between States?

Dr. K. L. Rao: I am glad to state that in the Krishna Godavari rivers no projects have been held up on account of this dispute.

Shri Vasudevan Nair: I was surprised to read a few days back a statement by the hon. Minister that there is some dispute about the utilisation of the waters of the west-flowing rivers of my State, Kerala, between the States of Kerala, Mysore and Madras. What are the disputes and which are the rivers involved in this? It is just a surprise to us.

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed): It is a fact that there has been some dispute between the Madras Government and the Kerala Government regarding the flow of these rivers.

Shri Vasudevan Nair: Which rivers?

Shri Fakhruddin Ahmed: Western flowing rivers.

Shri Vasudevan Nair: All the rivers?

Shri Fakhruddin Ahmed: All the rivers. It was decided that this matter should be discussed between the two Governments with the help of the Central Minister. But, unfortunately, there is no democratic government in

Kerala and, therefore, the matter is pending. Even then we have been pursuing the matter and the last I heard from the Madras Government was that they are still taking up the matter with the Kerala Government and after the matter has finally been discussed they will let us know the latest position.

डा० राम मनोहर लोहिया : मंत्री महोदय ने बताया है कि केरल में डेमोक्रेटिक गवर्नमेंट नहीं है। तब कौन सी गवर्नमेंट वहां है, यह तो बताने की मंत्री महोदय कृपा करें। अभी उन्होंने कहा है कि वहां डेमोक्रेटिक गवर्नमेंट नहीं है। कौन सी सरकार वहां पर है...

Shri Fakhruddin Ahmed: Governor's rule.

डा० राम मनोहर लोहिया : मंत्री महोदय इसको जरा बतलाने की कृपा करें।

अध्यक्ष महोदय : आपको भी मालूम है, मुझे भी मालूम है।

डा० राम मनोहर लोहिया : जालिम सरकार है, अत्याचारी सरकार है, गुण्डा सरकार है, कौन सी सरकार है?

श्री बागड़ी : मंत्री महोदय इसके बारे में कुछ तो बतायें।

अध्यक्ष महोदय : हर एक इसको जानता है। बागड़ी जी आप भी जानते हैं।

Shri Fakhruddin Ahmed: Governor's rule.

Shri Prabhat Kar: May I know what steps have been taken for the dredging of the smaller rivers which used to serve the purpose of irrigation and which have now been silted, so that they might be used for the purpose of irrigation in the various villages in my State?

Dr. K. L. Rao: It is quite true that some of the rivers, specially the

Himalayan rivers, get a large amount of silt and there is a certain amount of silting. We are installing some device by which the silt can be removed. We are constantly watching it. So far we have not found any particular project affected by too much of siltation.

श्री राम सहाय पाण्डेय : मैं जानना चाहता चाहता हूं कि कौन कौन सी ऐसी सिंचाई और विद्युत् योजनायें हैं जो कि मध्य प्रदेश में द्वितीय पंचवर्षीय योजना में आरम्भ की गई थीं और तृतीय योजना समाप्त होने तक भी पूरी नहीं हुई हैं? सिंचाई और विद्युत् योजनाओं के अन्तर्गत मैं यह जानना चाहता हूं।

Dr. K. L. Rao: It is quite true that in Madhya Pradesh the projects have not proceeded very fast, particularly the Tawa project, because the money was diverted to a power project. I hope, in the Fourth Plan we are going to do much better.

Shri Yallamanda Reddy: May I know whether it is a fact that the Andhra Government had requested for some funds to complete the work of Nagarjunasagar Project and because this Government has failed to comply with the request of the State Government the State Government are going to stop the work of Nagarjunasagar Project and are going to retrench the engineering staff; if so, what is the proposal of this Government to continue the work of Nagarjunasagar Project?

Dr. K. L. Rao: It is true that the Nagarjunasagar Project has got limited funds this year and the Government of Andhra Pradesh has applied for additional sums. This matter is being very seriously considered by the Central Government. I hope, something will be forthcoming.

Shri Liladhar Kotaki: May I know whether it will be possible for the hon. Minister to tell the House now

and, if it is not possible now, to lay a statement in the House later on, as to the break-up of the potential for irrigation and power of rivers in the different States or basin-wise or river-wise and also tell us to what extent this potential has been utilised basin-wise, river-wise and State-wise?

Dr. K. L. Rao: We have got some figures. We will supply them to the hon. Member.

Shri Bade: In the statement, it is laid down that there is no phased programme for exploitation of the remaining 81 per cent of the hydro potential and, according to him, only 19 per cent hydro potential will be utilised. May I know whether in the Fourth Plan, the Narmada Valley Project and the Tava Project will be completed or will they remain under dispute, as it is, between Maharashtra and Gujarat?

Dr. K. L. Rao: This 81 per cent refers to hydro-electric projects for which we do not have project investigations or project reports: All these projects like the Tava project and so on are already included in the irrigation sector. There is no question about it. We have got hydro-electric potential for 41 million KW and we have so far sanctioned projects for about 19 per cent. The balance is yet to be exploited.

श्री शिव नारायण : नेपाल से जितनी नदियाँ इस देश में आती हैं, वे बाढ़ लेकर आती हैं, जो कि बिहार और उत्तर प्रदेश को तबाह करती हैं। मैं माननीय सिंचाई मंत्री से यह जानना चाहता हूँ कि सरकार ने बाढ़ से हमारी रक्षा करने के लिये क्या उपाय किया है।

सिंचाई और विद्युत् मंत्री (श्री फख्रुद्दीन अहमद): आनरेबल मेम्बर को मालूम है कि नेपाल से जो दो बड़ी नदियाँ, कोसी और गंडक आ रही हैं, उन पर काम शुरू हो गया है।

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कोसी पर काम करीब करीब खत्म हो गया है और गंडक पर काम बड़े जोरों से जारी है।

श्री यशवान्त सिंह : किसी भी जल-शाली देश में दरिया बिना तकल के ऊँट की तरह नहीं बहने दिये जाते हैं। जर्मनी के लोगों ने रूढ़ाइन नदी को इस तरह बांध दिया है, जैसे नहर को बांधा जाता है। कृपि विशेषज्ञों ने यह हिसाब लगाया है कि अगर गंगा और जमुना नदियों के किनारे बांध दिये जायें, तो हम 75 लाख एकड़ जमीन खेती के लिये हासिल कर सकते हैं। इस समय हम न तो इन नदियों में से सिंचाई का फायदा उठा रहे हैं और न ही 75 लाख एकड़ जमीन हासिल कर रहे हैं। चूँकि यू०पी० में गंगा और जमुना, ये दोनों दरिया, बहते हैं, इस लिये क्या यह काम यू० पी० से शुरू किया जायेगा ?

Dr. K. L. Rao: Fortunately, in India, we have got a very large number of rivers unlike Rhine which is the only river for many countries. We are lucky in that respect. It is true that the exploitation of these rivers must be done. But as these require a lot of financial investments, it has to be done in a phased way over a number of years.

Shri Basappa: So far as power generation is concerned, it is poor not only in Mysore but in other States also. In this connection, may I know why sanction has not been given to the 9th and the 10th unit of the Sharavati project and why sanction has not been given to the Harangi and Hemavati irrigation projects, and in view of the fact that the Krishna waters have not been divided properly, what action is going to be taken in that regard?

Dr. K. L. Rao: All the projects that the hon. Member has mentioned are at different stages of examination and processing.

Shri S. Kandappan: From the statement laid on the Table, I find

that out of the total potential, of 450 million acre-feet of usable water, only one-third, is being utilised. In view of the meagre performance in this vital sector, I would like to know whether the Government is in a position to indicate the measures they propose to take to substantially increase the irrigable area in the near future.

Dr. K. L. Rao: That is exactly what is stated in the statement. We are utilising 33 per cent and we have already sanctioned projects which are under construction for another 100 million acre-feet of water. That process is already there; that will last for the next 10 years.

Shri Shivaji Rao S. Deshmukh: The hon. Minister has been pleased to state that because of the existence of the Krishna-Godavari dispute, no irrigation schemes have been held up. Is it true of the hon. Minister's home State alone or is it true of all the States? Secondly, I would like to know whether the Central Government has received from a democratically elected functioning Government any notice of reference of the Krishna-Godavari water dispute to judicial arbitration and, if so, what is the reaction of the Government to that?

Shri Fakhruddin Ahmed: An insinuation has been made by the hon. Member and I will request him not to indulge in that. So far as we are concerned, we do not take a parochial view; we take an all-India national view, and whatever is possible is done. (*Interruptions*).

Shri Shivaji Rao S. Deshmukh: My question has not been answered. The question was not whether it was a parochial view. The question was whether or not the Central Government has received any notice for reference of this dispute to judicial arbitration. The hon. Minister has nothing to say on that?

Dr. K. L. Rao: With regard to the Krishna-Godavari dispute, I would like to tell the hon. Member that in

1951 when the late lamented Shri Gadgil was the Minister of Irrigation and Power, an agreement was reached. For ten years it went on. It was in 1960 that again the controversy arose and since then there has been the water dispute. Hon. Hafiz Mohammed Ibrahim, the then Minister of Irrigation & Power, made a statement in 1963 after investigation. Now after the statement of March, 1963, again there has been some sort of a representation by the Maharashtra Government. It is the Maharashtra Government that asked for arbitration; it is not Mysore or any other State involved in this that asked for arbitration.....

Shri Sivamurthi Swamy: Mysore asked for it.

Dr. K. L. Rao: I would like to say emphatically that it is not.

This matter has been considered again and again by the Government. According to the article of the Constitution, unless the Government is satisfied that it is not possible to settle it by peaceful negotiations, it should not refer the matter for arbitration. The dispute is under active consideration and review.

Shri Shivaji Rao S. Deshmukh: I wanted to know....

Mr. Speaker: Order, order. He has taken five minutes. I cannot help him.

Mr. Daji.

Shri Daji: May I know whether the dispute between Gujarat and Madhya Pradesh regarding the Narmada Project has been resolved and if so, on what basis?

Shri Fakhruddin Ahmed: As the hon. Member is aware, recently we had a joint meeting with the Chief Ministers of the concerned States; we had a joint meeting with the Chief Ministers of Maharashtra, Gujarat, Madhya Pradesh and Rajasthan and after a very exhaustive discussion, certain things emerged out which the Chief Ministers are going

to consider among themselves and they will let me know; after that, the final date for settlement will be fixed.

Mr. Speaker: Next Question.

Shri Sivamurthi Swamy: Half-an-hour discussion should be allowed on this.

Mr. Speaker: There are so many rivers in India that even five hours' discussion will not be sufficient.

Raids to unearth Unaccounted Money

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*781. **Shri Madhu Limaye:**

Shri Bagri:

Dr. Ram Manohar Lohia:

Will the Minister of Finance be pleased to refer to the reply given to the debate on the Finance Bill, 1966 and state:

(a) whether a circular was issued in January this year reversing his predecessor's policy with regard to the raids for unearthing black money;

(b) whether Government propose to lay a copy of the circular on the Table;

(c) how many raids have been carried out by the Income-Tax Investigating agencies after he took over in order to dig out black money; and

(d) the amounts involved?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) No, Sir.

(b) Does not arise.

(c) 67 raids during the period from 1-1-1966 to 30-6-1966.

(d) Rs. 47.22 lakhs.

श्री मधु लिमये : अध्यक्ष महोदय, मैं यह यह जानना चाहता हूँ कि क्या यह बात सही है कि कलकत्ता की आरडिगनम नाम की सानिमिटर्ज की फर्म पर जब एन्फोर्समेंट

डायरेक्ट्रेट ने बिल्कुल कानून के अनुसार छापा मारा था, तब मंत्री महोदय नाराज हो गए, क्योंकि उनका इस फर्म से संबंध था और उन्होंने सेक्रेटरी, श्री आर० सी० दत्त के जरिये एक निम्न खत लिखवाया, जिसमें कहा गया :

"A letter should be addressed to Shri B. P. Ray from the Director expressing regret at the search of his residence and the inconvenience caused to him thereby.

An explanation should be sought from Shri S. N. Banerjee, Deputy Director, and Shri S. S. Srivastava, Additional Collector of Customs, as to why the office of a respectable firm of solicitors and the private residence of a respectable partner of a firm were searched."

अध्यक्ष महोदय : फारेन एक्सचेंज रेग्युलेशन ऐक्ट के मातहत 2 ए और 19 ए (1) के मातहत बिल्कुल इन अधिकारियों को अधिकार है और यह जो छापा मारा गया था.....।

अध्यक्ष महोदय : अच्छा, अब आप जवाब सुन लीजिये।

Shri Sachindra Chaudhuri: It is perfectly true that the office of the Ordignum Co. had been searched and also the residence of two of the partners; one was that of Mr. B. P. Ray and the other was that of Mr. Silverstone. I say freely here that I have known Mr. B. P. Ray for more than thirty years and I have seen Mr. B. P. Ray grow up. If my knowledge of the gentleman is of any use to this House, then I may also say that he is one of the most honest men that it has been my good fortune to come across.

श्री मधु लिमये : यह इरैलिबैंट है अध्यक्ष महोदय, अब आप फिर कहेंगे कि मैं हल्का कर रहा हूँ।

Mr. Speaker: What was the result of that?

Shri Sachindra Chaudhuri: What I was saying was this. Whether it is accepted or not does not matter. But the fact remains that this gentleman came and saw me and represented to me that he had been put under very great difficulty and harassment by reason of search by a large number of people. I got the matter investigated and I found that nothing had been found in his house, that is, nothing which was incriminating. As a result, I said that if to him as a citizen we had done anything wrong, we should certainly express at best our regret and no more than that.

Secondly, I did suggest that there should be an explanation called for, not for the search having been made but as to the manner in which it had been made. I did not write myself. I was not angry at all. I merely felt it my duty as a Minister, because I had taken over just a few days earlier, I think, about six weeks earlier, to see to it that nobody in this country, no citizen in this country, was harmed or injured or harassed by reason of any legal proceedings.

I say also this that so far as the firm Orddignum Co. is concerned, so far as my knowledge goes, at the present moment, that firm is being proceeded against in the ordinary course of law for evasion of taxes etc. (*Interruptions*).

So far as Mr. Silverstone and the other partner are concerned, there has not been any expression of regret, and there has not been any explanation called for. This is the entire fact of the matter.

श्री सच्चिन्ध्र चव्हाण : अध्यक्ष महोदय, मेरे प्वाइंट का उत्तर नहीं आया। मैंने पूछा था...

श्री बड्डे : मेरा प्वाइंट आक ग्राइंडर है कि क्या कोई भी मेम्बर यह एक लेंटर पढ सकता है जो हमने देखा नहीं और उसको

टेबल पर रखने के लिये बाध्य किया जा सकता है या नहीं ?

श्री मधुलिमये : मैं तैयार हूँ। आर० सी० दत्त की चिट्ठी है। अगर वित्त मंत्री ने अब तक नहीं पढ़ी है तो उनकी खिदमत में उन के सेक्रेटरी की चिट्ठी मैं पेश करना चाहता हूँ।

Shri Tyagi: He cannot lay it on the Table of the House unless he certifies that it is a true copy.

Shri H. N. Mukerjee: I would like to request you for your direction on this matter. We have just heard the hon. Minister giving a reply in his own fashion. Do we take it that it is in order for the subjective impression of a Minister, right or wrong regarding a particular person, to override the normal application of the processes of law and quasi-legal investigation, particularly by Customs and income-tax authorities? Are we to take it that it is proper and appropriate on the part of Government, as the Minister seemed to suggest, to take the line that the Minister's subjective impression regarding the good character or otherwise of a particular person would be permitted to override the operation of the legal processes?

Shri Bhagwat Jha Azad: I rise on this point. I know and I think that there is nothing personal in this matter. But I would like to know whether it is fair for a Minister to give a certificate to any firm which has been raided. I am prepared to admit that his personal knowledge about a man may be very bright. But I may quote just one instance and one ruling which has recently been given. **Shri Sachindra Chaudhuri** gave a certificate to Mr. Boothalingam in the Rajya Sabha and the Chairman of Rajya Sabha held that it was not proper for the Minister to give such a certificate. Having been a judge, you, Sir, are aware that if a judge sees a man being murdered, even then, when he is on the Bench, he has to go by the evidence, and he cannot say

that because he has seen the man being murdered, therefore, he would hang the murderer; he will only go by the record of the evidence which is there. Therefore, I raise this point of order. Is it proper for the Minister to give a clean certificate to a firm which has already been raided by the Department?

श्री जगड़ी : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। मंत्री महोदय ने पहले भी इसी तरीके से श्रीमती गुंडा के वास्ते एक बार ईमानदारी का सर्टिफिकेट दिया था और मंत्री महोदय ऐसे सर्टिफिकेट देने के पहले उन कम्पनियों के सलाहकार वकील रहकर दो दो हजार रुपये लेते रहे हैं, तो क्या मंत्री महोदय को अधिकार है कि जिन कम्पनियों के सलाहकार रहे हैं उनमें लिये ऐसे सर्टिफिकेट दें ? इससे तो साफ होता है कि यह बिल्कुल कलंकित कर रहे हैं।

Shri Hari Vishnu Kamath: With a view to reinforcing what my hon. friend, Prof. Hiren Mukerjee has said, I wish to invite your attention to rule 41, sub-rule (2) items (iv), (v) and (xviii). What applies to putting questions must a *fortiori* apply to Ministers answering them. There cannot be two standards here. These items of the sub-rule are very clear. Item (iv) says:

"it shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition".

Expression of opinion is ruled out, that is, in this case, the opinion of the particular Minister.

Then (v):

"it shall not ask as to the character or conduct of any person except in his official or public capacity".

Under this also, what the Finance Minister has said is completely out of order.

Then (xviii):

"it shall not relate to a matter

with which a Minister is not officially connected".

Now, the law takes its own course, as has been well said, in all cases, when the law takes its own course, it also provides that any action taken *bona fide*, in good faith, by an officer concerned is fully protected. Who is the Minister to interfere with the course of legal proceedings and ask for an explanation or regret? It is wholly *ultra vires* the Minister. He should express regret; he should apologise to the House for having interfered with the proceedings.

श्री बागड़ी : यह बहुत सी कम्पनियों के सलाहकार वकील रहे हैं। (व्यवधान)।

Mr. Speaker: There was no question of expressing any opinion. What the Minister has said is the information in answer to a question by Shri Madhu Limaye asking for information whether such a letter had been written.

Shrimati Renu Chakravartty: In his official capacity.

Mr. Speaker: Yes. Information was asked and given.

Shri Daji: What Shri Kamath said refers to the earlier reply. That was not asked. He gave it on his own. . . (Interruptions.)

Mr. Speaker: Was some judicial proceeding going on? Was an inquiry pending? That has not been made clear as yet. If there was any inquiry or judicial proceeding pending. . .

Shri Hari Vishnu Kamath: Proceedings under the law.

Mr. Speaker: The only thing that has been said is that a search was made.

Shri Hari Vishnu Kamath: Proceedings under the law.

Mr. Speaker: Search is under the law. But if nothing is recovered, it ends there.

Shrimati Renu Chakravartty: No, no. This gentleman, Mr. Ray, is one

of the directors of the firm. It is absolutely within the right of the officer concerned to search the house. (Interruptions.)

Mr. Speaker: Was any inquiry going on at that time?

Shri Sachindra Chaudhuri: I am afraid that there has been a misunderstanding of the whole situation.

Some hon. Members: By whom?

श्री बागड़ी : अध्यक्ष महोदय, एक सर्टिफिकेट इन्होंने श्रीमती मूंदड़ा को भी दिया था जिन के वह नवाहकार बकील रहे हैं...

अध्यक्ष महोदय : अब अगर मुझे सुनने भी नहीं देते, समझने भी नहीं देते तो मैं क्या फैला दे सकता हूँ ?

12.00 hrs.

Shri Sachindra Chaudhuri: Ordignum & Co., is a firm of solicitors, they are a professional firm practising as solicitors. No counsel receives money from a professional firm except as a conduit pipe, the professional firm is the conduit pipe, the fees are paid by the client. Therefore, there is no question of counsel being in the pay of somebody. No counsel is in the pay of any solicitors. That is against our professional rules. So far as I am concerned, I have adhered as strictly as I possibly could to the professional rules.

Secondly, so far, as the search is concerned, the search was completed. It was after the search had been made and nothing had been recovered from Mr. B. P. Ray's residence that this letter was written.

As I said, I am not angry. I did not write the letter myself. I did not see anybody myself. I merely wanted to know why this had been done.

So far as those proceedings are concerned, the proceedings were started thereafter, and those proceedings were, as I said, started against Ordignum & Co., and those proceedings,

as far as I know at this moment, are still going on. There has not been any compromise. So, that is the position. I have not interfered with those proceedings at all at any stage or at any time. Nor have I stopped any search, nor have I taken any step. What I have asked from the officer concerned is merely to tell me, the Minister in charge, what were the circumstances.

Shri Hari Vishnu Kamath: It is gross interference.

Shri Surendranath Dwivedy: It is very clear now from his statement that it was done with the purpose of demoralising the officers who were working for a very honest purpose.

श्री मधु लिसये : अध्यक्ष महोदय, मेरा प्वाइंट ऑफ़ ऑर्डर है।

मेरा प्वाइंट ऑफ़ ऑर्डर यह है कि इनको आपने दो दफा लम्बा जवाब देने के लिए, खुलासा करने के लिए कहा, लेकिन यह सदन को गुमराह कर रहे हैं। मैंने केवल यह कहा था कि यह दो सोलिसिटर का फर्म है क्या उनका और वित्त मंत्री का सम्बन्ध रहा है—रिलेशनशिप और क्या उन को उन से काम मिलता था, लेकिन इसका भी उन्होंने जवाब नहीं दिया।

दूसरी बात यह है कि जिस अफसर ने इन के ऊपर छापा मारा, मैं आपका ध्यान फौरन एक्सचेंज रेग्यूलेशन एक्ट की धारा 2 (ए) की ओर दिलाना चाहता हूँ। इस धारा 2 (ए) में यह कहा गया है—

"The Central Government may appoint a Director of Enforcement and as many Deputy Directors of Enforcement, Assistant Directors of Enforcement and such other officers as it thinks fit to be officers of enforcement for the purpose of enforcing the provisions of this Act."

इसके बाद धारा 19 (ए) (1) को देखिये—

"If any officer of enforcement

authorised in this behalf by the Central Government by general or special order has reason to believe that any person has secreted about his person any document which will be useful for or relevant to any proceeding under this Act, he may search that person."

इन कानूनों के अनुसार इन को पूरा अधिकार प्राप्त है। ऐसी हालत में यह आर० सी० दत्त साहब के ज़रिये उस दफ्तर को ज़लील करने के लिये माफ़ीनामा लिखवाते हैं। इसका क्या मतलब है। जिन अधिकारियों के बारे में पी० ए० सी० ने लांचन लगाया है उन को यह संरक्षण देते हैं, लेकिन जो अधिकारी कानून के अनुसार काम करता है, उन से माफ़ीनामा लिखवाते हैं और फिर नदन को गुहराह करते हैं, इस के बारे में आपको ध्यान देना चाहिए।

Shri H. N. Mukerjee: I want to submit to you a point of parliamentary propriety and morality as far as we are concerned in this House. The Minister has been pleased to vouchsafe to us the information that proceedings do happen to be pending against Orrdignum & Co. We cannot pronounce on the merits of the matter, nor are we supposed to do so. But in the meantime what has happened is that on the Minister's initiative a letter has been written on behalf of the Government of India to a partner of the firm called Orrdignum & Co., apologising for certain personal discomfort which had been caused on account of the officers of the administration having tried to find out proof regarding delinquency in these particular premises. Are the premises of a partner of a firm so sacrosanct that if the arm of the law is operated there, the Minister has to come forward to apologise and say here in the House in a brazen manner.. (Interruptions). In this Parliament is this the kind of reply we have to listen to from the Government of this country? I want you to take particularly a very

serious view of this matter because I am shocked at this. (Interruptions)

श्री मधु लिमये : आज सचीन्द्र चौधरी साहब का इस्तीफा आना चाहिए।

Shri Hari Vishnu Kamath: I take it you will inquire into the matter.

Mr. Speaker: I will, certainly. जो चिट्ठी आपने पढ़ी थी, वह मुझे दे दें।

श्री मधु लिमये : मैंने टेबिल पर रख दी है, मैं उस पर हस्ताक्षर कर दूंगा, उस को थायिन्टीफ़िट करना है। [पुरतकालय में रखा गया देखिये संख्या एल टी-7041/66]

अध्यक्ष महोदय : अब मैं वाद में निर्णय दूंगा।

श्री के० दे० भालवीय : इसमें आप क्या निर्णय देंगे। यह तो मिनिस्टर साहब के लिए सफ़ाई देने का मसला है, माफ़ी मांगने का मसला है, आपके सामने कौन सा मसला है? मैं चाहता हूँ कि आप इस पर क्लिग देने का कष्ट न करें। मिनिस्टर साहब से पूछा जाय कि ऐसे केस में मिनिस्टर साहब ने क्यों उन तरह लिखा?

अध्यक्ष महोदय : मुझे इस को देख लेने दीजिए, आया ऐसी कोई चीज है या नहीं है।

श्रीमती सुभद्रा जोशी : मैं 15 मिनट से खड़ी हूँ, अध्यक्ष महोदय, मेरा प्वाइंट आफ़ आर्डर है। एक बहुत ही सीरियस एलोगेशन श्री मधु लिमये ने मिनिस्टर साहब के सम्बन्ध में लगाई है कि उन लोगों का और मिनिस्टर साहब का सम्बन्ध था। या तो मधु लिमये साहब इस बात को साफ़ करें कि क्या सम्बन्ध था, नहीं तो मिनिस्टर साहब वाब दें कि इस में क्या गलत है और क्या गलती है, इस बात को साफ़ करना चाहिए।

अध्यक्ष महोदय : बहुत अचूका, पहल मुझे देखने दीजिए।

Shri Sachindra Chaudhuri: Ordignum and Company is a big firm of Solicitors, I will not say whether good, bad or indifferent. It is a big firm. . . (Interruptions.) It is a big firm of solicitors operating in Calcutta for many years. I have been at the bar for more than forty years and when they have received briefs from them for which they have regularly paid me.

Shri Hari Vishnu Kamath: He has made matters worse by saying this and has aggravated the offence. . . (Interruptions.)

Mr. Speaker: Short Notice Question. Shri Bibhuti Mishra.

SHORT NOTICE QUESTION

Gandak Bridge at Dumaria Ghat (Bihar)

S.N.Q. 21. Shri Bibhuti Mishra: Will the Minister of Transport, Aviation, Shipping and Tourism be pleased to state:

(a) whether it is a fact that the construction of Gandak Bridge at Dumaria Ghat (Bihar) has been delayed for want of serviceable road to carry over boulders and other materials to the Champaran side of the river;

(b) if so, the reasons therefor; and

(c) the steps taken so far in this regard?

The Minister of Transport, Aviation, Shipping and Tourism (Shri Sanjiva Reddy): (a) No Sir. The bridge is under construction and is progressing satisfactorily. The existing approach road to the bridge site is a kutcha road, but according to the conditions of the contract, the department is not bound to maintain the approach road in a serviceable condition for the use of the Contractor. Materials for construction are being taken by the bridge contractor to the bridge site along this kutcha road. Collection of boulders for the left guide bund (Champaran side) is in progress and a quantity of about 23 lakh cft of boulders has already been collected out of a total requirement of about 40 lakh cft. The work of the left

guide bund is expected to be completed during the next working season as per programme.

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

श्री विभूति मिश्र : अध्यक्ष महोदय, मिनिस्टर साहब ने सारन जिले के बारे में जवाब दिया है, लेकिन मैंने चम्पारन की साइड के बारे में पूछा था। मैंने पूछा था कि चम्पारन की साइड में नेपाल से, मझोलिया से, जजारा से, पिपरा से, बक्रिया से बॉल्डर्स आते हैं और बरसाना के दिनों में वे सारे बॉल्डर्स स्टेशन पर पड़े रहते हैं क्योंकि सड़क कच्ची होने की वजह से उन को ले जाया नहीं जा सकता है, जिन की वजह से इस डिपार्टमेंट को—ट्रान्स्पोर्ट डिपार्टमेंट को लाखों रुपये का डेप्रेज रेलवे को देना पड़ता है, यदि यह बात सही है तो इस के लिए क्या व्यवस्था की जा रही है ?

Shri C. M. Poonacha: The construction of this particular bridge is in two phases; one is the bridge proper and the other is the training of the river, construction of the bund and other embankments. The cost of bridge proper is about Rs. 180 lakhs and that of the training works, Rs. 245 lakhs. No doubt training works are more expensive. For the construction works, a large quantity of boulders have to be transported. There are several contractors for the supply of boulders and when tenders were invited, they were invited on the specific condition that they will have to deliver the boulders at the bridge site. The rates have been tendered on the basis of the approach road that was existing. On that basis they have tendered the rate and the rates were accepted. If they want this kacha road, which is about seven miles in stretch, to be repaired, either they will have to do it themselves or the department will do it provided they pay a proportionate rebate so far as the cost of the boulders is concerned. This is the position taken up by the engineers there, and we can only act accordingly; not otherwise.

श्री बिभूति मिश्र : अध्यक्ष महोदय, माननीय मंत्री ने मेरे सवाल को ही नहीं समझा। मंत्री जी ने रत के बारे में सारा बतलाया लेकिन चम्पारन साइड के बारे में नहीं बतलाया। चम्पारन जिले की तरफ यह कच्ची सड़क है। जो सामान रेलवे से आता है वह डिपेंडेंस पर पड़ा रहता है चूंकि कच्ची सड़क है इसलिए जा नहीं सकता है। इसलिए मंत्री जी चम्पारन की साइड के बारे में जवाब दें। जहाँ सामान पड़ा हुआ है और लवज को डिपेंडेंस देना पड़ रहा है। वरना तो लोगों में कच्ची सड़क होने के कारण सामान जा नहीं सकता है मंत्री जी इसका जवाब दें। जो बाल में छूटता है उसका जवाब तो दिलवाया जाय।

Mr. Speaker: Order, order. There is too much of talk in the House. I cannot follow the proceedings at all.

Shri C. M. Poonacha: On the Champaran side, the road lead is 20 miles, out of which seven miles portion is kacha road. The rest of it is well-maintained; it is a good road; this road is under the management of the District Board. There is a rail-head at Chakia. The boulders come to Chakia and will have to be transported. Under these circumstances, with open eyes, the contractors have tendered certain rates. It is difficult to alter the rates at this stage. They have got to transport the material at the rates that have been quoted. No doubt they may find this difficulty in so far as that particular stretch of kacha road is concerned; either they will have to men this road themselves, or if they want the assistance of the department, the department will certainly do so on the condition that they will give us rebate in so far as the cost of the boulders is concerned. To that extent, the cost of the repair of this kacha road cannot be helped. If they run into difficulties during the monsoon, either they will have to get the road set right through the department and pay them, re-

imburse the cost, or they should do it themselves. The terms of the contract do not permit the department taking up the work for the advantage of the contractors.

Shri Bibhuti Mishra: May I know from the hon. Minister how much they have been able to pay as demurrages to the railways for not lifting the boulders and other things?

Shri C. M. Poonacha: I want notice of this question. I do not have that information at the present time.

श्री क० ना० तिवारी : क्या यह सही है कि अगर इस सात मील लम्बी कच्ची सड़क को ठीक कर दिया जाय, पक्का कर दिया जाय तो हमारा कंट्रैक्ट भी ठीक हो जायगा और वह चीपर भी पड़ेगा? अगर यह बात सही है तो इस सात मील की कच्ची सड़क को पक्का करने में आखिर सरकार को क्या दिक्कत है?

Shri C. M. Poonacha: The estimate was prepared by the Chief Engineer in charge. I do not have the exact figure. The cost that would be needed to make this kacha road a good road has been put before the contractors; if they give the rebate to cover the expenditure, we will certainly do it departmentally; otherwise they will have to do it themselves.

Shri D. N. Tiwary: May I know whether the Government is aware that due to unsocial behaviour of the contractor in getting the same boulders pass again and again, they take advantage of it. There have been disputes both on the Saran and the Champaran side; they are still going on but no steps have been taken by the department to check this malpractice?

Shri C. M. Poonacha: I have no information about this.

श्री हुकम चन्द कछवाय : इस योजना को कब तक आप पूरा कर देंगे और इस से कब तक लाभ मिलने लगेगा? मैं यह भी जानना चाहता हूँ कि जो टैंडर्स भरे गये हैं वह किन किन

लोगों ने भरे हैं और कितने कितने के भरे हैं और क्या टेंडर मंजूर करने में पक्षपात किया गया है ?

Shri C. M. Poonacha: The time that is needed to complete this work according to the contract terms is 24 months from the beginning of the work. As for the contract, the Chief Engineer in charge of the bridge construction, in Bihar has finalised this tender. I do not know how many parties participated in the tender. But the final award of the tender has been for an amount of Rs. 180 lakhs so far as the bridge is concerned and Rs. 245 lakhs so far as training works are concerned.

WRITTEN ANSWERS TO QUESTIONS

Rising Cost of Production

*782. **Shri Sidheshwar Prasad:**
Shri Rishang Keishing:

Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether any study has been made by the Planning Commission about the abnormal rising cost of production in India;

(b) if so, the findings thereof; and

(c) the steps, of any, taken to normalise it?

The Minister of Planning and Social Welfare (Shri Asoka Mehta): (a) to (c). On the overall question of rising prices, and production and construction costs in relation to plan programmes, the Planning Commission's findings and recommendations are contained in the Draft Outline of the Fourth Five Year Plan placed on the Table of the House on 29th August, 1966 (Chapter I, Section IV, pages 16-21; Chapter IV, paras 16-17, pages 82-83; Chapter X, Sections III—V, pages 159—169).

Scheduled Banks

*783. **Shri Yashpal Singh:** Will the Minister of Finance be pleased to state:

(a) whether scheduled banks have been asked to invest accretions to their resources by way of deposit increase and return flow of credit in Treasury Bills;

(b) if so, how far this directive is being implemented; and

(c) how far it affected the market trends?

The Deputy Minister in the Ministry of Finance (Shri L. N. Mishra):
(a) Yes, Sir.

(b) The Reserve Bank's advice is generally being acted upon by the scheduled banks in the country in a satisfactory manner.

(c) The support extended by the scheduled banks to Government securities may be taken to be one of the factors contributing to the firmness of the securities market in recent weeks.

Irrigation Power System After Re-Organisation of Punjab

*784. **Shri Bagri:**

Dr. Ram Manohar Lohia:

Shri Madhu Limaye:

Shri Maurya:

Shri Ram Sewak Yadav:

Shri Kishen Pattnayak:

Shri Ramachandra Ulaka:

Shri Dhuleshwar Meena:

Shri Prakash Vir Shastri:

Shri Surendra Pal Singh:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 1416 on the 28th April, 1966 and state:

(a) whether Government have since examined the matters relating to the effect of the proposed re-organisation of the State of Punjab on the irrigation and power system in that State;

(b) if so, the result of such an examination; and

(c) the action taken by Government thereon?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):
(a) to (c). Decisions taken in this behalf are incorporated in the proposed "The Punjab Re-organisation Bill, 1966".

Vithalbhai Patel House

*785. **Shri Subodh Hansda:**
Shri S. C. Samanta:
Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:

Will the Minister of Works, Housing and Urban Development be pleased to state:

(a) whether Members of Parliament are occupying the Vithalbhai Patel House;

(b) if so, the number of members occupying in each Session of Parliament;

(c) whether the quota for the Members in the Vithalbhai Patel House has been exhausted; and

(d) if not, the reasons therefor?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) Yes.

(b) In the 12th, 13th, 14th and 15th Sessions, the actual occupancy was 9, 16, 19 and 13 respectively.

(c) and (d). No specific quota has been fixed. Requests for allotment are attended to when received.

Prompt Disposal of Project Reports

*786. **Shri Kapur Singh:**
Shri Buta Singh:
Shri H. C. Linga Reddy:

Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether the conference on management tasks in the Fourth Plan

held recently in New Delhi, has recommended the creation of one single specialised agency in Government for the prompt disposal of the feasibility and detailed project reports together with the related actions necessary for implementation; and

(b) if so, the reaction of Government in this regard?

The Minister of Planning and Social Welfare (Shri Asoka Mehta):
(a) and (b). The Conference on Management in the Fourth Plan held from May 27 to 29, 1966 recommended that within each Ministry there should be a single specialised agency or unit for ensuring prompt disposal of feasibility and detailed project reports together with action pertaining to different aspects of implementation such as sanctions, financial provisions, etc. Recommendations contained in the Reports of Study Groups set up by the Conference are being brought to the attention of Ministries, States and project managements.

Public Sector Undertakings

*787. **Shri Kishen Pattnayak:**
Shri Madhu Limaye:
Dr. Ram Manohar Lohia:
Shri Hari Vishnu Kamath:
Shri R. Barua:
Shri Liladhar Kotoki:
Shri D. C. Sharma:

Will the Minister of Finance be pleased to state:

(a) whether Governments attention has been drawn to consultations held at the highest level on the subject of the performance of the public sector;

(b) whether any concrete proposals have been formulated to improve its efficiency;

(c) if so, the nature thereof; and

(d) when these proposals will be implemented?

The Deputy Minister in the Ministry of Finance (Shri L. N. Mishra):
(a) A conference was convened by

the Prime Minister on the 14th and 15th June, 1966 to discuss the theme "How to make Public Sector the Creator of New Wealth".

(b) and (c). A statement indicating the points discussed is placed on the Table of the House. [Placed in Library. See No. LT-6980/66].

(d) The points have been taken note of and are under examination.

Integration of Housing Schemes

*788. Shri Vishwa Nath Pandey:
Shri P. C. Borooah:
Shrimati Renuka Barkataki:
Shri Rameshwar Tantia:

Will the Minister of Works, Housing and Urban Development be pleased to state:

(a) whether it is a fact that Government have decided to integrate the subsidized housing scheme for industrial workers and the rental housing programmes for the economically weaker sections under the Low Income Group Housing Scheme into one scheme;

(b) if so, when; and

(c) the details of the scheme and the total amount of estimated expenditure thereon?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) Yes, Sir.

(b) The integrated scheme came into force from the 1st April, 1966.

(c) A statement is placed on the Table of the House. [Placed in Library. See No. LT-6981/66]. The provision made for 1966-67 is Rs. 5.03 crores.

Habit-Forming Drugs

*789. Shri N. R. Laskar:
Shri Liladhar Kotoki:

Will the Minister of Health and Family Planning be pleased to state:

(a) whether Government have considered the question of manufacture

and sale of habit-forming drugs by a few restricted manufacturers and pharmacies; and

(b) if so, the measures adopted to check the diversion of habit-forming drugs from legitimate use?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) and (b). The sale of such drugs is permissible only on the prescription of registered medical practitioners, Restricting manufacture and sale of habit-forming drugs to a few selected manufacturers and pharmacies is one of the recommendations made by the Committee on Drugs Control, which are under examination by a Committee of 6 State Health Ministers appointed in pursuance of a resolution passed by the Central Council of Health in June, 1966. Government of India will take suitable action on receiving the report of the Committee of State Ministers.

Beas Project

*790. Shri D. C. Sharma:
Shri Onkar Lal Berwa:

Will the Minister of Irrigation and Power be pleased to state:

(a) the progress made upto date on the Beas Project;

(b) whether the aid held up has been forthcoming; and

(c) whether the work is going on according to the schedule?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed): (a) To end of June, 1966, about 17 per cent of the works on Unit I (Beas-Sutlej Link) and about 27 per cent of works on Unit II (Pong Dam) had been completed.

(b) Recently agreements with AID and IDA have been signed.

(c) Due to paucity of foreign exchange, the progress of work on the project has suffered.

**विद्युत परियोजना का केन्द्र द्वारा
अपने हाथ में लिया जाना**

*791. श्री श्रीकार लाल बेरवा
श्री ए० ह० भोल :
श्री पन्नालाल :
श्री विश्वनाथ पाण्डेय :
श्री बृजशंकर लाल :
श्री ह० चा० लिंगरेड्डी :

क्या सिंचाई और विद्युत मंत्री यह बताने
की कृपा करेंगे कि :

(क) उन मुख्य सिंचाई परियोजनाओं
के नाम क्या हैं जिन्हें केन्द्रीय सरकार का
विचार चौथी पंचवर्षीय योजना की अवधि में
राज्यों से अपने हाथ में लेने का है; और

(ख) उन्हें कब तक ले लिया जायेगा ?

**सिंचाई और विद्युत मंत्री (श्री फख्रुद्दीन
अहमद) :** (क) इस प्रस्ताव पर अभी विचार
हो रहा है ।

(ख) इस समय प्रश्न नहीं उठता ।

Soviet Aid

*792. **Shri Jashvant Mehta:** Will
the Minister of Planning and Social
Welfare be pleased to state:

(a) whether it is a fact that the
Soviet Union has insisted in its aid
programme for plan projects that
these projects receiving aid should
be included under the commercial
form of credit instead of State
Credit; and

(b) if so, whether Government
have accepted this condition?

**The Minister of Planning and
Social Welfare (Shri Asoka Mehta):**
(a) No. In addition to the State
Credits offered for certain selected
projects of the Fourth Plan for the
preparation of which Soviet authori-
ties have assumed the main respon-
sibility, the Soviet authorities had
pointed out that Commercial Credits
were also available for the import of
machinery and equipment under the

**Indo-Soviet Trade Plan for other
projects.**

(b) The question does not arise.

Electricity Supply Rates in Calcutta

*793. **Shri J. B. Singh:**
Shri C. K. Bhattacharyya:

Will the Minister of Irrigation and
Power be pleased to state:

(a) whether it is a fact that the
Calcutta Electric Supply Corporation
Ltd. have proposed to increase the
rate for electricity for certain cate-
gories of consumption in Calcutta
area under the law;

(b) the reasons of changing the
policy and the benefits accrued to
the people of Calcutta area from
such policy; and

(c) whether Government propose
to take up this matter with the West
Bengal Government with a view to
ensure supply of power to the Cal-
cutta Electricity Supply Corporation
at most economical rates from the
public sector projects for the benefit
of Calcutta public?

**The Minister of Irrigation and
Power (Shri Fakhruddin Ahmed):**

(a) Yes, Sir. The revised rates apply
with effect from 28th July, 1966.

(b) and (c). The change in rates
is mainly due to increase in rates by
DVC and West Bengal State Electri-
city Board from whom Calcutta
Electricity Supply Corporation pur-
chases power in bulk in addition to
its own generation.

M/s. Bird and Company

*794. **Shrimati Renu Chakravarty:**
Will the Minister of Finance be
pleased to state:

(a) whether any case of underin-
voicing by Laroco of White Lamb
Findley and Company (USA), who
are carrying on business for M/s.
Bird and Co. in America has come to
notice of Government; and

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

The Minister of State in the Ministry of Finance (Shri B. R. Bhagat): (a) and (b). Presumably, the reference is to Mr. W. B. Larson, representative of Messrs. White Lamb Finlay, who were the sole selling agents in the U.S.A. for carpet backing cloth exported in the name of M/s. Becker Grey & Co. whose affairs were being looked after by M/s. Bird & Co. Mr. Larson had also come to the adverse notice of the customs in connection with the case of M/s. Bird & Co. and M/s. Becker Grey & Co. for under-invoicing exports of jute carpet backing cloth. No action was, however, possible against him as he was a resident in U.S.A. and had no assets in India.

Sale of Spurious Drugs

***795. Shri Shree Narayan Das:** Will the Minister of Health and Family Planning be pleased to state:

(a) whether it is a fact that the raising of penalty for the manufacture and sale of spurious drugs from three years to ten years has not proved a deterrent one;

(b) whether there has been a lack of uniformity in enforcement of the Drugs Act throughout the country; and

(c) if the replies to parts (a) and (b) above be in the affirmative, the steps proposed to be taken to effectively stop the manufacture and trade of spurious drugs?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) No, Sir, the penalty was enhanced in May 1964 only and it is yet too early to assess the full impact of this provision. However, the statistics collected reveal downward trend in the sale and manufacture of spurious drugs during the year 1965-66 as compared to the previous year.

(b) The major policies for the administration of the Drugs Act are uniform for the whole country. How-

ever, it has been observed that the enforcement of the Act is not uniform in regard to the standards of inspection of sales and manufacturing establishments, the types of equipment and records to be maintained by them, prosecutions, grant or renewal of licences and inspection of firms whose products are complained of and follow-up of products of doubtful stability.

(c) A statement giving the requisite information is laid on the Table of the House. [Placed in Library. See No. LT-6982/66].

Study Team to Enquire into Savings in Relation to Income

***796. Shri Ram Harkh Yadav:**
Shri Murli Manohar:

Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether Government have appointed a Study Team to enquire into the savings in relation to income in the country during the first four years of the Third Five Year Plan;

(b) if so, the result of the enquiry; and

(c) Government's proposal to increase the savings of the people?

The Minister of Planning and Social Welfare (Shri Asoka Mehta):

(a) No, Sir.

(b) Does not arise.

(c) Increase in domestic savings will be sought through a variety of measures such as restraints on in-essential consumption expenditures; enlargement of surpluses of public enterprises; promotion of voluntary savings through small savings drives; insurance and provident fund schemes; encouragement to corporate re-investments; and diversion of a part of additional incomes to savings through fiscal measures.

Food Adulteration

*797. **Shri P. C. Borooah:** Will the Minister of Health and Family Planning be pleased to state:

(a) whether her Ministry has recently carried out an evaluation of the progress made in the enforcement of the law relating to food adulteration with a view to plugging the loopholes taking into account the number of persons apprehended and those convicted;

(b) if so, the result of such evaluation;

(c) whether any improvements are to be introduced in the relevant law to plug the loopholes; and

(d) if so, the precise nature thereof?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) A small Committee was constituted in April, 1965, to review the overall position of the enforcement machinery and laboratory facilities for proper implementation of the Prevention of Food Adulteration Act.

(b) The recommendations made by the aforesaid Committee and the resolutions passed thereon by the Central Committee of Ministers on Prevention of Food Adulteration and the Central Council of Local Self Government are given in the Statement laid on the Table of the House. (Placed in Library. See No. LT-6983[66].

(c) and (d). The Committee has made recommendations for the appointment of more Food Inspectors, expansion of laboratory facilities for quicker analysis and the appointment of additional magistrates for expeditious disposal of the cases. No amendments in the existing law, however, have been proposed for the present.

Economy in Diplomatic and Trade Missions Abroad

*798. **Shri Mohammed Koya:** Will the Minister of Finance be pleased

to refer to the reply given to Starred Question No. 415 on the 11th August, 1966 and state whether Government have drawn up any economy measures to be made applicable to diplomatic and trade missions abroad?

The Deputy Minister in the Ministry of Finance (Shri L. N. Mishra): Yes, Sir. Government are considering measures for reduction of expenditure in diplomatic and trade missions abroad.

M/s Morarji Gokul Das Spinning and Weaving Mills Ltd.

*799. **Shri N. Sreekantan Nair:**
Shri Tridib Kumar
Chaudhuri:

Will the Minister of Finance be pleased to state:

(a) whether Government have received documents concerning the financial transactions of M/s Morarji Gokul Das Spinning and Weaving Mills Ltd. and their group which show the sources of hidden income; and

(b) if so, the action taken thereon?

The Minister of State in the Ministry of Finance (Shri B. R. Bhagat): (a) Some papers containing allegations regarding concealment of income have been received.

(b) The allegations are being verified.

Water contamination at Okhla

*799. **Shri N. Sreekantan Nair:**
Shri Madhu Limaye:
Shri Buta Singh:

Will the Minister of Health and Family Planning be pleased to state:

(a) whether there was any water contamination at Okhla on account of the recent floods, in Delhi; and

(b) the steps taken by the Municipal Corporation and the New Delhi Municipal Committee, to save the people from the ill-effects resulting from such contamination?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) No Sir.

(b) Does not arise. Suitable action to purify the water is, already being taken by the Delhi Municipal Corporation. The water is given complete treatment before it is supplied for drinking purposes and, whenever considered necessary, the dose of chlorine is increased.

Pay Scales of Labour Officers

***801. Shri Satyanarayana:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that after the devaluation Government have imposed a ban on the revision of pay scales for the time being in order to effect economy in Government expenditure;

(b) whether it is also a fact that the scale of pay of the Labour Officers in the Central Pool has been revised after this ban; and

(c) if so, the reasons therefor?

The Deputy Minister in the Ministry of Finance (Shri L. N. Mishra): (a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

Tea Garden tribal students in Assam

***802. Shri N. G. Ranga:**
Shri Solanki:

Will the Minister of Planning and Social Welfare be pleased to state:

(a) the reasons why Government have not opened a single High School for the education of Tea Garden tribal students in Assam, when the population of these Tea Garden tribes is now more than 28 lakhs at least in those areas where the tea estates are geographically contiguous;

(b) whether any Tea Garden tribal has ever been appointed to any managerial post in any of the Tea Gardens of Assam; and

(c) whether Government are aware that the Tea Welfare Board awards scholarships for all branches of learning except for an education in law, and if so, the reasons therefor?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) to (c). The information has been called for from the State Government and the Tea Welfare Board and will be laid on the Table of the House when received.

Reserved seats in Medical Colleges

***803. Shri Solanki:**
Shri N. G. Ranga:

Will the Minister of Health and Family Planning be pleased to state:

(a) how many seats in Medical Colleges in each State have been reserved for selection of students by the Central Ministry or the Minister;

(b) whether any rules have been prescribed for selecting these students from amongst those who apply for such all-India selection as per the special categories prescribed for such selection viz.

(i) backward class or tribal students;

(ii) children of Indians living abroad;

(c) whether selection is made as per the order of marks secured by the applicants within each of the special categories; and

(d) whether Government propose to appoint any Committee to enquire into the manner of the selections made by the Central Ministry, with or without any selection committee and to prescribe a definite procedure for selection of the best and most deserving and to prevent personal, sectional or communal favouritism?

The Minister of Health & Family Planning (Dr. Sushila Nayar): (a) A statement showing the number of seats reserved by the Ministry of Health and Family Planning is laid on the

Table of the House. [Placed in Library. See No. LT-6984/66].

(b) and (c). There are two duly constituted Selection Committees set up by Government. One selects foreign students and on it are represented the Ministries of Education, External Affairs and the Directorate General of Health Services. The other Committee deals with various eligible categories of Indian students.

20 per cent of the seats are reserved for students belonging to Scheduled Castes/Scheduled Tribes of the concerned Union Territories.

Selections as a rule are made on merit.

(d) No Sir.

नई दिल्ली में पंचकुइयां रोड पर
अनधिकृत मोटर वर्कशॉपें

*804. श्री हुकम चन्द कछवाय :
श्री युद्धवीर सिंह :

क्या स्वास्थ्य तथा परिवार नियोजन
मंत्री यह बताने की कृपा करेंगी कि :

(क) क्या यह सच है कि नई दिल्ली में
पंचकुइयां रोड और रामकृष्ण मिशन मार्ग
पर कुछ अनधिकृत मोटर वर्कशॉप चल
रही हैं;

(ख) क्या यह भी सच है कि इन
वर्कशॉपों को वहां से नहीं हटाया जा रहा है;

(ग) क्या इससे उस क्षेत्र में गन्दगी
फलती है; और

(घ) यदि हां, तो उन्हें हटाने के लिये
क्या प्रवन्ध किये जा रहे हैं ?

स्वास्थ्य तथा परिवार नियोजन मंत्री
(डा० सुशीला नायर) : (क) जी हां ।
निजी जमीन पर ।

(ख) मास्टर प्लान में सुझाये गये
जमीन के उपयोग के आधार पर उन्हें लाइसेन्स
1584(Ai) LSD—3.

दिया जाना चाहिए या नहीं, इस प्रश्न पर
नई दिल्ली नगरपालिका विचार कर रही है ।

(ग) जी हां । किसी हद तक ।

(घ) ऐसे कारखाने जो मास्टर प्लान
के अन्तर्गत निषिद्ध हैं, नई दिल्ली नगरपालिका
द्वारा वर्तमान जगह से यथा समय हटा दिये
जायेंगे ।

**Jawaharlal Institute of Post-Graduate
Medical Education and Research,
Pondicherry**

*805. **Shri Hari Vishnu Kamath:**

Will the Minister of **Health and
Family Planning** be pleased to state:

(a) whether Government have under
consideration a proposal to make the
Jawaharlal Institute of Post-graduate
Medical Education and Research, Pon-
dicherry an autonomous institution;

(b) if so, the details thereof; and

(c) the reasons therefor?

**The Minister of Health and Family
Planning (Dr. Sushila Nayar):** (a) Yes,
Sir.

(b) and (c). To speed up the growth
and development of the Jawaharlal
Institute of Post-graduate Medical
Education and Research, Pondicherry
it is proposed to set it up as a Regis-
tered Society under the Societies Act
of 1860. The Jawaharlal Institute of
Post-graduate Medical Education and
Research, Pondicherry, on being re-
gistered under the Societies Act of 1860
will have a Governing Body to be
appointed by the Government of India.
It will consist of 12 members including
the Director. The Union Minister of
Health and Family Planning will be
the President of the Governing Body.
The other members of the Governing
Body will include representatives of
the Central and State Governments,
Vice-chancellor of the affiliating Uni-
versity, eminent scientists in the field
of medicine and one professor of the
Institute.

The objects of the Society will be as under:—

(i) to bring together in one place educational facilities of the highest order for the training of personnel in all important branches of health activity; and

(ii) to provide medical care of the highest order.

'Greenfields' Colony near Delhi

***806. Shri Shiy Charan Mathur:** Will the Minister of Works, Housing and Urban Development be pleased to state:

(a) whether it is a fact that a coloniser has amassed crores of rupees by selling thousands of plots in a colony named 'greenfields' situated on the Delhi-Mathura Road between Delhi and Faridabad;

(b) whether the said colony falls within the area to be developed under the Delhi Master Plan as a suburb to relieve congestion in Delhi;

(c) whether the said colony had been notified in 1962 by the then Government of Punjab for acquisition; and

(d) whether Government propose to release the colony at an early date to safeguard the interests of the plot holders and also due to acute shortage of housing accommodation in Delhi?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) to (d). Information is being collected from the Government of Punjab and will be laid on the Table of the House.

अकालप्रस्त राज्यों को औषधियों की सप्लाई

***807. श्री विभूति मिश्र :** क्या स्वास्थ्य तथा परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने उड़ीसा, मैसूर, आन्ध्र प्रदेश, महाराष्ट्र, गुजरात, राजस्थान

तथा मध्य प्रदेश जैसे राज्यों को, जहाँ भ्रूकाल जैसी स्थिति है, औषधियों की सप्लाई के लिये कोई विशेष प्रबन्ध किये हैं;

(ख) क्या यह सच है कि भोजन में अपर्याप्त कैलोरी होने के कारण उन क्षेत्रों के लोगों का स्वास्थ्य गिर गया है; और

(ग) यदि हां, तो इस प्रयोजन के लिये सरकार ने उन लोगों को अब तक किस प्रकार की सहायता दी है ?

स्वास्थ्य तथा परिवार नियोजन मंत्री (डा० सुशीला नायर) (क) जी हां ।

(ख) खाद्यान्नों की कमी वाले क्षेत्रों में कैलोरी भोजन सामान्यतया कम हो जाता है और इससे लोगों के स्वास्थ्य पर प्रभाव पड़ सकता है । कुपोषण के व्यापक और गम्भीर मामलों की कोई सूचना नहीं मिली है ।

(ग) सूखे से पीड़ित क्षेत्रों के लिए मर्ला त उपाय बरते गये हैं :—

1. विभिन्न प्रकार के खाद्य, स्किम दूध का चूर्ण और अन्य दुग्ध चूर्ण बांटना ।
2. विटामिन जैसे आहार अनपूरक, शिशुओं और बच्चों के लिए मां के दूध के स्थान पर दिये जाने वाले खाद्य, सम्भाव्य महामारियों के विरुद्ध प्रतिरक्षण के लिए वैक्सीन और जल व्यवस्था बढ़ाने के उपकरण देना ।
3. प्राथमिक स्वास्थ्य केन्द्रों, ग्राम औषधालयों, प्रसूति एवं बाल स्वास्थ्य केन्द्रों, अस्पतालों के माध्यम से और ऐसे क्षेत्रों में आयोजित वर्क्स-साइट कैम्पों में व्यापक रूप से टीके लगाकर चेचक, हैजा और टाइफाइड से रोगमुक्ति का एक प्रभावशाली कार्यक्रम ।

4. बीमारी के फैलने की सम्भावना की स्थिति में समस्या को हल करने के लिए सभी प्राथमिक स्वास्थ्य केंद्रों, अस्पतालों, औप-धालयों आदि में पर्याप्त मात्रा में दवाइयां रख दी गई हैं।

5. जलपूर्ति के स्रोतों का रोगाणुनाशन तथा वर्तमान जल व्यवस्था को बढ़ाने के लिए नल कूप खोदना। मूखे से अत्यधिक प्रभावित क्षेत्रों में वितरण के लिए पानी टैंकरो, लाइनों आदि से पहुंचाया जा रहा है।

Government Colonies in Delhi

3920. **Shri Madhu Limaye:**
Dr. Ram Manohar Lohia:
Shri Bagri:

Will the Minister of Works, Housing and Urban Development be pleased to state:

(a) the total number of Government or Semi-Government colonies in the Union Territory of Delhi;

(b) whether the rents charged are 10 per cent of the salary/wages or more; and

(c) the basis for computing this rent and its relation to the concept of economic rent in case more than 10 per cent rent is charged?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) Information in regard to the number of Government colonies is being collected and will be laid on the table of the Sabha in due course. As regards semi-Government colonies, the implications are not quite clear.

(b) Government officers who are allotted accommodation are charged rent under F.R. 45-A limited to 7½ per cent of emoluments in cases where the officers are drawing a basic salary upto Rs. 150 per month, and to 10 per cent of emoluments in cases where the

officers are drawing a basic salary of more than Rs. 150 per month. City compensatory allowance is included in emoluments for this purpose. Allottees of quarters constructed under the Government of India's Subsidised Housing Scheme for Industrial Workers are charged subsidised standard rent as laid down under the scheme. Those rents are not related to the percentage of emoluments of the allottees.

(c) Does not arise.

Slum Improvement Programme

3921. **Shrimati Ramdulari Sinha:**

Will the Minister of Works, Housing and Urban Development be pleased to state:

(a) the progress so far made in each State with regard to slum improvement programme; and

(b) the amount which was allotted and spent in each State during 1965-66 and the reasons for shortfall, if any?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) and (b). Information is being collected from the State Governments and will be laid on the Table of the Sabha when received.

Death of a Girl in Red Cross Camp

3922. **Shri Ram Sewak Yadav:**
Shri Madhu Limaye:

Will the Minister of Health and Family Planning be pleased to state:

(a) whether Government's attention has been drawn to UNI report about the death of a girl in a Mount Abu Red Cross Training Camp in June, 1966;

(b) the cause of her death;

(c) whether it is a fact that she could not be treated because certain injection and medicines were not available at Abu; and

(d) whether Government have issued any instructions to stock necessary medicines whenever such Red Cross, NCC, Boy Scouts, Girl Guides etc.

training lamps are held by the Departments concerned and also by State Government?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) Yes.

(b) Diabetic Coma.

(c) No. This is not a fact. All required medicines were made available in time.

(d) A fully equipped dispensary was set up at the Mount Abu Camp and a Medical Officer detailed for camp duties.

Adulteration Cases in Hathras

3923. Shri Ram Sewak Yadav:
Shri Madhu Limaye:

Will the Minister of Health and Family Planning be pleased to state:

(a) whether Government have received any reports about adulteration by certain firms in Hathras in the preparation of Masalas such as Hing, Jira, Pepper etc.;

(b) the loss sustained by Government in the form of taxes; and

(c) the action, if any, taken by Government against these firms?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) Yes.

(b) Not estimated.

(c) Samples of articles suspected to be adulterated were lifted and prosecutions have been launched in cases where samples were found to be adulterated on analysis.

Smuggling of Goods From China Through Nepal

3924. Shri Lakhmu Bhawani:

Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 587 on the 28th July, 1966, and state the nature of steps taken by Government to stop the smuggling of consumer goods from China through Nepal?

The Minister of Finance (Shri Sachindra Chaudhuri): Preventive

measures in the vulnerable areas have been strengthened and the officers in the border area have been alerted to intensify their vigilance.

Quarters for Income Tax Officers in Calicut

3925. Shri A. V. Raghavan: Will the Minister of Finance be pleased to state:

(a) whether any decision has been taken to construct quarters for the Income Tax Officers in Calicut, Kerala; and

(b) if so, when the construction work will commence?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Due to the need for utmost economy in civil expenditure, it has been decided not to construct any quarters for Income Tax Officers in Calicut, Kerala for the present.

(b) Does not arise.

Insurance Facilities to Circus Artistes

3926. Shri A. V. Raghavan: Will the Minister of Finance be pleased to state:

(a) whether any decision has been taken in the matter of extending insurance facilities to circus artistes; and

(b) if not, the reasons for denying this facility to them?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Proposals on the lives of Circus Artistes, not exposed to special hazards (e.g. trapeze artistes, weight lifters, artistes who deal with wild animals, etc.), are considered on merits.

(b) Does not arise.

Calicut Medical College

3927. Shri A. V. Raghavan: Will the Minister of Health and Family Planning be pleased to state:

(a) the progress made in the matter of constructing a second women's

hostel at the Calicut Medical College in Kerala;

(b) whether lady students are now accommodated in staff quarters; and

(c) the steps taken to expedite the construction of the second hostel?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) Construction work for the main block of the hostel has already started.

(b) Yes.

(c) Construction is being expedited to the extent of availability of funds.

Development of Roads in Hill Areas of Assam

3928. Shri Ram Harkh Yadav:
Shri Murli Manohar:

Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether Government have constituted a Study Team to report on the development of roads in the Hill areas of Assam in the fourth Plan;

(b) if so, the details thereof;

(c) whether Government have received a copy of the report; and

(d) if so, the total expenditure involved on the Project?

The Minister of Planning and Social Welfare (Shri Asoka Mehta): (a) to (d). Development of roads in the Hill Areas of Assam has been considered by the Joint Centre-State Study Team headed by a Member of the Planning Commission. In the programme drawn up for the Hill Districts of Assam which involves an outlay of Rs. 70.50 crores for a full five year period, Rs. 20 crores have been proposed for road development. The proposals of the Team have been accepted by the Planning Commission.

Rats as Human Food

3929. Shri Ram Harkh Yadav:
Shri Murli Manohar:

Will the Minister of Health and Family Planning be pleased to state:

(a) whether Government have examined the utility of rats as human

food as propounded recently by the Agriculture Minister of U.P.;

(b) whether Government are aware of the experiments made by the Japanese nutrition expert, Dr. Okudo, in this regard; and

(c) if not, whether Government propose to study the utility of rats as human food?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) No.

(b) No.

(c) At present there is no such proposal.

Braille Literature for Blind

3930. Shri M. P. Swamy:
Shri Kasinatha Dorai:

Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether there is any proposal to set up a regional braille press at Madras for printing braille literature for the use of blind;

(b) if so, in what languages the braille literature will be printed at the above press; and

(c) the steps so far taken by Government for setting up the braille press at Madras?

The Deputy Minister in the Ministry of Social Welfare (Shrimati M. Chandrasekhar): (a) Yes, Sir. The press is proposed to be set up by the Government of Madras.

(b) In the major South Indian languages.

(c) Much of the equipment has been supplied to the State Government by UNICEF.

Survey of Underground Water

3931. Shri Narendra Singh Mahida:
Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government are aware of the recent UNESCO study which disclosed that almost one million cubic

miles of underground water, located in the upper half mile of the earth's surface, lies unutilised; and

(b) if so, whether our hydrologists have made any survey or devised ways to tap this source?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):
(a) No.

(b) However, quantitative investigation for determining the ground water resources in the country are already in progress. Nearly 23 per cent of our present irrigation is from ground water resources.

Accommodation for Journalists

3932. Shri B. K. Das:
Shri S. C. Samanta:
Shri Eswara Reddy:

Will the Minister of Works, Housing and Urban Development be pleased to state:

(a) whether accredited correspondents, photographers and other categories of journalists are eligible for Government accommodation in New Delhi;

(b) if so, the rules, regulations and procedure for the allotment of such accommodation;

(c) the number of such journalists and photographers who have been given accommodation so far; and

(d) how many are on the waiting list?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) and (b). In recognition of the part played by them in the public life of the country it had been agreed in the year 1953 to provide to accredited Press representatives accommodation from the general pool. A certain number of houses have been placed at the disposal of the Press Association for this purpose and allotments are made on the basis of the priorities determined by the Press Association.

(c) 78.

(d) 86.

Hindustan and Green Residential Estate Colonies in Delhi

3933. Shri Ramabadrani: Will the Minister of Works, Housing and Urban Development be pleased to state:

(a) whether the Hindustan Residential Estate and Green Estate Colonies situated near Badarpur on Jaitpur Road, Delhi, are approved colonies; and

(b) if so, whether there is any Government agency to see that the assurances given by the colonisers for full development of the colonies are implemented?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) These colonies are not approved colonies. In fact, their land is low-lying and liable to flooding and it is not proposed to be urbanised.

(b) This is entirely a matter between the coloniser and the purchaser of plots.

Palai Central Bank Ltd.

3934. Shri Ramsheshwar Prasad Singh: Will the Minister of Finance be pleased to state:

(a) the result of judicial action taken against the ex-Directors of the Palai Central Bank Ltd.;

(b) the amount of expenses incurred so far on the official Liquidator of the Palai Central Bank Ltd. and his staff; and

(c) when the next dividend will be paid to the depositors of the said Bank?

The Minister of Finance (Shri Sachindra Chaudhri): (a) On a misfeasance application filed by the Official Liquidator under Section 45H of the Banking Regulation Act, 1949 and Section 543(1) of the Companies Act, 1956 against the directors, auditors

and other officers of the bank, the Kerala High Court has granted two decrees for a total amount of Rs. 2.57 crores to be recovered jointly or severally from ten persons. In view, however, of the pending appeals and stay orders, it is not possible to take any steps to recover the decreed amounts for the present.

(b) The expenditure on account of the salary of the liquidator, emoluments of the staff, law charges and other expenses amounted to about Rs. 25.97 lakhs upto the end of June, 1966.

(c) The question of declaring a further dividend can be considered by the Official Liquidator only after some progress has been made in the realisation of the remaining loans and advances and pending decreed amounts.

Oriental Fire and General Insurance Co. Ltd.

**3935. Shri Buta Singh:
Shri Ram Sewak Yadav:
Shri Madhu Limaye:**

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the business of the Oriental Fire and General Insurance Co. Ltd. is being taken over by the Life Insurance Corporation, General Insurance Section;

(b) whether the employees of this company will be absorbed in the Life Insurance Corporation;

(c) whether this absorption will adversely affect their conditions of service, emoluments and bonus; and

(d) if so, the steps being taken to protect the interests of these employees?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) No, Sir.

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

Levy of Betterment Charges in Punjab

3936. Shri Surendranath Dwivedy: Will the Minister of Irrigation and Power be pleased to state:

(a) the date on which the Betterment Charges and Acreage Act of 1953 were enforced in the Punjab State;

(b) whether any betterment charge have been assessed on the areas actually irrigated by each of Upper Bari Doab Canal and canal outlets R. D. 23500/L and 23510/L;

(c) if so, the total amount so assessed;

(d) the reasons for this assessment on the areas which were already under irrigation by the canal water;

(e) the total amount of betterment charges so far recovered from the owners of the areas under the command of each of the aforesaid outlets;

(f) whether any representations from the owners were received by the Government of Punjab during 1965 and 1966 regarding validity of the assessment of the betterment charges;

(g) whether any enquiry was ordered in the matter; and

(h) the result of the enquiry and the decision taken in the matter by the Punjab Government?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed): (a) to (h). Information is being collected and will be laid on the Table of the House.

Unconscious Patients in Irwin Hospital

3937. Shri Eswara Reddy: Will the Minister of Health and Family Planning be pleased to state:

(a) the number of patients in Irwin Hospital, New Delhi, who are unconscious for more than a month and are under treatment there;

(b) whether these patients have been thoroughly examined including for brain injuries;

(c) the efforts made to give them all treatment necessary in such cases; and

(d) the details thereof?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) Two.

(b) Yes; the patients are suffering from T.B. (Meningitis).

(c) and (d). The best treatment available is being given, including the administration of Streptomycin, PAS, INH, Tube feeding and Corticosteroids.

Upper Bari Doab Canal Outlets

3939. Shri Surendranath Dwivedy: Will the Minister of Irrigation and Power be pleased to state:

(a) the data on which construction of outlets R.D. 23500 and 23510/L on the main Line of Upper Bari Doab Canal to irrigate the areas of Village Khalra and Village Dode in Tehsil Patti, District Amritsar was sanctioned;

(b) the date on which the aforesaid outlets were allowed to function after their construction; and

(c) the area actually irrigated by each of these canal outlets during each harvest (Kharif and Rabi) in the years 1948-49, 1949-50, 1950-51, 1951-52 and 1952-53?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed): (a) to (c). Information is being collected and will be laid on the Table of the House.

नई दिल्ली नगरपालिका तथा
दिल्ली विकास अधिकरण
के बीच सहयोग

3940. श्री हुकम बंद कल्लगव :
श्री रामेश्वरानंद :
श्री रघुनाथ सिंह :

क्या स्वास्थ्य एवं परिवार नियोजन मंत्री
यह बताने की कृपा करेंगी कि :

(क) क्या यह सच है कि 7 मई, 1966
के 'हिन्दुस्तान' में प्रकाशित समाचार के

अनुसार नई दिल्ली नगरपालिका तथा दिल्ली
विकास अधिकरण के बीच सहयोग न होने के
कारण सरकार को एक लाख पचास हजार
रुपये की हानि हुई है; और

(ख) यदि हां, तो इसके बारे में सरकार
की क्या प्रतिक्रिया है ?

**स्वास्थ्य तथा परिवार नियोजन मंत्री
(डा० सुशीला नायर) :** (क) और (ख)।
प्रकाशित समाचार में उल्लिखित कालोनी का
विकास कार्य निगम की तदर्थ (गन्दी बस्ती
सफाई तथा सुधार) समिति के सुझाव पर
दिल्ली नगर निगम द्वारा शुरू किया गया था
न कि नयी दिल्ली नगरपालिका द्वारा ।
सड़कों, नालियों, मड़क की बिजली, पानी के
मेन, सार्वजनिक शौचालय, स्नानागार, समतल
तथा सफाई पर अब तक 66,000 रुपये खर्च
किये जा चुके हैं । चूंकि दिल्ली के मास्टर
प्लान में निर्धारित जमीन के उपयोगों में
इस स्थान को 'हरा' रखा गया है अतः दिल्ली
विकास प्राधिकरण ने लोगों को इस स्थान पर
बसाने में आपत्ति की है । इसलिए इस
कालोनी में काम को रोक दिया गया है ।
यह मामला दिल्ली के मुख्यायुक्त के विचारा-
धीन है ।

Adivasi Areas of Bastar

3941. Shri Bagri:
Shri Madhu Limaye:
Shri Kishen Pattanayak:
Dr. Ram Manohar Lohia:

Will the Minister of **Planning and Social Welfare** be pleased to state:

(a) whether Government have since made a study of the measures that are necessary to fulfil the Centre's responsibility under Articles 339 and 244 (read with the Fifth Schedule) of the Constitution in regard to the Adivasi areas; and

(b) if so, the main conclusions of the study?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) and (b). The

question of welfare measures for the Scheduled Tribes referred to in article 339(2) and of the administration of Scheduled Areas referred to in paragraph 3 of the Fifth Schedule are under continuous study on the basis of reports received from the Commissioner for Scheduled Castes and Scheduled Tribes and the Governors of States. So far as Welfare schemes are concerned, only such schemes are undertaken by the State Governments as are approved by the Government of India. The schemes considered particularly important for the Scheduled Tribes are included in the Central Sector of the Plan, and the expenditure is met wholly by the Government of India. The Central Sector Programme includes the Tribal Development Blocks scheme which provides for an administrative set-up intended to secure more speedy development of the tribals. It is also being examined whether it would be feasible, especially in States with large tribal populations, to have sub-cadres of officers under each department, for work specially in the tribal areas.

**Pre-Examination I. A. S. Training
Centre for Scheduled Castes
and Scheduled Tribes**

3942. Shri Bhagwat Jha Azad:
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Planning and Social Welfare** be pleased to state:

(a) whether the Madras government have submitted any scheme to set up a pre-examination training centre for the Scheduled Castes and Scheduled Tribes candidates for recruitment to the I. A. S. and I. P. S; and

(b) if so, whether the same has been considered by Government?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) Yes.

(b) The Government of India have agreed to the proposal.

दिल्ली में सिनेमा

3943. श्री हुकम चन्द कछवाय :
श्री रामेश्वरानन्द :
श्री रघुनाथ सिंह :

क्या निर्माण, आवास तथा नगरीय विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मई, 1960 में दिल्ली विकास प्राधिकार द्वारा नई दिल्ली में सिनेमा का एक प्लॉट 11 लाख रुपये में बेचा गया है;

(ख) यदि हां, तो कितने सिनेमाघरों के लिये दिल्ली विकास प्राधिकार द्वारा इतने अधिक मूल्यों पर भूमि बेची गई है; और

(ग) भाग (क) में उल्लिखित सिनेमा किस स्थान पर बनाया जायेगा ?

निर्माण, आवास तथा नगरीय विकास मंत्री (श्री मेहरचन्द खन्ना) : (क) जी हां; मई, 1966 में न कि मई, 1960 में। मूल्य अत्यधिक नहीं समझा गया है।

(ख) और कोई न्यान (साइट) नहीं बेचा गया है।

(ग) वृत्तिक ए, सफदरजंग विकास रिहायश योजना (नौरोजी नगर के पिछे) दक्षिण दिल्ली।

3944. Shri Utiya:
Shri Madhu Limaye:

Will the Minister of **Finance** be pleased to state:

(a) whether any Reserve Bank of India employees were arrested during the 10th-11th May, 1966 agitation in Lucknow;

(b) whether it is a fact that the Chief Secretary, U. P. tried to brow-beat them when he had no authority over them whatsoever; and

(c) whether they have since been set free and charges, if any, against them withdrawn?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) The office of the Reserve Bank was situated inside the U. P. Secretariat compound. Six employees of the Bank were arrested by the police on the 13th May 1966 for allegedly having taken part in the demonstrations by the U.P. Government employees in front of the Secretariat. Two other employees, against whom warrants were issued, surrendered in the Court on the 16th May 1966.

(b) Government of India have no information.

(c) Two of the employees have since resumed their duties. The charges against the remaining six employees have not been so far withdrawn by the State Government.

Hogenakal Project

3945. Shri H. C. Linga Reddy:
Shri P. R. Chakravarti:

Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether any estimate has been prepared for the Hogenakal project in Mysore and Madras state;

(b) if so, the cost thereof;

(c) the power it is likely to generate and the area likely to be irrigated both in Madras and Mysore States;

(d) when the same will be taken up; and

(e) the reasons for the delay?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed): (a) and (b). According to the project report prepared by the Madras State Electricity Board, the estimated cost of the Hogenakal Project is Rs. 55.56 crores. The Government of Mysore are still investigating the Hogenakal project

and no estimate of cost has so far been prepared.

(c) The Hogenakal Project, as envisaged by Madras, is expected to afford a firm power potential of 440 MW at 60 per cent load factor and no irrigation works are included. The potentialities of the project under investigation by the Mysore Government are not yet known.

(d) and (e). The Project can be taken up only after the investigations of all alternatives are completed, the feasibility is established an agreed solution in regard to the inter-State and other aspects are evolved and project is approved for implementation.

Upper Krishna Project

3946. Shri H. C. Linga Reddy:
Shri P. R. Chakravarti:

Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to Starred Question No. 609 on the 17th March, 1966 and State:

(a) the final decision taken on the question of taking up the Upper Krishna Project as a Centrally sponsored scheme;

(b) its estimated cost thereof; and

(c) the area it is likely to irrigate in the arid zone of Mysore State with the expected food yield?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed): (a) The matter is still under consideration in the context of the General question regarding the manner of financing of large multi-purpose projects.

(b) and (c). The estimated cost of the revised Upper Krishna Project-Stage I, is Rs. 5900 lakhs. The Project is expected to irrigate an area of 6 lakh acres and the annual food production is likely to be of the order of 1.9 lakh tons.

सलेमपुर (उत्तर प्रदेश) में गांजे का
पकड़ा जाना

3947. श्री विश्वनाथ पाण्डेय : क्या
वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 15 मई,
1966 को सलेमपुर (जिला देवरिया,
उत्तर प्रदेश) में पुलिस ने सलेमपुर रेलवे
हाल्ट के समीप अवैध गांजे से भरा एक
ट्रक पकड़ा;

(ख) यदि हां, तो पकड़े गये गांजे
की कुल मात्रा कितनी है; और

(ग) इस मामले में सरकार द्वारा
क्या कार्यवाही की जा रही है?

वित्त मंत्री (श्री शचीन्द्र चौधरी) : (क)
जी, हां।

(ख) पकड़े गये गांजे की कुल मात्रा
लगभग 1353 किलोग्राम थी।

(ग) लार पुलिस थाने में आवकारी
अभिनियम के अन्तर्गत चार अभियुक्तों
के खिलाफ मामला दर्ज किया गया है
और जांच-पड़ताल की जा रही है।

Seizers of Watches and Pak Currency in Calcutta

3948. Shri Vishwa Nath Pandey:
Will the Minister of Finance be
pleased to state:

(a) whether it is a fact that 1208
pieces of wrist watches and Pakistani
currency amounting to Rs. 2671 were
among the smuggled goods seized by
the Customs Officers and Central Ex-
cise Collectorate, Calcutta in March,
1966 in Calcutta; and

(b) if so, the action taken by Gov-
ernment in the matter?

The Minister of Finance (Shri
Sachindra Chaudhuri): (a) In March,
1966 the officers of the West Bengal
Central Excise Collectorate seized 711
wrist watches of foreign origin in Cal-

cutta and 497 watch-bands of foreign
origin outside Calcutta. They also
seized Pakistani currency amounting
to Rs. 9/- during the same month.

(b) Five persons were arrested in
connection with the cases of seizures of
wrist watches some of which have been
adjudicated while others are in the
process of adjudication. In two cases
the wrist watches have already been
confiscated. Persons involved in the
case of seizure of watch bands were
arrested and prosecution in a court of
law launched. The watch-bands and
the currency have also been confiscat-
ed.

Credit to Sudan

3949. Shri Vishwa Nath Pandey:
Will the Minister of Finance be pleas-
ed to refer to the reply given to Star-
red Question No. 601 on the 17th
March, 1966 and state:

(a) whether the discussion with the
Government of Sudan to extend the
credit of Rs. 5 crores for setting up
the industries has been finalised;

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

(c) if not, when it is likely to be
finalised?

The Minister of Finance (Shri
Sachindra Chaudhuri): (a) No, Sir.

(b) Does not arise.

(c) No dates have yet been fixed
for further discussions in this respect.

Raids to Unearth Unaccounted Money.

3950. Shri Vishwa Nath Pandey:

Shri Kapur Singh:

Shri Buta Singh:

Shri Narasimha Reddy:

Will the Minister of Finance be
pleased to state:

(a) how many raids have been
carried out from January to 30th
June, 1966 to unearth black money in
each State in the country;

(b) how many cases have been decided so far and how many are pending; and

(c) how much income has been assessed as Income-tax in these cases and how much has been realised.

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Detailed figures are given below:

Commissioner's of Income-tax charge.	No. of searches.
Assam	1
Andhra Pradesh	3
Bihar & Orissa	3
Bombay City & Central charges	29
Delhi and Delhi Central charges	2
Madras and Madras Central charges	6
Madhya Pradesh & Nagpur & Training charges	4
Mysore	1
Poona	2
Punjab	1
Rajasthan	2
Uttar Pradesh	2
West Bengal & Calcutta Central charges	11
Total	67

(b) and (c). Information is being collected and will be laid on the Table of the House as early as possible.

**Rent Paid by M/s. Lufthansa Airlines
in New Delhi**

3951. Shri Madhu Limaye:
Shri Kishen Pattnayak:
Dr. Ram Manohar Lohia:
Shri Bagri:

Will the Minister of Finance be pleased to refer to the Half-an-Hour Discussion on the 24th March, 1966 and state:

(a) whether Government have checked the month'y or yearly rent receipts issued by the landlord to M/s. Lufthansa Airlines in New Delhi.

(b) how this rent compared with the market rents of similar places in the Connaught Circus area in New Delhi at the time the place was rented out and to-day; and

(c) whether the landlord is being assessed for various tax purposes on the basis of the actual rent receipts or the rent prevailing in the market at the time the premises were rented out?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) and (b). The rent receipts have not been checked, but the account books and bank accounts of M/s. Lufthansa Airlines and the bank accounts of the landlord have been scrutinised. The rent paid by M/s. Lufthansa was low compared to the prevailing market rent in 1954. Detailed probe by the Central Bureau of Investigation and by the Enforcement Directorate has not; however, brought out any irregularity in the payments to the landlord on account of the rent of the premises.

(c) Income-tax authorities are collecting taxes due from the landlord on the basis of the actual rent being paid for the premises in question. The assessments for the period during which the premises have been let out to Lufthansa Airlines, are however pending.

Insurance of Army Personnel

3952. Shri Shree Narayan Das:
Will the Minister of Finance be pleased to state:

(a) whether the question of offering coverage on attractive terms to young officers of the Indian Air Force from the time they win their Commissions to ensure their life, has been considered in the context of providing financial assistance to the families of officers who die during the tenure of their service;

(b) whether it is a fact that the insistence by the Life Insurance Corporation on going by the book rules while settling the claims of officers

killed either in action or during routine operation has not added to the popularity of life insurance in the Services; and

(c) if so, the steps being proposed to make life insurance attractive for them?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) and (c). According to the L.I.C., its terms for assurance on the lives of Air Force Personnel are liberal. Early in 1961, the L.I.C. reviewed its underwriting terms on the lives of Aviation Personnel and reduced the scales of extra premium payable by them.

(b) The Corporation has taken special steps to ensure prompt settlement of claims on the lives of Defence Personnel.

Assistance for Relief Works in States

3953. Shri Shree Narayan Das:

Shri Hukam Chand

Kachhavaia;

Shri Rameshwaranand:

Shri Raghunath Singh:

Shri Kapur Singh:

Shri Buta Singh:

Shri Narasimha Reddy:

Shri P. K. Deo:

Will the Minister of Finance be pleased to state:

(a) the demands in terms of loans and grants from the Central Government asked by the various States affected with scarcity and drought for relief and other schemes to meet the situation, State-wise; and

(b) the extent to which the demands for loans and grants have been met?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) and (b). A statement is laid on the Table of the House. [Placed in Library. See No. LT-6985/66].

Loans from Abroad

3954. Shri N. R. Laskar: Will the Minister of Finance be pleased to state the total amount of loan taken by India from abroad during the last year?

The Minister of Finance (Shri Sachindra Chaudhuri): The total amount of loans taken by India from abroad (agreements signed) during the last year (i.e. 1st September, 1965 to 31st August, 1966) amounted to Rs. 1026.43 Crores as under:—

(Rs. crores)

- | | |
|---|--------|
| (i) Loans repayable in foreign currency. | 691.37 |
| (ii) Loans repayable through export of goods. | 80.57 |
| (iii) Loans repayable in rupees. | 248.49 |

Total: 1026.43

दिल्ली में गन्दी बस्तियों की सफाई
सम्बन्धी मामले

3955. श्रीमती सावित्री निगम:

क्या निर्माण, आवास तथा नगरीय विकास
मंत्री यह बताने की कृपा करेंगे कि:

(क) गन्दी बस्ती सफाई (संशोधन)
अधिनियम के अन्तर्गत गन्दी बस्ती प्राधि-
कारी के पास इसके बनाये जाने से लेकर
अब तक कितने मामले दर्ज हुए हैं; और

(ख) अब तक कितने मामलों
का निर्णय किया जा चुका है?

निर्माण, आवास तथा नगरीय विकास
मंत्री (श्री मेहर चन्द खन्ना): (क) 2007

(ख) 777.

गांधी सागर बिजली घर

3956. श्री ठुक्रम चन्द कछाय :

श्री रामेश्वरानन्द :

श्री रघुनाथ सिंह :

श्री प्रकाशबोर शास्त्री :

क्या सिंचाई और विद्युत् मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि इस वर्ष भयंकर सूखा पड़ने से गांधी सागर बिजली घर में काम बंद हो गया था;

(ख) यदि हां, तो इस बिजली घर को चालू रखने के लिये सरकार ने क्या-क्या कार्यवाही की है;

(ग) इस बिजली घर से बिजली बन्द हो जाने के कारण सरकार को कितनी हानि हुई; और

(घ) जिन क्षेत्र को गान्धी सागर बिजली घर से बिजली दी जाती है उनको बिजली देने की अन्य क्या व्यवस्था की गई है?

सिंचाई और विद्युत् मंत्री श्री फल्गुन अहमद : (क) जी, हां। मई, 1966 में लगभग तीन हफ्तों के लिये।

(ख) जलाशय के स्तर के असधारण रूप से निम्न होने जाने के कारण बिजली घर को चालू रखना संभव नहीं था।

(ग) क्षति का ठीक-ठीक अनुमान लगाना कठिन है।

(घ) इन क्षेत्रों को ज्यादा से ज्यादा राहत देने के लिये कई एक आपत्कालीन उपाय किये गये थे, जिनमें से अधिक महत्वपूर्ण निम्नलिखित हैं :—

(1) भाखड़ा प्रणाल से सप्लाई क जा रही बजल को बढ़ाने के लिये

रतनगढ़ से जयपुर तक एक 132 के० वी० त्रेण-पथ का निर्माण।

(2) राजस्थान में डीजल सेटों को लगाना।

(3) मैसूर राज्य बिजली बोर्ड से प्राप्त किये गये 10 मैगावाट की क्षमता के गैस टर्बाइन सेट को कोटा में लगाना, तथा

(4) अमरकंटक कोरा प्रणाली में बिजली सप्लाई करने के लिये जालपुर से इटारसी तक एक 220 के० वी० संपर्क का निर्माण।

दिल्ली में पीने के पानी के बूथ

3957. श्री रामेश्वरानन्द :

श्री रघुनाथ सिंह :

क्या स्वास्थ्य तथा परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राजधानी में लम्बे तथा छोटे मार्गों पर पीने के पानी की कोई व्यवस्था नहीं है जिसके फलस्वरूप जनता को पीप्ले ऋतु में बड़ी कठिनाई उठानी पड़ती है; और

(ख) यदि हां, तो इसके क्या कारण हैं?

स्वास्थ्य तथा परिवार नियोजन मंत्री (डा० सुशीला नायर) : (क) दिल्ली नगर निगम ने बतलाया है कि दिल्ली के अधिकांश छोटे-छोटे मार्गों पर पर्याप्त सुविधाएं हैं दिल्ली नगर निगम के सारे क्षेत्र में 4000 से अधिक सार्वजनिक स्टैंड पोस्टों की व्यवस्था है।

नई दिल्ली नगरपालिका क्षेत्र में जनता के उपयोग के लिए सड़कों के किनारे प्रमुख स्थानों पर लगभग 100 सार्वजनिक नलके हैं। इन नलकों के अलावा सड़कों के किनारे काफी संख्या में प्याऊ लगाये गये हैं। दानियों के साथ मिल कर कनाट प्लेस तथा लोदी रोड में जनता को पीने का पानी देने के लिए कूलर भी लगा दिये गये हैं।

दिल्ली नगर निगम द्वारा रिंग रोड, मथुरा रोड आदि जैसे लम्बे मार्गों में ऐसी सुविधाएं सुलभ किये जाने की कोई व्यवस्था नहीं है। तथापि ऐसे मार्गों पर भी रिंग रोड के विस्तार में मथुरा रोड और महरौली रोड के मध्य तथा राजघाट से अलिपुर रोड तक पीने के पानी की कुछ सुविधाएं सुलभ हैं। इन सड़कों पर बस अथवा मोटर-कारों का यातायात है और उनकी आवश्यकताओं की पूर्ति सड़क पर बनी चाय-पानी की दुकानों तथा शीतल पेयों के स्टालों से, जो पीने का पानी भी रखते हैं, हो जाती है।

(ख) लम्बे मार्गों से अधिकांशतः गाड़ियों का ही यातायात होता है, ऐसे सड़कों पर पैदल यात्री अपेक्षाकृत कम आते जाते हैं जिनके लिए सड़क के किनारे पीने के पानी की व्यवस्था करनी पड़ती है।

बम्बई में चांदी का बरामद होना

3958. श्री रामेश्वरानन्द :
श्री हुकम चन्द कछवाय :
श्री रघुनाथ सिंह :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मई, 1966 के दूसरे सप्ताह में बम्बई में एक कार से 750 किलोग्राम वजन की चांदी की छड़ें बरामद हुई थीं ;

(ख) यदि हां, तो इस संबंध में क्या कार्यवाही की गई है ; और

(ग) कार के मालिक का नाम क्या था और चांदी की छड़ें कहाँ से लाई गई थीं ?

वित्त मंत्री (श्री शर्वान्द्र चौबरी) :
(क) और (ख). केन्द्रीय वित्त मंत्रालय के अधीन किन्हीं केन्द्रीय राजस्व अधिकारियों द्वारा ऐसी कोई वस्तु नहीं पकड़ी गयी है। किन्तु यह पता लगा है कि 10 मई, 1966 को बम्बई पुलिस ने बम्बई में एक कार से कुल मिलाकर 762 किलोग्राम वजन की चांदी की 25 छड़ें पकड़ी थीं। बाद में मुख्य प्रेजीडेन्सी मैजिस्ट्रेट, बम्बई, के आदेश के अधीन पुलिस द्वारा चांदी की छड़ें वापस कर दी गयीं।

(ग) बताया जाता है कि यह कार दिल्ली के श्री सुन्दर दास गोविन्द राम के नाम रजिस्टर है। चांदी की छड़ें कार में मेसर्स भीरूमल शामलदास के व्यापार-स्थान, शेख मेमन स्ट्रीट, बम्बई, से लादी गयीं थीं।

Revised C.H.S. Rules for the promotion of Doctors

3959. Shri Yashpal Singh: Will the Minister of Health and Family Planning be pleased to state:

(a) whether it is a fact that under the recently amended C.H.S. Rules the doctors are being promoted to Class I General Duty Medical Officers after the completion of five years' service in the C.H.S. irrespective of the date of their selection from U.P.S.C.; and

(b) if so, whether these promotions are likely to make any change in the present seniority list?

The Minister of Health and Family Planning (Dr. Sushila Nayar):
(a) and (b). All Medical Officers who have been appointed on the recommendation of the Union Public Service Commission to Category 'E' or equivalent posts, on a regular basis, under the existing Central Health Service Rules, and have rendered not less than five years service in that Category or equi-

valent posts from the date of their appointment on the recommendation of the U.P.S.C. or a D.P.C. or a duly constituted Selection Committee, would be considered for promotion to the grade of General Duty Medical Officer Class I, on the basis of their record of service. The possibility of some change in the present seniority list of officers cannot be ruled out.

Orthopaedic Treatment to C. G. H. S. Beneficiaries

3960. Shri Yashpal Singh: Will the Minister of Health and Family Planning be pleased to state:

(a) whether Government have received representations from the Central Government Health Services beneficiaries regarding the creation of a separate Central Government Health Services Wing in the Willingdon and Safdarjang Hospitals for the orthopaedic treatment; and

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

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) No such representation has been received in the recent past.

(b) Does not arise.

Popularisation of Natural Family Planning Measures

3961. Shri Yashpal Singh: Will the Minister of Health and Family Planning be pleased to state the steps taken for popularising family planning in the country other than those involving the use of contraceptive methods?

The Minister of Health and Family Planning (Dr. Sushila Nayar): Family Planning workers at all levels explain to the people all methods of family planning, including Brahmacharya or abstinence, late marriage, Coitus interruptus and rhythm method or safe period method. It is explained that self control is the best method. For those who want other assistance Conventional Contraceptives are made avail-

able. Sterilisation for those who have had three or more children and loop for those who might wish to have another child are other methods which are explained and made available if so desired.

All-India Seminar on Town and Country Planning

3962. Shri Bagri:

Dr. Ram Manohar Lohia:

Shri Kishen Pattanayak:

Shri Maurya:

Shri Ram Sewak Yadav:

Shri Madhu Limaye:

Will the Minister of Works, Housing and Urban Development be pleased to refer to the reply given to Unstarred Question No. 4591 on the 28th April, 1966 regarding the All-India Seminar on Town and Country Planning and state:

(a) whether the recommendations made at the Seminar has since been examined by Government; and

(b) if so, the decision taken by Government thereon?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) and (b). A statement is laid on the Table of the House. [Placed in Library. See No. LT-6986/66].

Foreign Exchange Violations by Air India's Executive

3963. Shri Gulshan: Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 5524 on the 12th May, 1966 regarding foreign exchange violations by Air India's General Manager and state:

(a) whether the allegations have since been enquired into;

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

(c) the action taken thereon?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Yes, Sir.

(b) and (c). Investigations have revealed that there had been no contravention under the Foreign Exchange Regulation Act regarding travel abroad of the General Manager of Air India and his sons.

दिल्ली के कारखानों का स्था.ान्तरण

3964. श्री रामेश्वरानन्द :

श्री ठुक्रम चन्द कछवाय :

श्री रघुनाथ सिंह :

क्या निर्माण, आवास तथा नगरीय विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली के कारखानों को, जिनसे दिल्ली के नागरिकों के जीवन तथा सम्पत्ति को खतरे की आशंका है, उन के स्थानान्तरण करने का प्रस्ताव दिल्ली नगर निगम के विचाराधीन है ;

(ख) क्या सरकार इन कारखानों के लिये सस्ते दामों पर प्लॉट देने के लिये विचार कर रही है ;

(ग) यदि हां, तो कितने कारखानों का स्थानान्तरण किया जायेगा तथा उन स्थानों के नाम जहाँ उनका स्थानान्तरण किया जायेगा ; और

(घ) यह कार्य कब पूरा हो जायेगा ?

निर्माण, आवास तथा नगरीय विकास मंत्री (श्री मेहरचन्द खन्ना) : (क) जी हां। दिल्ली की वृहद योजना में औद्योगिक यूनिटों/फैक्टरियों को अपुष्टात्मक क्षेत्रों (नान कन्फर्मिंग एरियाज) से पुष्टात्मक क्षेत्रों (कन्फर्मिंग एरियाज) में हटा कर ले जाने पर विचार किया गया है।

(ख) इन औद्योगिक यूनिटों/फैक्टरियों को भूमि सुरक्षित मूल्य पर आवंटित की जा रही है

(ग) लगभग 10,000 औद्योगिक यूनिटों/फैक्टरियों को नजफगढ़ औद्योगिक क्षेत्र, ओखला औद्योगिक क्षेत्र, आजादपुर औद्योगिक क्षेत्र, रोहतक रोड औद्योगिक क्षेत्र तथा शाहदरा औद्योगिक क्षेत्र में ले जाने का प्रस्ताव है।

(घ) क्योंकि स्थानान्तरण आवश्यक सेवाओं की व्यवस्था हो जाने के बाद ही संभव है अतएव यह निर्णय किया गया है कि :—

(i) सबसे पहले हानिकर उद्योगों को उनके वर्तमान स्थान से स्थानान्तरित किया जाये तथा इसके लिए उन्हें तीन वर्ष की अवधि की अनुमति दी जाये। यदि पूंजी की लागत एक लाख रुपये से अधिक है तो उन्हें एक अथवा दो वर्ष की और अनुमति दे दी जाये ;

(ii) उत्पातात्मक उद्योगों (न्यू-मैन्स इन्डस्ट्रीज) को उसके कर्मचारियों की संख्या, उत्पादन, फूलोर एरिया तथा पूंजी मूल्य के आधार पर चार वर्ष से लेकर दस वर्ष तक की अनुमति दे दी जाये ; तथा

(iii) अ-उत्पातात्मक उद्योगों (नानन्यू-मैन्स इन्डस्ट्रीज) को छः से बीस वर्ष तक की अनुमति दी जाये।

Prices of Land in Delhi

3965. **Shri Maurya:**
Shri Bagri:

Will the Minister of Works, Housing and Urban Development be pleased to state:

(a) whether Government have seen the press reports that prices of resi-

dential plots have gone very high in the capital during the last one year;

(b) if so, the reasons therefor;

(c) whether Government have any proposal under consideration that plots should be allotted to low-income group at cheap rates; and

(d) if so, the details thereof?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) Yes.

(b) The reasons are influx of new population, demand for more land and good returns from urban property.

(c) and (d). Under the scheme of large scale acquisition, development and disposal of land in Delhi, plots below 200 square yards are already being allotted to individuals in the low income group at reserve price by draw of lots.

Roshanara Paints and Varnish Works, Delhi

**3966. Shri Maurya:
Shri Bagri:**

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that management of the Roshanara Paints and Varnish Works, Subzi Mandi, (Roop Nagar) are showing their Balance Sheet in loss;

(b) whether it is also a fact that the Company is earning lakhs of rupees yearly; and

(c) if so, whether Government propose to hold an inquiry into the Balance Sheet of the Company?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Yes, Sir.

(b) and (c). There is no such information. The results shown in the Balance Sheets are being enquired into.

जमींदारी उन्मूलन अधिनियम

3967. श्री बिभूति मिश्र : क्या योजना और समाज कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सभी राज्यों में जमींदारी उन्मूलन अधिनियम पारित कर दिया है और उसको लागू कर दिया है;

(ख) यदि हां, तो क्या यह अधिनियम टाटानगर (जमशेदपुर) को छोड़ कर समस्त बिहार में लागू है;

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

(घ) क्या केन्द्रीय सरकार ने बिहार सरकार को सलाह दी थी कि टाटानगर में इसको लागू नहीं किया जाये?

योजना तथा समाज कल्याण मंत्री (श्री अशोक मेहता) : (क) सभी राज्यों में मध्यवर्ती पट्टेदारी को समाप्त करने के कानून बनाए जा चुके हैं और सामान्यतया कार्यान्वित किए जा चुके हैं।

(ख) से (घ). बिहार भूमि सुधार अधिनियम, 1950 जिसमें मध्यवर्ती पट्टेदारी को समाप्त करने की व्यवस्था की गई है, टाटानगर सहित सारे बिहार में लागू है, केवल इसमें वह भूमि शामिल नहीं है जो भूमि अधिग्रहण अधिनियम, 1894 के अन्तर्गत औद्योगिक कार्यों के लिए अधिग्रहण की गई थी, जिसमें काश्तकारों को दखलदारी अधिकार प्राप्त नहीं हुआ है।

**केन्द्रीय उत्पादन शुल्क विभाग,
पटना के कर्मचारी**

3968. श्री बिभूति मिश्र : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय उत्पादन-शुल्क विभाग के अराजपत्रित कर्म-

चारी 1 जून, 1966 को राजस्व मंत्री के पटना के दौरे के समय उनसे मिले थे ;

(ख) यदि हां, तो उनकी शिकायतों और मांगों का ब्यौरा क्या है ; और

(ग) सरकार ने किस सीमा तक उनकी मांगें स्वीकार कर ली हैं ?

वित्त मंत्री (श्री शचीन्द्र चौधरी) :

(क) जी हां

(ख) केन्द्रीय उत्पादन शुल्क सभाहर्ता कार्यालय, पटना के केन्द्रीय उत्पादन शुल्क (अराजपत्रित) कर्मचारी संघ के प्रतिनिधियों ने यह मांग की है कि केन्द्रीय उत्पादन शुल्क के उप-अधीक्षकों की केन्द्रीय उत्पादन शुल्क अधीक्षक, श्रेणी-II के राजपत्रित ग्रेड पर पदोन्नति क्षेत्रानुसार नहीं करते हुए, जैसी इस समय की जाती है, अलग अलग सभाहर्ता कार्यालय के अनुसार की जानी चाहिये।

(ग) प्रार्थना पर योग्य विचार किया जायगा।

निजामसागर जलाशय

3969. श्री प्रकाशबीर शास्त्री क्या : सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या निजामाबाद के निकट आन्ध्र प्रदेश के निजामसागर विशाल जलाशय की गहराई वहां पर रेत आदि भर जाने के कारण काफी कम हो गई है ;

(ख) क्या इसके परिणामस्वरूप सिंचाई व्यवस्था में भी बहुत कठिनाई अनुभव की जा रही है ;

(ग) क्या केन्द्रीय सरकार को भी इस संबंध में कोई ज्ञापन प्राप्त हुआ है ; और

(घ) यदि हां, तो निजामसागर जलाशय से रेत आदि को निकालने के लिये क्या प्रबंध किये गये हैं ?

सिंचाई और विद्युत मंत्री (श्री फख्रुद्दीन अहमद) : (क) गाद भर जाने के कारण कुछ हद तक जलाशय की गहराई कम हो गई है।

(ख) जी नहीं।

(ग) जी, नहीं।

(घ) आन्ध्र प्रदेश अग्निपत्रण अनुसंधान प्रयोगशाला इस समस्या का अध्ययन कर रही है और किसी समाधान के मिल जाने पर राज्य सरकार आवश्यक पग उठाएगी। परन्तु जलाशय की क्षमता को बनाए रखने के लिये क्षीण हो गई क्षमता को ठीक ठीक आंकने के पश्चात पूर्ण जलाशय स्तर को ऊंचा करने का विचार है।

Flood Control Schemes in Andhra Pradesh

3970. Shri Kolla Venkaiah: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Government of Andhra Pradesh have prepared any flood control schemes in the light of Expert Committee's Report on flood control in Andhra Pradesh;

(b) if so, the scheme submitted by them;

(c) the cost of each of the flood control schemes submitted;

(d) the grant or aid to be given by the Central Government to such schemes; and

(e) the action taken by the Central Government on the schemes submitted?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed) : (a) The Government of Andhra Pradesh are at present preparing detailed plans and estimates for various flood control and drainage schemes recommended by the Expert Committee on floods in Andhra Pradesh.

(b) No specific schemes have so far been submitted by the State Government.

(c) to (e). Do not arise.

Water Projects

3971. Shri Bibhuti Mishra: Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government's attention has been drawn to the news-item published in the Searchlight (Patna) of the 8th June, 1966 under the heading 'Water Projects vital to India';

(b) whether U.S.A. has given any indication to help India in solving irrigation, water logging and salinity problems; and

(c) if so, the details thereof?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

(a) Yes.

(b) and (c). Assistance through International agencies such as the Food and Agriculture Organisation; International Bank for Reconstruction and Development and International Development Association, is being made available for certain schemes such as the Punjab Flood Control and Drainage Scheme, and Tubewells in U.P.

Wakf Act, 1954

3972. Shri Kolla Venkaiah: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the All-India Muslim Wakf Conference held in 1960 had suggested amendments to the Wakf Act of 1954;

(b) if so, the amendments suggested; and

(c) the reaction of Government thereto?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

(a) to (c). An inter-State Wakf Conference was held in December, 1960,

which had suggested amendments to certain provisions of the Wakf Act, 1964, to ensure efficient working of the State Wakf Boards. Accordingly, Wakf Act, 1954, was amended on the basis of the recommendations accepted by the Government. The amending Bill was passed by Parliament in October, 1964.

Pochampad Project

3973. Shri Kolla Venkaiah: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the main work at the site of the Pochampad Project has been held up due to paucity of funds;

(b) if so, whether the State Government have made any representation to allot additional amount for the project;

(c) if so, the amount requested for; and

(d) the decision taken by the Government thereon?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

(a) to (d). The Government of Andhra Pradesh have sent a proposal for accelerating the construction of the Pochampad Project and have indicated that if funds to the extent of Rs. 18 crores are made available for expenditure on the project from 1966-67 to 1969-70, it would be possible to create irrigation potential for 2.70 lakh acres (1.80 lakh acres of first crop and 0.90 lakh acres of second crop by June, 1969. The State Government have requested for an additional allocation of Rs. 230 lakhs during 1966-67, over the approved outlay of Rs. 120 lakhs. The proposal is under consideration.

Salal Hydro Electric Project

**3974. Shri P. R. Chakraverti:
Shri Vishwa Nath Pandey:**

Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that Government have decided to take over

the Salal Hydro Electric Project in Jammu;

(b) if so, when; and

(c) the total amount of expenditure on the scheme?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed): (a) to (c). The Salal Hydro-electric Project is still at the investigation stage. A decision thereon will be taken after investigations are completed and the project report finalised. The cost of the project can be estimated only after the investigations are completed and the project report is finalised.

Currency and Diamonds seized in Bombay

3975. **Shri Baswant:**
Shri Vishwa Nath Pandey:
Shri Bade:
Shri Hukam Chand
Kachhavalaya:
Shri Kishen Pattnayak:
Shri Madhu Limaye:
Dr. Ram Manohar Lohia:
Shri Onkar Lal Berwa:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Indian currency and diamonds worth about rupees three lakhs were seized from the office premises and residences of diamond merchants and insurance agents in Bombay during June, 1966 by the Enforcement Directorate and Bombay Customs; and

(b) the action taken by Government in the matter so far?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Searches of the residential premises of a diamond merchant and an insurance agent and the premises of a firm dealing in rough and polished diamonds were carried out by the officers of the Enforcement Directorate and the Bombay Customs on 15-6-1966 and 16-6-66 and Rs. 78,700 worth of Indian Currency and diamonds valued at Rs. 3.4 lakhs were seized.

(b) One person was arrested and released on bail on 17-6-66. A motor car believed to have been used in the transportation of smuggled diamonds has been seized but released on a bond pending adjudication. Further investigations are in progress, on completion of which action will be taken to adjudicate the cases and to launch prosecution where necessary. Regarding the seized Indian currency which has been handed over to the Income-tax authorities, further enquiries relating to proceedings under Section 132 of the Income-tax Act, 1961 are in progress.

मनमाड स्टेशन पर पकड़ा गया
 सोना

3976. श्री बसवन्त :
 श्री विश्वनाथ पाण्डेय :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 5 जून, 1966 को मनमाड रेलवे स्टेशन पर केन्द्रीय उत्पादन शुल्क विभाग के कर्मचारियों ने बम्बई-वाराणसी एक्सप्रेस से उतरने वाले एक व्यक्ति के कब्जे से 56,000 रुपये के मूल्य का लगभग 300 तोले अवैध सोना बरामद किया था ; और

(ख) यदि हां, तो सरकार की इस सम्बन्ध में क्या प्रतिक्रिया है ?

वित्त मंत्री (श्री शचीन्द्र चौबरी) :

(क) केन्द्रीय उत्पादन-शुल्क अधिकारियों ने 5 जून, 1966 को मनमाड रेलवे स्टेशन पर वाराणसी को जाने वाली बम्बई-वाराणसी एक्सप्रेस से सफ़र कर रहे एक व्यक्ति को पकड़ा और उसके पास से विदेशी भाई का 300 तोले सोना बरामद किया जिसका मूल्य तत्कालीन अन्तर्राष्ट्रीय दर से 18,750 रुपये था ।

(ख) उस व्यक्ति को गिरफ्तार कर लिया गया था और बाद में जमानत पर

छोड़ दिया गया मामले पर न्याय-निर्णय किया जा रहा है।

इलाहाबाद रेलवे स्टेशन पर यात्रियों
से सोना पकड़ा जाना

3977. श्री बसवन्त :

श्री विश्वनाथ पाण्डेय :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 9 जून, 1966 को इलाहाबाद जंक्शन रेलवे स्टेशन (उत्तर प्रदेश) पर केन्द्रीय उत्पादन/शुल्क सीमा-शुल्क विभाग के कर्मचारियों की एक टोली ने दो महिलाओं के कब्जे से 100 तोले विदेशी सोना बरामद किया था;

(ख) यदि हां, तो इस सम्बन्ध में सरकार की प्रतिक्रिया क्या है; और

(ग) इस मामले में क्या कार्यवाही की गई है ?

वित्त मंत्री (श्री सचिन्द्र चौबरी) :

(क) 7 जून, 1966 को केन्द्रीय उत्पादन शुल्क अफसरों ने इलाहाबाद रेलवे स्टेशन पर दो औरतों को रोका और उनके पास से विदेशी मार्का का 100 तोला सोना तथा 38,250 रु० की भारतीय मुद्रा पकड़ी।

(ख) और (ग). इन दोनों औरतों को गिरफ्तार कर लिया गया था और बाद में जमानत पर रिहा कर दिया गया। जांच-पड़ताल जारी है।

M/s. Bird & Co.

3978. Shrimati Renu Chakravartty: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that a show-cause notice on carpet-booking transactions of M/s. Becker Grey exporters for M/s. Bird and Company between March, 1963 and 30th November, 1963 are not being issued; and

(b) if so, the reasons therefor?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) and (b). It is a fact that no show-cause notices have been issued to M/s. Becker Grey & Co. and M/s. Bird & Co. regarding exports of jute carpet backing cloth between March, 1963 and 30th November, 1963. The evidence pertaining to these exports did not justify any such action.

M/s. Bird & Co.

3979. Shrimati Renu Chakravartty: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that during the examination of M/s. Bird and Company's foreign exchange case, Rs. 25 lakhs could not be accounted in the accounts of M/s. Becker Grey, the exporting company of M/s. Bird and Company; and

(b) whether the Director concerned has been removed for not being able to explain as to why this amount was missing?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) and (b). A discrepancy of about Rs. 25 lakhs was noticed in the accounts of Messrs. Becker Grey. While the loss of foreign exchange on account of under-invoicing has already been adjudicated upon and is now under appeal by the party, the discrepancy referred to is being further investigated in order to ascertain if any offence has been committed. Until such investigation is completed the responsibility of the Director, if any, in the matter cannot be fixed, and the question of his removal does not arise.

Problem of U.P. Hill Districts

3980. Shri P. R. Chakravarti:
Shri H. C. Linga Reddy:
Shri Hari Vishnu Kamath:
Shri Hem Raj:
Shri Daljit Singh:

Shri Vishwa Nath Pandey:
Shri Dighe:

Will the Minister of **Planning and Social Welfare** be pleased to state:

(a) whether Government have decided to introduce a separate pattern of Planning for U.P. Hill Districts, the problems of which were different from those of the plains;

(b) whether Government have made any survey to find out the extent of backwardness in hill region;

(c) whether special allotment of funds has been made with a view to develop these areas; and

(d) the provision made to promote forest-based cottage industries and extend scientific and technical education?

The Minister of Planning and Social Welfare (Shri Asoka Mehta): (a) to (d). The development plans for the Uttar Pradesh hill districts, constitute part of the State Plan of Uttar Pradesh. Certain guide-lines emphasising the special problems of hill area development, are being forwarded to the State Government by the Planning Commission, with a request that they receive the State Government's attention in the formulation of the State Plan. In the light of those, guide-lines, the State Government will doubtless examine in details, the needs of these hill districts and prepare specific development programmes for these districts. In the Draft Outline of the Fourth Five Year Plan, a supplementary provision has been made of Rs. 40 crores for the development of all hill areas in the country.

बम्बई में फर्मों से जस्त दस्तावेज

3981. श्री अँकार लाल बेरवा :

श्री हुकम चन्द कश्यप :

श्री काशी राम गुप्त :

श्री रघुनाथ सिंह :

श्री बड़े :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आयकर अधिकारियों ने

दिसम्बर, 1964 में बम्बई में कुछ वित्तीय एजेंसियों से कुछ कागजात जप्त किये थे ;

(ख) यदि हां, तो किन-किन फर्मों के साथ उनका सम्बन्ध था ;

(ग) सरकार ने कितने फर्मों के विरुद्ध कार्यवाही की ;

(घ) दोगी पाये गये फर्मों के विरुद्ध क्या कार्यवाही की गई ; और

(ङ) अन्य फर्मों के विरुद्ध कार्यवाही न करने के क्या कारण थे ?

वित्त मंत्री (श्री शचीन्द्र चौधरी) (क)
जी, हां ।

(ख) प्रत्येक हुन्डी बैंकर ने अपना नाम, अपने कई मूविकलों को उनका अपना धन हुन्डी ऋणों में लगाने के लिये, वेनामी तौर पर काम में लेने के लिये दिया हुआ था । बम्बई में तथा बम्बई के बाहर के बहुत सारे लोगों ने अपना धन हुन्डी ऋण में लगाया था । उसा कई वर्षों से हो रहा था । इसके अलावा उनमें से कुछ लोग हिसाब किताब भी नहीं रखते थे । इसलिये पूरी सूची बनाना सम्भव नहीं होगा । यहां तक कि अधूरी सूची बनाने में भी बहुत ज्यादा समय लगेगा क्योंकि इनकी संख्या हजार से भी ऊपर हो सकती है ।

(ग) जिन बैंकरों ने अपना नाम वेनामी तौर पर काम में लेने के लिए दिया था, उनकी सूची देश के सभी आयकर अधिकारियों के पास भेजी गई थी और उनसे कहा गया था कि इन नाम-उधार देने वाले लोगों द्वारा ऋण में लगाये गये धन को प्रत्यक्ष प्रमाण के बिना प्रामाणिक स्वीकार नहीं किया जाय । जिन लोगों ने इन वेनामी नामों पर अपना धन लगाया था, उनके नामों को देश भर के आयकर अधिकारियों से इकट्ठा करने में बहुत अधिक परिश्रम की आवश्यकता होगी ।

(घ) अनेक व्यक्तियों ने, जिन्होंने अपना धन हुन्डी ऋणों में लगा रखा था वित्त अधिनियम 1965 की धारा 68 तथा वित्त (सं. 2) अधिनियम 1965 की धारा 24 के अन्तर्गत स्वेच्छा से धन प्रकट करने की योजना का लाभ उठाया और हुन्डी ऋण की रकमों को कर-निर्धारण के लिये घोषित कर दिया। इन योजनाओं के अन्तर्गत कोई दण्ड नहीं लगाया जा सकता था। कुछ व्यक्तियों ने हुन्डी की रकम को आय के रूप में कर-निर्धारण के लिये प्रस्तुत किया और आयकर अधिनियम की धारा 271 (4क) के अन्तर्गत दण्ड माफ़ कराने अथवा कम कराने के लिये प्रार्थना की तथा प्रत्येक मामले के गुण-दोष के अनुसार दण्ड की मात्रा निश्चित की गई। 30 सितम्बर, 1965 तक इस प्रकार कर-निर्धारण के लिये प्रस्तुत की गई रकम 32,58,005 रुपये थी। इसके बाद की अवधि के इसी प्रकार के आंकड़े उपलब्ध नहीं हैं। उन व्यक्तियों के बारे में, जिन्होंने हुन्डी की रकम इस प्रकार कर-निर्धारण के लिये प्रस्तुत नहीं की, सामान्य रूप से कर-निर्धारण किया जा रहा है और प्रत्येक मामले की परिस्थितियों के अनुसार दण्ड की मात्रा निश्चित की जा रही है।

(ङ) प्रश्न नहीं उठता।

Over-Bridge connecting Bally Gung with Kasba in Calcutta

3982. Dr. Ranen Sen: Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether it is a fact that the Calcutta Metropolitan Planning Organisation has sanctioned a plan for an over-bridge connecting Bally Gung with Kasba in Calcutta with the approval of the Planning Commission;

(b) whether the local people have submitted an alternate plan for the over-bridge to the Calcutta Metropolitan Planning Organisation more suited to the local conditions; and

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

The Minister of Planning and Social Welfare (Shri Asoka Mehta):

(a) The Calcutta Improvement Trust has prepared a scheme for an over-bridge at Kasba. The scheme has been submitted by the C.I.T. to the State Government's Development and Planning Department for financial assistance for its execution. But the scheme is yet to be submitted by the C.I.T. for final sanction of the State Government under the Calcutta Improvement Act, 1911.

(b) and (c). An alternative scheme presented by some local people and submitted directly to the Government has been referred to the Calcutta Metropolitan Planning Organisation for technical scrutiny. The matter is now under the technical scrutiny in the C.M.P.O. and the C.M.P.O.'s views on the same are expected to be finalised soon.

Power Shortage in Punjab

3983. Shri D. C. Sharma: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Punjab State have asked for any technical or other assistance to obviate the continuing power shortage in the State and resultant loss to them; and

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

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed): (a) No.

(b) Does not arise.

रेलवे पुलिस कर्मचारियों द्वारा अफीम का अवैध व्यापार

3984. श्री हुक्म चन्द कट्वाय :
श्री विश्राम प्रसाद :

क्या वित्त मंत्री यह यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि शामगढ़

(मध्य प्रदेश) के रेलवे पुलिस कर्मचारी अफीम का अवैध व्यापार करते हैं ;

(ख) क्या वह भी सच है कि इन्दौर के पुलिस उप-निरीक्षक ने 2 जुलाई, 1966 को रेलवे पुलिस के कर्मचारियों को अफीम का व्यापार करते हुए रंगे हाथों पकड़ा ;

(ग) क्या इस उप-निरीक्षक ने फ्रंटियर मेन के पहले दर्जे के डिग्रे के एक परिचारक के बारे में भी, जिसने बम्बई को कुछ अफीम भेजी थी, बम्बई पुलिस को सूचित किया ;

(घ) यदि हां, तो क्या वह अफीम भी पकड़ ली गई ; और

(ङ) सरकार द्वारा इस मामले में क्या कार्यवाही की जा रही है ?

वित्त मंत्री (श्री शचीन्द्र चौधरी): (क) अफीम के चोरी छिपे व्यापार में शामगढ़ के कुछ रेलवे पुलिस कर्मचारियों का हाथ होने का सन्देह है।

(ख) मंदसौर और शामगढ़ की पुलिस तथा नारकोटिक्स विभाग के कर्मचारियों की सहायता से इन्दौर के पुलिस उप-निरीक्षक ने 2 जुलाई, 1966 को शामगढ़ में सरकारी रेलवे पुलिस के एक सिपाही के घर से 20 किलोग्राम अफीम बरामद की।

(ग) जी, हां।

(घ) बम्बई पुलिस द्वारा पूछ ताछ किये जाने पर सूचना गलत पाई गई और कोई अफीम बरामद नहीं हुई।

(ङ) 2 जुलाई को रेलवे पुलिस के सिपाही के घर से 20 किलोग्राम अफीम पकड़ी जाने पर छः अन्य व्यक्तियों को पकड़ा गया जो पुलिस कर्मचारी नहीं थे परन्तु उन पर चोरी छिपे व्यापार करने का सन्देह था। सिपाही को इस मामले में दोषी ठहराया गया है। मामला दर्ज कर लिया गया है और पुलिस द्वारा जांच पड़ताल की जा रही है।

Water supply in Bombay

3985. Shri Jashvant Mehta:
Shri Baswant:

Will the Minister of **Health and Family Planning** be pleased to state:

(a) whether it is a fact that the Government of Maharashtra have sought recently the assistance of the Central Government to meet its deteriorating water supply to the city of Bombay;

(b) if so, the nature thereof; and

(c) the steps Government have taken to meet their request?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) Yes.

(b) The Government of Maharashtra have drawn up various schemes for the augmentation of Bombay City Water Supply. Schemes which are being undertaken and which are contemplated are as follow:—

Source	Supply available	Cost Rs.	Period of construction.
(i) Dahisar Scheme	6MGD	3.5 crores	Already started & will be completed by 1971.
(ii) Upper Vaitarna Scheme.	120MGD	37.36 „	Already started & will be completed by 1970.
(iii) Bhatsai River Scheme	250MGD	66.20 „	1966-74.
(iv) Upper Kalu Scheme.	200MGD	60.00 „	1974-81.

(c) The question of getting financial assistance for Bhatsai water supply scheme from the World Bank is under negotiation.

to state:

(a) whether it is a fact that the Life Insurance Corporation has introduced computer processing on a mass-scale;

Electronic Computers

3986. Shri Jashvant Mehta: Will the Minister of **Finance** be pleased

(b) if so, the places where computer machines have been installed; and

(c) whether it has actually resulted in the over-all cost reduction?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) and (b). The Life Insurance Corporation of India has decided to introduce computer processing at only two of its 36 Divisional Offices. One of the two computers has already been installed at Bombay and the other one is proposed to be installed at Calcutta.

(c) As computer at Bombay was installed only in November, 1965 and has so far made trial runs, it is premature to give any results in cost reduction.

Rural Credit

3987. Shri Dighe:

Shri Vishwa Nath Pandey:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Reserve Bank of India has appointed a High Power Committee to review the supply of rural credit and allied matters in the context of the Fourth Plan, and in particular of the requirements of the intensive programmes of agricultural production in different parts of the country;

(b) if so, when; and

(c) the personnel of the Committee?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Yes.

(b) On the 1st July, 1966.

(c) The personnel of the Committee are:—

1. Shri B. Venkatappiah, former Chairman of the State Bank of India.—Chairman.
2. Dr. D. R. Gadgil, Chairman,

All-India State Cooperative Banks' Federation.—Member.

3. Shri M. R. Bhide, Deputy Governor, Reserve Bank of India.—Member.

4. Shri B. Sivaraman, Secretary, Ministry of Food, Agriculture, Community Development and Co-operation (Department of Agriculture).—Member.

5. Shri N. Ramananda Rao, Managing Director, State Bank of India.—Member.

6. Shri B. Majumdar, President, West Bengal Provincial Co-operative Bank.—Member.

7. Shri C. G. Ramasubbu, Deputy Chief Officer, Agricultural Credit Department, Reserve Bank of India.—Secretary.

D.V.C. Power for traction purposes

3988. Shri J. B. Singh: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that cheap Damodar Valley Corporation Power is not available to the Indian Railways for traction purposes in some parts of the Eastern Region due to certain policy decisions of the Governments of Bihar and West Bengal with the consent of the Central Government;

(b) if so, the reasons therefor; and

(c) whether the benefit for Damodar Valley Corporation supplying electricity to Railways is not available to Bihar and West Bengal in view of their participation in the power schemes of the D. V. C. and if so, the reasons for encouraging the tendency of isolation?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

(a) to (c). Requirements of power for railway traction in certain locations in the Eastern Region outside the limits of the Damodar Valley were being met by the D. V. C. with

the permission of the State Governments as required under section 18 of the D. V. C. Act. The present pattern of power distribution in the D.V.C., Bihar and West Bengal regions as agreed to between the participating Governments is that the D.V.C. will be responsible to meet loads inside the valley and the State Governments of West Bengal and Bihar will meet the respective loads outside the limits of the Valley through the State Electricity Boards. In accordance with this pattern, certain traction loads outside the limits of the Damodar Valley have been taken over by the State Electricity Boards. The profits earned by D.V.C. in respect of power supply are shared equally between West Bengal, Bihar and Central Government.

बिक्री कर में वृद्धि

१९८९. श्री सरजू पाण्डेय : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सम्बन्ध देश भर में बिक्री-कर की दर को २ प्रतिशत से ३ प्रतिशत तक बढ़ा दिया गया है ;

(ख) क्या यह सच है कि दिल्ली में बिक्री कर की दर केवल ९ प्रतिशत है ; और

(ग) यदि हां, तो इसके क्या कारण हैं ?

वित्त मंत्री (श्री शचीन्द्र चौधरी) :

(क) अनुमान है कि यह प्रश्न केन्द्रीय बिक्री-कर के सम्बन्ध में है जो केन्द्रीय विधान द्वारा शासित होता है और सामान्य बिक्री-कर के सम्बन्ध में नहीं है जो राज्य विधान द्वारा निश्चित किया जाता है ।

केन्द्रीय बिक्री-कर १ जुलाई, १९६६ से २ प्रतिशत से बढ़ा कर ३ प्रतिशत कर दिया गया है ।

(ख) केन्द्रीय बिक्री-कर को अधिकतम दर ३ प्रतिशत है इसलिए यह दिल्ली में ९ प्रतिशत की दर से नहीं लगाया जा सकता । वस्तुतः दिल्ली में केन्द्रीय बिक्री-कर की सामान्य दर प्रति ११ है, परन्तु दिल्ली से फिर से बाहर जाने वालों जिन कुछ प्रकार की वस्तुओं पर उनके दिल्ली में आयात के समय केन्द्रीय बिक्री-कर लगता है, उन पर, कुछ शर्तों के साथ, केन्द्रीय बिक्री-कर १ प्रतिशत की दर से लगाया जाता है ।

(ग) दिल्ली में कुछ प्रकार के लेनदेन के बारे में १ प्रतिशत की गिरावट दी जाती है क्योंकि अन्य राज्यों के विपरीत दिल्ली के व्यापार में एक बड़ा हिस्सा ऐसे माल का होता है जो दूसरे राज्यों से दिल्ली में लाया जाता है और फिर यहां से पड़ोसी राज्यों को ले जाया जाता है ।

Calcutta Metropolitan Water Board

३९९०. Dr. Ranen Sen:

Dr. U. Misra:

Shri Badrudduja:

Shri H. P. Chatterjee:

Will the Minister of Health and Family Planning be pleased to state:

(a) the progress made in setting up Metropolitan Water Board in Calcutta to remove the water scarcity in the city and suburbs; and

(b) how long it will take to improve the water supply and sanitary situation in the city?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) The Calcutta Metropolitan Water and Sanitation Authority Act, 1966 as passed by the West Bengal Legislature received the assent of the President on the 26th May, 1966. The Act provides for the establishment of an Authority for the maintenance, development and regulation of water supply, sewerage and drainage services and for the collection and disposal of garbage in the Calcutta Metropolitan District with a view to promote public health and for

matters connected therewith from such date as the State Government may notify.

(b) It is not possible to give any specific information in this regard.

Narmada Project

3991. Shri Jashvant Mehta:
Shri P. R. Patel:
Shri D. J. Naik:
Shri N. N. Patel:
Shri Ram Harkh Yadav:
Shri Madhu Limaye:
Shri Kishen Pattnayak:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 511 on the 28th July, 1966 regarding Narmada Project and state:

(a) the outcome of the joint meeting of the officials of the States concerned and meeting of technical experts;

(b) whether Government have completed discussions with Chief Ministers of different States; and

(c) if so, the result thereof?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed): (a) to (c). The officials including technical experts met on various dates from 19th July, 1966 to August 14th, 1966 and prepared a record of their discussions and conclusions on various technical aspects of the Narmada Water Resources Development. Afterwards a joint meeting of the Chief Ministers was held on 22nd August, 1966, where frank and helpful discussions took place. There was appreciation and understanding of each others' view points. In the course of the discussions, some suggestions emerged and it was decided that these should be discussed later among the Chief Ministers themselves. A further meeting of the Chief Ministers with the Union Minister of Irrigation and Power is expected to be held after the matter has been discussed among the Chief Ministers.

Seminar on Employment

3992. Shri H. C. Soy: Will the Minister of Planning and Social Welfare be pleased to state how many recommendations made by the seminar on Employment of Scheduled Castes and Scheduled Tribes held in January-February, 1964 have been implemented so far and to what extent?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): The required information, which is based on the replies received from the State Governments etc., is given in the statement laid on the Table of the House. [Placed in Library. See LT-6987/66].

दिल्ली में एक लड़की का शील भंग किये जाने का समाचार

3993. श्री यु० द० सिंह :

श्री हुक्म चन्द कछवाय :

क्या स्वास्थ्य तथा परिवार नियोजन मंत्री यह बताने की कृपा करेंगी :

(क) क्या सरकार का ध्यान दिल्ली से प्रकाशित होने वाले 'विजय' में जुलाई 1966 में प्रकाशित किये गये इस आशय के समाचार की ओर दिलाया गया है कि पटरी पर सामान बेचने वालों का चालान करने वाले नई दिल्ली नगरपालिका के कर्मचारी भुट्टे बेच रही एक युवती को ट्रक में बिठा कर ले गये और उन्होंने उसका शील भंग किया ;

(ख) क्या यह भी सच है कि नई दिल्ली नगरपालिका इस मामले को दबाने की कोशिश कर रही है ; और

(ग) यदि हां, तो इस घटना में संबंधित व्यक्तियों के विरुद्ध सरकार ने क्या कार्यवाही की है ?

स्वास्थ्य तथा परिवार नियोजन मंत्री (डा० सुशीला नायर) : (क) सरकार ने यह समाचार पढ़ा है। नई दिल्ली नगरपालिका

ने बताया है कि उन्हें ऐसी कोई शिकायत नहीं मिली है; डी० आई० जी० और दिल्ली प्रशासन के पास भी कोई सूचना नहीं है। समाचार गलत लगता है।

(ख) और (ग) ये प्रश्न नहीं उठते।

Transport Problems of Assam and Eastern Region

3994. **Shri P. C. Borooah**: Will the Minister of Planning and Social Welfare be pleased to state:

(a) the decisions which Government have taken on the recommendations of the Tarlok Singh Enquiry Committee regarding the transport problems of Assam and the Eastern region in general; and

(b) the steps being taken in pursuance thereof?

The Minister of Planning and Social Welfare (Shri Asoka Mehta): (a) and (b). The Joint Technical Group for Transport Planning have initiated transport surveys of Assam and the Eastern region, along with transport surveys of other regions, and also studies relating to transportation requirements of major commodities. These studies and surveys are in progress and are of help in identifying problems of transport development in different regions. The Group have not made any specific recommendations so far. The results of the studies, when available, will be taken into account in working out the details of national and State transport plans.

Foreign Aid

3995. **Shri P. C. Borooah**: Will the Minister of Finance be pleased to state:

(a) the total amount of aid sanctioned by friendly countries and the World Bank for the first three Five Year Plans, how much orders had been placed by the end of the Third Plan and how much had actually

been disbursed by them (country-wise);

(b) the percentage of aid utilised, (country-wise and overall); and

(c) the reasons for low utilisation, if any, in each case?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) to (c). Two statements are laid on the Table of the House. [Placed in Library. See No. LT-6988/66].

All India Post Office Savings Bank Survey Committee

3996. **Shri Shree Narayan Das**: Will the Minister of Finance be pleased to state:

(a) the precise nature of recommendations made by the Committee appointed to study the facilities given by the Post Office Banks vis-a-vis the Commercial Banks;

(b) whether these recommendations have been considered by Government; and

(c) if so, the result thereof?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Presumably the honourable Member is referring to the Committee set up by the National Savings Central Advisory Board. If so, the Committee would make its recommendations to the Board. It is understood that the Committee has not yet submitted any Report to the Board.

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

Khesari Dal

3997. **Shri Shree Narayan Das**: Will the Minister of Health and Family Planning be pleased to state:

(a) whether the use of Khesari Dal and production and sale thereof has been banned; and

(b) if so, when and whether the ban has proved effective?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) and (b). Rule 44-A of the Prevention of Food Adulteration Rules, 1955, provides that no person in any State shall, with effect from such date as the State Government concerned may by notification in the Official Gazette specify in this behalf, sell or offer or expose for sale, or have in his possession for the purpose of sale Khesari Dal under any description or for use as an ingredient in the preparation of any article of food intended for sale.

A list of States which have prohibited the sale of Khesari Dal under Rule 44-A of the Prevention of Food Adulteration Rules, 1955, as available, indicating also the dates from which the ban has been imposed, is laid on the Table of the House. [Placed in Library. See No. LT-6989/66].

The production of Khesari Dai (Lathyrus Sativus) in the areas producing Khesari Dal is being discouraged with the help of the staff of the Community Development and Agriculture Departments of the State Governments.

No assessment has been undertaken to evaluate the effectiveness of the above measures.

Smuggling of Jute to China

3998. Shri Joachim Alva: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Indian jute is being smuggled to China via Nepal; and

(b) if so, the quantity and amount in rupees involved?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) and (b). In accordance with the provisions of the Indo-Nepal Treaty of Trade and Transit, there is free movement across the border of goods originating in either country and intended for consumption in the other. Usually, there is some export of raw jute and jute goods from India to Nepal and some

import of jute and jute goods of Nepalese origin from Nepal into India. Jute is also produced in Nepal and jute goods are also manufactured in that country. The Government of India have no information regarding Indian jute or jute goods being smuggled into China via Nepal. However, as a precautionary measure, the attention of His Majesty's Government of Nepal has been drawn to this possibility and they have been requested to take necessary measures for the prevention of re-export of goods of Indian origin to third countries.

Backward Areas in Madras

3999. Shri Umanath:

Shri P. Kunhan:

Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether the attention of Government has been drawn to the statement of the Chief Minister of Madras on the floor of the Madras Assembly during the discussion of the admissibility of an adjournment motion to the effect that as per Planning Commission's communication dated the 5th January, 1965, he could not send particulars regarding Pudukkottai, East Ramana-thapuram and Arantangi, since they were less than a district;

(b) if so, whether Government have taken any action or propose to take any action, clarifying the position to the Madras Government, that particulars regarding these areas also could be sent to the Planning Commission;

(c) if so, whether data regarding Pudukkottai, East Ramanathapuram and Arantangi have been received; and

(d) if so, the action taken thereon?

The Minister of Planning and Social Welfare (Shri Asoka Mehta): (a) to (d). Information is awaited from the State Government.

Seizure of Watches of Chinese Origin

4000. Shri Panna Lal:
Shri Vishwa Nath Pandey:
Shri Brij Basi Lal:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Customs Authorities seized 1,500 wrist watches stated to be of the Chinese origin in simultaneous raids on a watch dealer's shop as well as his residence in Calcutta on the 28th July 1966; and

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

The Minister of Finance (Shri Sachindra Chaudhuri): (a) On 28th July, 1966 the officers of the West Bengal Central Excise Collectorate raided the shop and residence of a watch dealer in Calcutta and seized 828 wrist watches and 239 time-pieces all of foreign origin. Out of these only 6 time-pieces are of Chinese origin.

(b) Two persons were arrested and subsequently released on bail. The case is under investigation.

**दिल्ली में सरकारी कर्मचारियों को
 बाल शिक्षा भत्ता**

4001. श्री युद्धवीर सिंह :

श्री बड़े :

श्री हुकम चन्द कछवाय :

श्री श्रीकार सिंह :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में सरकारी कर्मचारियों को उन बच्चों के बारे में, जो दिल्ली से बाहर अपने गांवों में रहते हैं, बाल शिक्षा भत्ता दिया जाता है ;

(ख) क्या यह भी सच है कि उन सरकारी कर्मचारियों को, जिनके बच्चे दिल्ली में उन के साथ रह रहे हैं, बच्चों की

शिक्षा पर काफ़ी धन खर्च करना पड़ता है, लेकिन उन्हें कोई बालशिक्षा का भत्ता नहीं दिया जाता ; और

(ग) यदि हां, तो सरकार का इन व्यक्तियों को क्या सुविधाएं देने का विचार है ?

वित्त मंत्री (श्री सचिन्द्र चौधरी) :

(क) जी हां । अन्य जगहों का तरह दिल्ली में रहने वाले जो कर्मचार प्रतमाह 349 रुपये तक वेतन पाते हैं, उन के दिल्ली से बाहर रहने और स्कूलों में पढ़ने वाले बच्चों के लिए शिक्षा भत्ता दिया जाता है ।

(ख) जी, नहीं । 600 रुपये तक प्रति माह वेतन पाने वाले सरकारी कर्मचारियों को, उनके साथ दिल्ली में रहने वाले बच्चों के लिए, स्वीकृत दरों पर, शिक्षण-शुल्क प्रतिपूर्ति योजना के अन्तर्गत शिक्षा सम्बन्धी सहायता दी जाती है ।

(ग) तबाल नहीं उठता । ८

Tax Evasion by Firms in Rudrapur

4002. Shri Madhu Limaye:
Shri Hukam Chand
Kachhavaia:
Shri Kishen Pattnayak:
Shri Bade:
Shri Yudhvir Singh:

Will the Minister of Finance be pleased to state:

(a) whether his Ministry has received a copy of the letter dated the 5th May, 1966 addressed by Jagdish Prasad Jaiswal, Rudrapur, Deoria, U.P. to an opposition M.P. relating to tax evasion by certain firms in Rudrapur; and

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

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Yes, Sir.

(b) The matter is being investigated by the Income-tax authorities.

All-India Federation of Scheduled Castes and other Backward Classes

4003. Shri Kolla Venkaiah:
Shri M. K. Kumaran:

Will the Minister of **Planning and Social Welfare** be pleased to state:

(a) whether any memorandum was received by the Prime Minister from the All-India Federation of Scheduled Castes and other Backward Classes in June, 1966;

(b) if so, the main demands of the Federation referred to in the memorandum;

(c) the action taken thereon?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) Yes, Sir.

(b) and (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-6990/66].

M/s. Bird & Co.

4004. Shrimati Renu Chakravartty:
Will the Minister of **Finance** be pleased to state:

(a) the reasons why the cases of over and under-invoicing and other frauds committed by M/s. Bird & Co. and M/s. Orr Dignam & Co. and M/s. Turner Morrison & Co. have been held up and finalisation of their cases delayed;

(b) whether it is a fact that the opinion of the Law Ministry was that these cases cannot be proceeded against by the Customs;

(c) the reasons why in view of the amended rules, such an objection was permitted to hold up the proceedings for so long; and

(d) what is the position at present?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) The cases of over and under-invoicing against M/s. Bird & Co., and M/s. Turner Morrison have not been delayed. As

regards M/s. Orr Dignam, the case against them under the Foreign Exchange Regulation Act is now awaiting adjudication.

(b) The question whether or not such cases can be proceeded against by the Customs is at present *sub-judice* in the High Courts of Calcutta and Madras. It would, therefore, not be in the public interest to disclose the advice given by the Law Ministry in this regard.

(c) It is not clear what particular amendment to the rules is referred to.

(d) The appeal filed by M/s. Bird & Co. against the order of the Adjudicating Officer imposing penalties of Rs. 1.20 crores is likely to be heard by the Central Board of Excise & Customs during September. In the case of Turner Morrison penalties aggregating to Rs. 75,350/- have already been imposed. The cases against two of their managed companies viz. M/s. Angelo Brothers & M/s. Grahams Trading Co. (I) Ltd. have been held up in view of the interim stay obtained by them from the Calcutta High Court.

**नेहरू जी की स्मृति में जारी किये गये
सिक्के**

4005. श्री पा० ला० बारूपाल :
श्री धुलेश्वर मीना :

क्या वित्त मंत्री 18 नवम्बर, 1965 के अतारांकित प्रश्न संख्या 885 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि स्वर्गीय प्रधान मंत्री श्री जवाहरलाल नेहरू की आकृति वाले सिक्कों की विदेशों में मांग पूरी करने के लिये सरकार का क्या कार्यवाही करने का विचार है ?

वित्त मंत्री (श्री शचीन्द्र चौधरी) :
यह मालूम कर लिया गया है कि नेहरू जी की स्मृति में जारी किये गये सिक्कों के सम्बन्ध में विदेशों को मांग पूरी करने का पर्याप्त प्रबन्ध है । अब इन सिक्कों

का अबाध रूप से निर्यात करने की अनुमति दी जाती है ।

राजस्थान नहर का बढ़ाया जाना

4006. श्री प० ला० बालूपाल :
श्री घुलेदवर मीना :

क्या सिंचाई तथा विद्युत् मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजस्थान नहर को जैसलमेर से कांडला तक बढ़ाने की एक योजना विचाराधीन है ;

(ख) यदि हां, तो यह योजना कब से क्रियान्वित की जायगी ; और

(ग) इस पर कितना व्यय होगा ?

सिंचाई तथा विद्युत् मंत्री (श्री फल्लूदीन अहमद) : (क) जी, नहीं ।

(ख) तथा (ग) प्रश्न ही नहीं उठता ।

वित्त मंत्रालय के राजस्व विभाग में हिन्दी अनुवादक

4007. श्री यु० द० सिंह :
श्री हुकुम चन्द कछवाय :
श्री ओंकार लाल बरवा :
श्री काशी राम गुप्त :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कर्मचारी निरीक्षण एकक (स्टाफ इन्स्पेक्शन यूनिट) ने उन के मंत्रालय के राजस्व विभाग में हिन्दी अनुवादकों के ऊँचे वेतनमान वाले पद कायम करने की सिफारिश की है ; और

(ख) यदि हां, तो उनके मंत्रालय में दूसरे मंत्रालयों से भिन्न वेतन-मान के पद कायम करने का क्या कारण है ?

वित्त मंत्री (श्री शशीन्द्र चौधरी) :

(क) कर्मचारी निरीक्षण एकक (स्टाफ इन्स्पेक्शन यूनिट) ने हिन्दी सहायकों के तीन पदों को पदोन्नत करके अनुवादकों के उतने ही पद बनाने की सिफारिश की ।

(ख) ये पद अन्य मंत्रालयों में समरूप पदों के लिये दिए जाने वाले सामान्य वेतन मान में ही बनाये गये हैं ।

वित्त मंत्रालय में हिन्दी सहायक तथा अनुवादक

4008. श्री यु० द० सिंह :
श्री हुकुम चन्द कछवाय :
श्री ओंकार लाल बरवा :
श्री काशी राम गुप्त :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आर्थिक-कार्य विभाग में काम करने वाले हिन्दी अनुवादकों तथा हिन्दी सहायकों की नियुक्ति संघीय लोक सेवा आयोग द्वारा की गई थी ; और

(ख) यदि हां, तो उनकी नियुक्ति कौन सी तारीख को हुई थी तथा उन में से कितने स्थाई कर दिये गये हैं और कितने अभी अस्थाई हैं ?

वित्त मंत्री (श्री शशीन्द्र चौधरी) :

(क) हिन्दी अनुवादकों के पदों पर काम करने वाले कर्मचारियों की भरती दूसरे विभागों से कर्मचारियों के तबादले और विभागीय पदोन्नति के जरिये की गयी थी । हिन्दी सहायकों की भरती संघीय लोक सेवा आयोग की मार्फत की गयी ।

(ख) हिन्दी सहायक 1959 और 1961 के बीच भरती किये गये थे । इन सब को अब स्थायी कर दिया गया है ।

वित्त मंत्रालय के आर्थिक-कार्य-विभाग में
अनुवादक

4009. श्री यु० द० सिंह :

श्री हुकूम चन्द कछवाय :

श्री ओंकार लाल बेरवा :

श्री काशी राम गुप्त :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) उन के मंत्रालय के आर्थिक-कार्य विभाग में हिन्दी अनुवादकों तथा हिन्दी सहायकों के क्या कर्तव्य हैं ;

(ख) उन्हें वास्तव में किस प्रकार का कार्य करना पड़ता है ;

(ग) क्या उन्हें अपने सामान्य कर्तव्यों के अलावा कुछ अधिक कार्य भी करना पड़ता है ; और

(घ) क्या उन्हें लोक हित में आवश्यक कार्य से भी अधिक कार्य दिया जाता है ?

वित्त मंत्री (श्री शचीन्द्र चौधरी) :

(क) और (ख). हिन्दी अनुवादकों को बजट-ग्रन्थों, संसद् में किये जाने वाले प्रश्नों के उत्तरों और वित्त मंत्री द्वारा दिये जाने वाले वक्तव्यों तथा अर्थ विभाग के दूसरे दस्तावेजों अथवा पत्रों के अनुवाद का काम दिया जाता है ।

हिन्दी सहायकों को ऐसा काम दिया जाता है जिसका अनुवाद अपेक्षाकृत सरल होता है और जो बहुत अधिक पारिभाषिक ढंग का नहीं होता ।

कार्य-सम्बन्धी आवश्यकताओं को देखते हुए और यदि अनुवाद के काम से उन्हें बिना किसी अमुविधा के मुक्त किया जा सके, तो हिन्दी अनुवादकों और सहायकों को अर्थ विभाग में कभी-कभी दफ्तर का अन्य काम भी सौंपा जाता है ।

(ग) और (घ). जी, नहीं ।

आर्थिक-कार्य विभाग में हिन्दी का कार्य
करने वाले कर्मचारी

4010. श्री यु० द० सिंह :

श्री हुकूम चन्द कछवाय :

श्री ओंकार लाल बेरवा :

श्री काशी राम गुप्त :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आर्थिक-कार्य विभाग में हिन्दी का कार्य करने वाले कर्मचारियों को अतिरिक्त समय में कार्य करना पड़ता है, यद्यपि कुछ दिनों में दफ्तर के काम करने के समय में उन के पास कोई भी काम नहीं होता ; और

(ख) ऐसी परिस्थितियों में उन्हें दफ्तर के काम करने के समय में ही ठीक समय पर कार्य बांटने के लिये क्या प्रबन्ध किये जा रहे हैं ?

वित्त मंत्री (श्री शचीन्द्र चौधरी) :

(क) और (ख). अर्थ-विभाग में हिन्दी का काम करने वाले कर्मचारियों को, अन्य सरकारी कर्मचारियों की तरह, जब तुरन्त किये जाने वाले काम का जोर हो जाता है—जैसे बजट के काम के दिनों और संसद् के सत्रों के दिनों में—काम सम्बन्धी आवश्यकताओं को देखते हुए कभी-कभी कार्यालय के समय के बाद काम करना पड़ता है । फिर भी, इस बात की व्यवस्था करने का हर सम्भव प्रयत्न किया जाता है कि काम कार्यालय के समय में ही पूरा हो जाय और उस के बाद कर्मचारियों को कम से कम समय तक बैठाया जाय ।

नई दिल्ली में गांधी समाधि के कर्मचारियों की मांगें

4011. डॉ० लक्ष्मी मल्ल सिन्हा :

श्री यु० व० सिंह :

श्री हुकम चन्द कछवाय :

श्री काली राम गुप्त :

श्री बड़ै :

क्या निर्माण आवास तथा नगरीय विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हाल ही में गांधी समाधि के कर्मचारियों ने दिल्ली के मुख्य आयुक्त को एक ज्ञापन दिया है जिस में मांग की गई है कि उनके वेतन छुट्टी और वर्दी वैसे ही होनी चाहिये जो कि भारत सरकार तथा निगम के कर्मचारियों को मिलती है ; और

(ख) यदि हां, तो इस बारे में सरकार ने क्या कार्यवाही की है ?

निर्माण आवास तथा नगरीय विकास मंत्री (श्री मेहर चन्द खन्ना) : (क) जी हां ।

(ख) ज्ञापन राजघाट समिति के विचारार्थ है । समिति की सिफारिशों के किये जाने पर सरकार उन पर विचार करेगी ।

Income-tax Outstanding against former Chief Minister of Orissa

4012. **Shri Gokulananda Mohanty:**
Shri Jena:
Shri A. P. Sharma:

Will the Minister of Finance be pleased to state:

(a) whether there is any amount of income-tax outstanding against Shri Biju Patnaik, former Chief Minister of Orissa in respect of the assessments completed upto the 31st March, 1966; and

(b) if so, the amount thereof?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) No, Sir.

(b) Does not arise.

Bahuda Irrigation Project

4013. Shri Mohan Naik: Will the Minister of Irrigation and Power be pleased to state:

(a) the amount sanctioned for the Bahuda irrigation project in Ganjam District, Orissa State for the current year; and

(b) how far the work has progressed?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

(a) An amount of Rs. 12.10 lakhs has been provided in the State's Budget for 1966-67 for the Bahuda Project.

(b) The headworks of the Project and a portion of canal system have been completed. Canal excavation work is in progress. Irrigation facilities have been provided to an area of 2000 acres out of 26,1000 acres to be ultimately irrigated by the project.

Abolition of Night Soil Work

4014. Shri Mohan Nayak: Will the Minister of Health and Family Planning be pleased to state:

(a) whether the Central Government propose to completely abolish the system of night soil work by manual labour and replace it by mechanical systems; and

(b) if so, the steps taken in this regard?

The Minister of Health and Family Planning (Dr. Sushila Nayak):

(a) Proposals for mechanisation of transport for removal of rubbish and conversion of dry latrines into flush latrines in urban areas have been suggested for inclusion in the 4th Five Year Plan.

(b) The decision of the Planning Commission is awaited. Further

action will be taken when funds are allotted for the purpose.

Tax-liability of former Chief Minister of Orissa

4015. Shri Surendranath Dwivedy: Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 1312 on the 4th August, 1966 and state:

(a) when actually the final orders for investigation into the tax-liabilities of Shri Biju Patnaik, former Chief Minister of Orissa were given and whether this investigation is being conducted into the personal assets and incomes of Shri Patnaik or any enquiry is also being made into tax liabilities of all concerns with which Shri Patnaik is concerned;

(b) whether it is a fact that the Income-Tax authorities are being threatened and are afraid of making through investigation and whether Government have asked the State Government to give them sufficient protection to conduct their official work; and

(c) whether Shri Patnaik has met the Finance Minister and the Prime Minister in this connection?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) It is a normal function of the tax authorities to make such enquiries as are considered necessary to determine the tax liabilities of assessees. No special order is necessary for this purpose. The tax liabilities of the concerns referred to which have such liabilities are also enquired into, investigated to the extent considered necessary by assessing officer.

(b) Certain vague threats reached the Income-tax Officer. There is no question, however, of the income-tax authorities being afraid of a through investigation or of asking the State Government for special protection.

(c) Shri Patnaik met the Finance Minister in some other connection. In the course of conversation, he generally mentioned his tax cases and made a request that the investigations and orders should be finalised quickly according to law. The Prime Minister had also occasion to meet Shri Biju Patnaik at meeting and otherwise, but he had no meeting with the Prime Minister in this connection.

Evasion of Income-tax by Firms

4016. Shri Kishen Pattnayak:
Shri Madhu Limaye:
Shrimati Renn Chakravartty:
Shri Yogindra Jha:
Shri T. Ram:
Dr. Ram Manohar Lohia:
Shri Vasudevan Nair:
Shri Bade:
Shri Prakash Vir Shastri:
Shri Shinkre:
Dr. Saradish Roy:
Shri Surendranath Dwivedy:
Shri Ram Sewak Yadav:
Shri M. N. Swamy:
Shri Indrajit Gupta:
Shri H. N. Mukerjee:
Shri Eswara Reddy:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the inquiry conducted against M/s. Turner Morrison & Co. and Graham Trading Ltd. by the Enforcement Directorate and the Customs Department revealed large scale evasion of income-tax and loss of foreign exchange;

(b) whether it is also a fact that large remittances are permitted to be made to M/s. A. Wander Ltd.; and

(c) whether any steps have been taken by the Government to recover the evaded income-tax and the illegal remittance of foreign currency?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Investigations carried out by the Customs

authorities on the basis of the documents seized from M/s. Turner Morrison & Co. Ltd. and M/s. Graham Trading Co., (India) Ltd. revealed certain cases which constituted *prima facie* offences under sec. 12 (1) of the Foreign Exchange Regulation Act, read with the relevant provisions of the Customs Law. As a result of investigations conducted by the Enforcement Directorate, certain unauthorised transactions in foreign exchange also came to light. On the basis of information contained in the seized papers, the income-tax authorities have reason to believe that there was substantial evasion of income-tax by M/s. Graham Trading Company (India) Ltd.

(b) M/s. A. Wander Ltd., London, the foreign collaborators of the Indian party viz. M/s. Jagatjit Distilling & Allied Industries Ltd., New Delhi in the matter of manufacture of "Ovaltine" in India, are entitled to a royalty payment from the Indian producer on the exfactory selling price of Ovaltine manufactured in India. Remittances will be permitted by the Reserve Bank of India strictly in accordance with the terms of the agreement. Since the agreement is a recent one, there is no question of any large scale remittance so far.

(c) As regards income-tax, the authorities have already reopened the assessment from 1950-51 to 1961-62 of M/s. Graham Trading Company (India) Ltd. The question of recovery of remittance would not arise in view of (b) above.

Rural Electrification in Andhra Pradesh

4017. Shri D. B. Raju: Will the Minister of Irrigation and Power be pleased to state the amount allotted for rural electrification to the Andhra Pradesh State during 1966-67 so far?

The Minister for Irrigation and Power (Shri Fakhruddin Ahmed): The State Government of Andhra Pradesh asked for Rs. 300 lakhs for

rural electrification for 1966-67 and same amount has been allotted.

Smuggling on Indo-Pak. Border

**4018. Shri Panna Lal:
Shri Vishwa Nath Pandey:
Shri Brij Basi Lal:**

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that a notorious gang of Indo-Pak. smugglers was apprehended in village Miani Basti (Fazilka) on the Indo-Pakistan border on the 4th August, 1966 and substantial opium was recovered from one of the Pakistani smugglers; and

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

The Minister of Finance (Shri Sachindra Chaudhuri): (a) On 30th July, 1966 the police seized 9.5 kgms. of opium from three persons of whom one was Pakistani and the other two Indians, in village Miani Basti (Fazilka). Out of this quantity, 4 kgms. was seized from the Pakistani smuggler.

(b) All the three persons were arrested. Cases have been registered against them and are under investigation.

Construction of Sea-wall

4019. Shri Vasudevan Nair: Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government have recently received any resolution passed by the Trikkunnapuza Panchayat in Kerala State regarding the mal-practices in the construction of sea-wall in their locality;

(b) if so, whether any enquiry has been held in the matter; and

(c) the progress so far made in the construction of the sea-wall in that locality?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed): (a) Yes.

(b) The matter has been brought to the notice of the Government of Kerala.

(c) The work of construction of sea wall for a length of 3,200 ft. at Thrikunnappuzha was started in July, 1965, and about 70 per cent of the work has since been completed. The remaining work is progressing satisfactorily.

Power Production in Kerala

4020. Shri Vasudevan Nair: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that only nearly 50 per cent of the target fixed for power production in Kerala State by the end of the Third Plan had been achieved; and

(b) if so, the reasons therefor?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

(a) Against a target installed capacity of 333 MW by end of Third Plan, capacity of 197 MW was achieved. The installed capacity has however gone up to 315 MW by the end of June, 1966, with the commissioning of the first unit of 54 MW at Sholayar and two units of 50 MW each at Sabirigiri Project.

(b) The short fall was due to some delay in the commissioning of the first two generating units of 18 MW each at Sholayar and the first two generating units of 50 MW each at Sabirigiri.

Homoeopathy

4021. Shri Mohan Nayak: Will the Minister of Health and Family Planning be pleased to state:

(a) the amount allotted for the improvement of Homoeopathy in India during the Third Plan period;

(b) the amount spent up to the 31st March, 1966; and

(c) the amount sanctioned for Orissa State for the Third Plan?

The Minister of Health and Family Planning (Dr. Sushila Nayar):

(a) An amount of Rs. 100 lakhs was provided during the Third Plan Period for the development of Indigenous Systems of Medicine including Homoeopathy for purely central schemes. No specific amount was earmarked for this system separately.

(b) An amount of Rs. 19,13,255 was spent on the development of Homoeopathy by way of direct grants to the voluntary institutions during the Third Plan period.

(c) Nil.

Committee on Plan Projects

4022. Shri Kishen Pattnayak:
Dr. Ram Manohar Lohia:
Shri Madhu Limaye:
Shri Ram Sewak Yadav:

Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether it is a fact that the status of the Committee on Plan Projects of which the Home Minister is the Chairman, for the last 10 years has not been decided so far; and

(b) if so, what further action is envisaged now in respect of this organisation?

The Minister of Planning and Social Welfare (Shri Asoka Mehta):

(a) and (b). The Committee on Plan Projects is a Committee of the National Development Council, whose secretariat is located within the Planning Commission and which constitutes Study Teams for special subjects and problems from time to time. With a view to implementing the objectives for which the Committee on Plan Projects was set up, a Management and Administration Division was established two years ago. The Division functions on a continuing basis and serves the Planning Commission. Posts required for Study Teams constituted by the Committee on Plan Projects are temporary because of the temporary nature of the tasks entrusted to them. There is no proposal at

present to review the status of the Committee on Plan Projects.

Committee on Plan Projects

4023. Shri Kishen Pattnayak:
Shri Madhu Limaye:
Shri Ram Sewak Yadav:
Dr. Ram Manohar Lohia:

Will the Minister of **Planning and Social Welfare** be pleased to state:

(a) whether it is a fact that the Committee on Plan Projects is directly responsible to the National Development Council without any interference from the Planning Commission;

(b) whether its Secretary could only be a Joint Secretary in the Ministry of Finance who will be responsible to the Home Minister in his capacity as a Chairman (Committee on Plan Projects) if not, what is the present position;

(c) the names of the Members of the Committee on Plan Projects; and

(d) whether these Members are kept in touch with the activities of this Committee from time to time; if so, how?

The Minister of Planning and Social Welfare (Shri Asoka Mehta): (a) The Committee on Plan Projects is a Committee set up by the National Development Council. Its Secretariat is located in the Planning Commission. For current work, it functions under a Member of the Planning Commission, important matters being referred to the Deputy Chairman of the Planning Commission and the Chairman of the COPP and when necessary to the Committee as a whole.

(b) At the time the Committee on Plan Projects was set up, the Joint Secretary in the Ministry of Finance in charge of the Special Reorganisation Unit was appointed its Secretary. However, the arrangement was discontinued in 1963. At present the Office of Secretary of the Committee is combined with that of Chief of

the Management and Administration Division.

(c) The Minister of Home Affairs is the Chairman of the Committee on Plan Projects and Ministers of Planning and Finance and Deputy Chairman, Planning Commission are its other Members. The Union Minister concerned with a project or class of projects under investigation by the Committee also becomes a Member of the Committee for the duration of the Study. In addition, the Chief Ministers of States serve as Members for Committees, constituted for studies in different sectors.

(d) The Members are kept in touch with the activities of the Committee through circulation of papers and reports from time to time. Meetings of the Committee can be convened as and when necessary.

Plan Projects

4024. Shri Kishen Pattnayak:
Dr. Ram Manohar Lohia:
Shri S. M. Banerjee:
Shri Madhu Limaye:
Shri Kashi Ram Gupta:
Shri Ram Sewak Yadav:

Will the Minister of **Planning and Social Welfare** be pleased to state:

(a) whether it is a fact that no meeting of the Committee on Plan Projects constituted by the National Development Council in 1956 was held during the last decade;

(b) whether the National Development Council was not apprised of the working of this Committee since its formation to-date;

(c) if so, how the proper working of this Committee is ensured; and

(d) whether any high power teams are to be set up for the study of Plan Projects?

The Minister of Planning and Social Welfare (Shri Asoka Mehta): (a) and (b). Meetings of the Committee on Plan Projects and discussions about

its work have taken place from time to time. The National Development Council has also been kept in touch with the Committee's work. It is proposed to convene shortly a meeting of the Committee for the Agriculture and Community Development Sector, to consider the reports of the Study Teams on Irrigation (All India Review of Minor Irrigation Works) and Agriculture (All India Report on Agricultural Implements).

(c) The Secretariat of the Committee on Plan Projects is located in the Planning Commission. For current work it functions under a Member of the Planning Commission, important matters being referred to the Deputy Chairman of the Planning Commission and the Chairman of the Committee on Plan Projects and, when necessary, to the Committee as a whole; and

(d) A number of Study Teams have been set up by the Committee on Plan Projects from time to time since 1956. The Study Teams on Agriculture will complete its work in the near future. The only other Study Team now at work is the Team on Metropolitan Transport which was constituted in September 1965. There is no proposal to set up any new Study Team during the current year.

Water Supply to South Delhi

4025. Shri R. S. Tiwari:
Shri Vishwa Nath Pandey:

Will the Minister of **Health and Family Planning** be pleased to state:

(a) whether it is a fact that the Naskar Committee has advised the Delhi Municipal Corporation to supply water for the South Delhi from the Hindon instead of Jamuna; and

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

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) The Naskar Committee has recommended Hindon River as one of the additional sources for augmenting Delhi's water supply.

(b) A Planning and Development Cell has been created under the Delhi Administration to work out the details of the various schemes for augmenting Delhi's water supply including the proposal for utilising the waters from the Hindon river.

Welfare of Scheduled Castes and Scheduled Tribes in Orissa

4026. Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of **Planning and Social Welfare** be pleased to state:

(a) the total amount allocated during the Third Five Year Plan period for the welfare of Scheduled Castes and Scheduled Tribes in Orissa State;

(b) whether the entire amount was utilised by the State during the above period;

(c) if not, the reasons therefor; and

(d) the total amount surrendered by the State?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) Scheduled Tribes Rs. 642.20 lakhs. Scheduled Castes Rs. 119.11 lakhs.

(b) No, Sir.

(c) The shortfall is mainly due to the fact that during the years 1962-63 and 1963-64, greater emphasis had to be laid on more important sectors of the Plan like agriculture, industry, power etc. on account of the National Emergency.

(d) Scheduled Tribes Rs. 32.84 lakhs Scheduled Castes Rs. 1.70 lakhs.

Pilot Project for Development of Langla Sonras

4027. Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of **Planning and Social Welfare** be pleased to refer to the reply given to Unstarred Question

No. 5496 on the 12th May, 1966 and state:

(a) whether the proposal submitted by the Tribal and Rural Welfare Department of the Government of Orissa in the Central Government for sanction of Rs. 17,32,000 for a pilot project for the development of Langia Sonras in Ganjam District (Orissa) has since been considered; and

(b) if so, the details thereof?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) and (b). The proposal is under active consideration in consultation with the Planning Commission.

Feature Films Depicting Adivasi Life of Orissa

4028. Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of Planning and Social Welfare be pleased to refer to the reply given to Unstarred Question No. 5498 on the 12th May, 1966 and state:

(a) whether the proposal of Orissa Government regarding the preparation of feature Films Depicting Adivasi life of Orissa has since been examined; and

(b) if so, the results thereof?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) and (b). The proposal of the Orissa Government has been examined and the State Government requested to furnish a complete script of the film in English. The State Government has not so far sent the script.

Manibhadra Dam Project

4029. Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No. 5494 on the 12th May, 1966 and state:

(a) whether the report on Manibhadra Dam Project has since been received from the Government of Orissa; and

(b) if so, the decision taken thereon?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):
(a) No.

(b) Does not arise.

Aid to T.B. Patients

4030. Shri Mohammed Koya: Will the Minister of Health and Family Planning be pleased to state:

(a) the number of petitions pending disposal from the T.B. patients of Kerala for assistance upto 1st August, 1966;

(b) the number of petitions disposed of till the 1st July, 1966 under which the patients got their assistance sanctioned after their death; and

(c) the steps taken by Government to expedite the disposal of petitions and give assistance to the petitioners in time?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) to (c). The information is being collected and will be laid on the Table of the Sabha in due course.

Old age Pension in Kerala

4031. Shri Mohammed Koya: Will the Minister of Planning and Social Welfare be pleased to state:

(a) the number of petitions pending with the Government of Kerala for giving old age pensions upto the 1st August, 1966;

(b) the date of the oldest petition pending; and

(c) the action taken by Government to expedite disposal of the petitions?

The Deputy Minister in the Department of Social Welfare (Shrimati

Chandrasekhar): (a) to (c). The information has been called for from the Government of Kerala and will be laid on the table of the Sabha as soon as available.

Petitions from Widows of Pensioners

4032. Shri Mohammed Koya: Will the Minister of Planning and Social

Welfare be pleased to state from widows of pensioners in Kerala State upto 1st August, 1966;

(b) the district-wise break up of the same; and

(c) the steps taken by Government to expedite their disposal?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) to (c). The information has been called for from the Government of Kerala and will be laid on the table of the Sabha as soon as available.

Master Plan for Calicut

4033. Shri Mohammed Koya: Will the Minister of Works, Housing and Urban Development be pleased to state:

(a) whether the Calicut Municipal Council has prepared a Master Plan for the biggest city in Kerala;

(b) whether they have applied for any help; and

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

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) Department of Town Planning, Government of Kerala, is preparing a comprehensive development plan (Master Plan) for Calicut Region. An Interim Development Plan is expected to be ready by the end of the current financial year.

(b) and (c). Under the Central assistance scheme, cent per cent grant is

being provided to the State Government for preparation of the Master Plan. During the Third Five Year Plan period, a sum of Rs. 3.138 lakhs has been spent on the preparation of the development plan for Calicut. A sum of Rs. 1.283 lakhs has been provided during the current year for completing the project.

Study Leave Rules

4034. Shri Shashi Ranjan: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Central Government employees who are granted study leave under the Study Leave Rules, 1962 are not given increments during the period of study leave despite Rule 21 thereof; and

(b) if so, the reasons therefor?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) and (b). The period of study leave counts for increments and is taken into account for determining the pay admissible to the Government servant on his resuming duty. Since, during the Study Leave period, the Government servant is entitled only to leave salary, as prescribed in Rule 19, the question of giving increments during the leave period does not arise.

Study Leave Rules

4035. Shri Shashi Ranjan: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Government incur heavy expenditure in the payment of study allowance and pay to Government employees who are granted study leave for higher studies abroad in the field of their duty under the Study Leave Rules, 1962; and

(b) if so, the instructions issued by his Ministry to other Ministries/Departments of the Government of India to ensure that the newly acquired knowledge and talents of those em-

ployees are utilised in the best interests of the country?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) During the period of study leave Government have to bear leave salary as for leave on half average pay or half pay leave and, in addition, study allowance at rates specified for various places. Study allowance is, however, not paid if the Government servant is in receipt of a stipend or scholarship the amount of which is not less than the study allowance.

(b) The Study Leave Rules, 1962 provide that study leave is admissible for such courses of specialised studies/training only as have a direct and close connection with the sphere of the Government servant's duties, so that the knowledge acquired may be useful to him in the performance of his duties. The Rules also provide the necessary safeguards to ensure that the officer's services would be available to the Government for a minimum period of three years.

Smuggling of Chinese goods from Pakistan

4036. Shri Kishen Pattanayak:
Shri Madhu Limaye:

Will the Minister of Finance be pleased to state:

(a) whether Government's attention has been drawn to the fact that Chinese goods such as gold, fountain pens, camphor and toilet articles are being smuggled into India from East Pakistan;

(b) whether it is a fact that this smuggling has greatly increased after the new Collector of Central Excise, West Bengal took charge;

(c) whether it is also a fact that the Central Bureau of Investigations was making enquiry against him while he was at his post in Gujarat; and

(d) if so, the reasons for posting him as Collector of Central Excise at this important border post?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Smuggling of Chinese goods such as fountain pens, galvanized iron wire, silk fabrics, needles, safety pins and cigarette lighters from East Pakistan, though not on a large scale, has come to the notice of the Government.

(b) Not as far as Government are aware, Sir.

(c) and (d). The Central Bureau of Investigation are making some preliminary enquiries into certain irregularities alleged to have been committed by the officer while he was posted in Gujarat, but no *prima facie* case has so far been established against him. His transfer from his former post had become due and, having regard to his aptitude and experience he was posted as Collector of Central Excise, West Bengal.

Outbreak of Epidemics in Delhi

4037. Shri H. C. Linga Reddy:
Shri Yashpal Singh:
Shri Ram Sewak Yadav:
Shri Madhu Limaye:
Shri Buta Singh:

Will the Minister of Health and Family Planning be pleased to state:

(a) whether the two recent heavy floods in the Union Territory of Delhi have led to the outbreak of epidemics;

(b) if so, the details thereof; and

(c) the steps taken by Government both preventive and curative, to give protection to the people from contagious diseases?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) No.

(b) Question does not arise.

(c) The following preventive and curative measures have been taken:

(i) One Medical Officer of the rank of Zonal Health Officer has been posted exclusively for organisa-

ing flood relief work in flood affected villages and relief camps.

(ii) 3 Mobile Teams each comprising one Medical Officer and one compounder, are providing medical relief in flood affected villages and relief camps. Besides 2 Mobile dispensaries of the Municipal Corporation have also been attending to the relief camps in addition to their own routine duties.

(iii) Additional part-time sweepers have been posted for relief camps for cleaning purposes as well as in marooned villages.

(iv) The flood affected villages fall under the preventive jurisdiction of three sanitary inspectors who are assisted by Sanitary Assistants and Sanitary Guides. Two relief camps are looked after by separate Sanitary Inspectors and their staff.

(v) Maternity and Child Welfare workers, viz., Lady Health Visitors and Midwives and Lady doctors are being utilised to look after the mothers and children in the villages as well as in the camps.

(vi) Inoculation of the population against cholera (El-tor) has already been intensively undertaken in the marooned villages by separate inoculation teams. Most of the population has been protected. The work is progressing in the camps.

(vii) Drinking water wells are being continuously chlorinated for the marooned villages. Water barrels have been provided which are filled up and are chlorinated. Whenever possible, municipal water supply is made available through hydrants or water tankers. Hand pumps have also been provided in one of the relief camps.

(viii) Trench latrines have been provided in relief camps.

(ix) Malaria surveillance workers and vaccinators (Small-pox) have been going round the villages to collect Blood slides from fever cases for examination if any one is

suffering from Malaria. No positive case of Malaria has been detected. The vaccinators are carrying out vaccination to protect the people against small-pox.

(x) Health Education films are being shown in the flood relief camps. The residents are advised by pamphlets and beat of drum to boil drinking water.

आगरा में हजरतपुर में बूचड़खाना

4038. श्री श्रींकार लाल बेरवा : क्या निर्माण, आवास तथा नगरीय विकास मंत्री यह बताने को कृपा करेंगे कि :

(क) क्या यह सच है कि आगरा के निकट हजरतपुर ग्राम में केन्द्रीय सरकार की सहायता से एशिया का सबसे बड़ा बूचड़खाना बनाने का प्रस्ताव है ;

(ख) यदि हां, तो इसमें किन-किन पशुओं का बध किया जायेगा ; और

(ग) क्या इस बारे में सरकार का कोई विरोधपक्ष प्राप्त हुए है ?

निर्माण, आवास तथा नगरीय विकास मंत्री (श्री मेहर चन्द खन्ना) : (क) से (ग). रक्षा मंत्रालय से, जो कि संबंधित मंत्रालय है, सूचना इकट्ठी की जा रही है और उसे सभा पटल पर रख दिया जायेगा ।

मेडिकल कालेजों का विस्तार

4039. श्री श्रींकार लाल बेरवा : क्या स्वास्थ्य तथा परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय सरकार ने राज्य सरकारों से वर्तमान मेडिकल कालेजों का विस्तार करने तथा नये मेडिकल कालेज खोलने के लिये कहा है ;

(ख) यदि हां, तो केन्द्रीय सरकार ने राज्य सरकारों को किस प्रकार की सहायता देने का आश्वासन दिया है ;

(ग) कितने राज्यों ने इस सुझाव को क्रियान्वित किया है; और

(घ) किन किन राज्यों ने वर्तमान मेडिकल कालेजों का विस्तार करने के लिये वित्तीय सहायता मांगी है?

स्वास्थ्य तथा परिवार नियोजन मंत्री (डा० सुशीला नायर): (क) जी हाँ।

(ख) सहायता का स्वरूप इस प्रकार है:—

(1) आपतकालीन विस्तार योजना के अन्तर्गत मौजूदा मेडिकल कालेजों के विस्तार के लिए:—

अनावर्ती : 15,000 रुपये प्रति अतिरिक्त प्रवेश

आवर्ती : 2,000 रुपये प्रति अतिरिक्त प्रवेश

(2) नये मेडिकल कालेज खोलने के लिए:—
अनावर्ती

(क) भवन : 75 प्रतिशत बशर्ते इसकी अधिकतम सीमा 37,500 रुपये प्रति प्रवेश हो।

(ख) उपकरण: 65 प्रतिशत बशर्ते इसकी अधिकतम सीमा 22,500 रुपये प्रति प्रवेश हो।

आवर्ती : 50 प्रतिशत बशर्ते इसकी अधिकतम सीमा 4000 रुपये प्रति प्रवेश हो।

(ग) और (घ). चालू वर्ष में चार नये कालेज खोले गये हैं, जो इस प्रकार हैं:—

मद्रास	2
उत्तर प्रदेश	1
हिमाचल प्रदेश	1

आपतकालीन विस्तार योजना के अन्तर्गत प्रवेश क्षमता के विस्तार के लिए चालू वर्ष में अब तक केवल दो राज्य सरकारों

ने अर्थात् मद्रास तथा पंजाब ने केन्द्र से अनुरोध किया है।

Youth Welfare Plans

4040. Shri Vasudevan Nair: Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether there is any proposal to set up a statutory high level Board to correlate the youth welfare plans and programmes of Government and voluntary youth organisations during the Fourth Plan;

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

(c) when the Board is likely to be set up?

The Minister of Planning and Social Welfare (Shri Asoka Mehta): (a) Yes, Sir. The Planning Commission Working Group on Youth Programmes have recommended the setting up of a National Youth Board. This has been accepted by the Planning Commission and is included in the draft outline of the Fourth Plan.

(b) The main features of the Board, suggested by the Working Group, are indicated in the statement below.

(c) The concerned Ministries are being requested to consider the recommendations of the Working Group, after which a detailed note would be included in the Final Report of the Fourth Plan.

Statement

The Board should be a small body with an independent Chairman and with large powers and an autonomous constitution. It will have the functions of accreditation of organisations engaged in youth programmes and should be effective enough to supervise the use of resources and also be responsible for coordinating the various items of programmes. It should be empowered to protect these programmes from interference from

partisan and sectarian influences. The Board should prepare reports, pamphlets, monographs, literature on Youth activities and act as a clearing house. Another advantage of such an organisation will be to use its influence in avoiding duplication of activities and be instrumental in the proper use of resources. Adequate funds should be placed at its disposal. It should be responsible to the Government for proper use of those funds. In the matter of accounting, it should be subject to the usual checks and audit. It is expected that the National Board will have State Boards to implement its policies and programmes in the States.

Assistance for Irrigation Projects in Kerala

4041. Shri Warier: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Kerala Government have asked for special allocation of Rs. 30 crores outside the State Plan to complete six major irrigation projects during the Fourth Plan; and

(b) if so, the action taken by Government in this regard?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed): (a) and (b). The Chief Engineer (Irrigation), Kerala, has prepared a programme envisaging an outlay of Rs. 30 crores for major and medium irrigation projects in the Fourth Plan. This is under examination.

Regional Public Health Laboratories in Kerala

4042. Shri A. V. Raghavan: Will the Minister of Health and Family Planning be pleased to state:

(a) whether it is proposed to set up two Regional Laboratories at Ernakulam and Kozhikode under the Department of Public Health, Kerala;

(b) if so, the steps taken to establish the same; and

(c) the total cost thereof?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) Yes.

(b) The proposals for additional staff are under consideration of the Government of Kerala. At Kozhikode, construction of a building for laboratory is necessary. The site for the purpose is being located and plans and estimates therefor are under preparation.

(c) Rupees eight lakhs.

Calicut Medical College

4043. Shri A. V. Raghavan: Will the Minister of Health and Family Planning be pleased to state:

(a) whether it is proposed to establish a four-year B.Sc. Course in Nursing at the Medical College, Calicut;

(b) if so, the decision taken in the matter; and

(c) when the Course will start?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) No, Sir.

(b) and (c) Do not arise.

दिल्ली में भूमिगत जल निकालने के लिये नलकूप

4044. श्री यशपाल सिंह: क्या निर्माण, आवास तथा नगरीय विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में भूमिगत जल निकालने के लिये लगाये गये नलकूपों का या तो प्रयोग नहीं किया जा रहा है और या वे खराब हैं ;

(ख) यदि हां, तो इसके क्या कारण हैं ;

(ग) इस समय कितने नलकूप काम कर रहे हैं ; और

(घ) उन पर वार्षिक कितना खर्च किया जा रहा है ?

निर्माण, आवास तथा नगरीय विकास
मंत्री (श्री मेहरचन्द खन्ना): (क) से (घ).
303 नलकूपों में से 243 नलकूप चल रहे हैं
तथा 60 निम्न कारणों वश नहीं चल रहे
हैं:—

- | | |
|--|----|
| (i) भूमिगत जल का स्तर पर्याप्त नीचे है अतएव पम्प करने की कोई आवश्यकता नहीं | 21 |
| (ii) बिजली, यांत्रिक तथा अन्य खराबियां | 14 |
| (iii) बोरों की रुकावट | 3 |
| (iv) सड़कों को चौड़ा आदि करने के लिए पम्प हटा दिये गये | 12 |
| (v) सर्विस कनेक्शन तथा मीटर चोरी हो गये | 10 |

60

नलकूपों को चलाने पर लगभग 6.40 लाख रुपये का वार्षिक व्यय किया जा रहा है।

Department of Social Welfare in Kerala

4045. Shri Nambiar:
Shri Y. N. Singh:
Shri Laxmi Dass:
Shri P. Kunhan:
Shri M. N. Swamy:
Shri Imbichibava:
Shri A. K. Gopalan:

Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether Department of Social Welfare was formed in Kerala in 1963;

(b) if so, when it was wound up with reasons therefor; and

(c) the steps taken by Government to absorb the employees in other departments?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) Yes, Sir.

(b) It was wound up with effect from the 1st June, 1966, as a step for rationalisation of administration of the Department of Harijan Welfare and Social Welfare.

(c) In the Government order abolishing the Social Welfare Department it was also ordered that the staff and residuary work would be taken over by the Harijan Welfare Department.

Kerala State Social Welfare Advisory Board

4046. Shri Nambiar:
Shri Y. N. Singh:
Shri Imbichibava:
Shri P. Kunhan:
Shri M. N. Swamy:
Shri Laxmi Dass:
Shri A. K. Gopalan:

Will the Minister of Planning and Social Welfare be pleased to state:

(a) the number of employees working under the Kerala State Social Welfare Advisory Board;

(b) whether their salary is being paid regularly;

(c) whether these employees are entitled to the benefits under the Provident Fund Act; and

(d) if the replies to parts (b) and (c) above be in the negative, the reasons therefor?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) There are 17 employees in the main office of the Board at Trivandrum and 364 employees in the Welfare Extension Projects in rural areas of Kerala.

(b) Complaints have been received regarding delay in the payment of salaries to the staff working in Welfare Centres in rural areas.

(c) Not at present.

(d) The expenditure on the salaries of the staff working in Welfare Cen-

tres is met out of the contributions by the Central Social Welfare Board, the State Government and the Ministry of Food and Agriculture & Community Development. Delay in release of funds by any of these agencies occasionally results in delay in the payment of salaries to the staff.

The question of extending the Contributory Provident Fund/Terminal benefits to these employees is under consideration.

Social Welfare Board Employees' Association, Kerala

4047. Shri A. K. Gopalan:
Shri Imbichibava:
Shri Kolla Venkaiah:

Will the Minister of **Planning and Social Welfare** be pleased to state:

(a) whether the Prime Minister has received a Memorandum from the Social Welfare Board Employees' Association, Kerala State, in the first week of July, 1966;

(b) if so, whether Government have considered the grievances of the employees; and

(c) the steps Government propose to take to mitigate the grievances of these employees?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) Yes.

(b) and (c). The requisite information is being collected and will be laid on the Table of the Sabha as soon as possible.

Saving in relation to income in the country

4048. Shri D. C. Sharma:
Shri Buta Singh:

Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that there has been a fall in average saving in relation to income in the country from 10 per cent to 8 per cent according to

a study made by the National Council of Applied Economic Research for the period from 1950-51 to 1964-65;

(b) if so, the factors leading to the same; and

(c) the steps proposed to be taken to check this trend?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) to (c). According to the study of the National Council, the average saving-income ratio for the country dropped from 10 per cent in the period 1956-57 to 1960-61 to 8 per cent during the first four years of the Third Plan. These figures however, suffer from certain estimational and other limitations, and are under examination. A preliminary examination shows that even on Council's own estimates—called "indirect estimates"—the conclusion that there has been a fall in the savings rate from 10 per cent to 8 per cent is unwarranted.

The Planning Commission's estimate of the average saving-income ratio for the country is 10.5 per cent in 1965-66 and the scheme of the financing given in the draft plan presented to Parliament indicates the broad approach to the problem of raising the rate of domestic savings in the course of the Fourth Plan.

Medicines to counteract effects of nuclear weapons

4049. Shri D. C. Sharma:
Shri Buta Singh:

Will the Minister of **Health and Family Planning** be pleased to state:

(a) whether any progress has been made in India to invent medicines to counteract the effects of nuclear weapons used in wars; and

(b) if so, the steps taken in this regard with the results achieved?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) and (b). A programme of work aimed at synthesizing potential radioprotect-

tive chemicals has been under way for some time. The chemicals prepared under this programme are now being tested on Laboratory animals.

Palai Central Bank, Ltd.

4050. Shri D. C. Sharma:

Shri Buta Singh:

Will the Minister of Finance be pleased to state:

(a) whether the Palai Central Bank, which went into liquidation, has fully paid up all its creditors and depositors;

(b) if not, the details of payment made up-to-date; and

(c) the reasons for the delay?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) No.

(b) About 65 per cent of the amounts due to the depositors has been paid as on the 30th June, 1966. Of the total number of 80,297 depositors, 53,864 have received payment in full, while 26,433 depositors are still to receive payment to the extent of about Rs. 3.03 crores.

(c) The liquidation proceedings are conducted under the supervision of the High Court. Litigation for the recovery or realisation of the assets is necessarily time-consuming. In a few cases, the Court has also extended the time for the repayment of the debts due to the bank. Every effort is however being made to expedite the liquidation proceedings.

Welfare of Backward Classes

4051. Shri M. P. Swamy:

Shri Kashinatha Dorai:

Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether he has constituted a panel on welfare of backward classes to review the programmes of Third Five Year Plan in the field of welfare of backward classes and to advise the Planning Commission on future programmes during the Fourth Five Year Plan;

(b) if so, the composition of the panel; and

1584 (Ai) LSD—5.

(c) the suggestions given by the panel to the Planning Commission in formulating programmes for the welfare of backward classes during the Fourth Five Year Plan?

The Minister of Planning and Social Welfare (Shri Asoka Mehta): (a) Yes.

(b) A statement showing the composition of the Panel is laid on the Table of the House. [Placed in Library. See No. LT-6991/66].

(c) Various subjects have been discussed in the Panel and the conclusions reached have been embodied in the relevant sections of the Draft Outline of the Fourth Plan.

Water Supply Schemes for Punjab

4052. Shri Daljit Singh: Will the Minister of Health and Family Planning be pleased to state:

(a) whether it is a fact that water supply schemes for villages Mada Majra, Jawar Market Kanchera and Barari, in backward area of Punjab are under construction for the last three years; and

(b) if so, when it will be completed?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) Yes.

(b) The work is expected to be completed in May, 1967.

Tax Credit Certificates to Industries

4053. Shri Bishwanath Roy: Will the Minister of Finance be pleased to state:

(a) the list of industries eligible for tax credit certificates; and

(b) whether Government propose to widen the list of industries eligible for tax credit certificates in order to counter inflationary pressure and also increase production?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) and (b). The information is being collected and will be laid on the Table of the House.

Ophthalmic Centres

4054. Shri R. S. Tiwary:
Shri Vishwa Nath Pandey:

Will the Minister for Health and Family Planning be pleased to state:

(a) whether it is a fact that Government are considering to set up Dr. Rajendra Prasad Ophthalmic Centres at many places in the country;

(b) if so, when and at which places; and

(c) the total amount likely to be incurred thereon?

The Minister for Health and Family Planning (Dr. Sushila Nayar): (a) Yes, Sir. There is a proposal to set up 7 Dr. Rajendra Prasad Centres for Ophthalmic Sciences in the Country.

(b) These are proposed to be started during the Fourth Plan. The Centres are proposed to be established, one each in the following States:

- (i) Delhi (All India Institute of Medical Sciences, New Delhi).
- (ii) West Bengal.
- (iii) Madras.
- (iv) Mysore.
- (v) Maharashtra.
- (vi) Uttar Pradesh.
- (vii) Andhra Pradesh.

(c) It is estimated that a total expenditure of Rs. 1.50 crores will be involved in the establishment of 7 Centres.

**मंत्रालयों में पालियामेंटरी
असिस्टेंट**

4055. श्री विश्राम प्रसाद :
श्री हुकम चन्द कछवाय :
श्री रामसेवक यादव :
श्री यशपाल सिंह :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत सरकार के विभिन्न मंत्रालयों में कितने पालियामेंटरी असिस्टेंट हैं ;

(ख) क्या उनके वेतन के अतिरिक्त उन्हें कोई अतिरिक्त भत्ता (मासिक अथवा दैनिक) भी दिया जाता है ;

(ग) यदि हां, तो यह भत्ता किस काम के लिये दिया जाता है ;

(घ) क्या पहले उन्हें कोई विशेष भत्ता नहीं दिया जा रहा था ; और

(ङ) यदि हां, तो यह नया भत्ता मंजूर किये जाने के क्या कारण हैं ?

वित्त मंत्री (श्री शचिन्द्र चौधरी) :

(क) आवश्यक सूचना इकट्ठी की जा रही है और मिलते ही मदन की मेज पर रख दी जायगी ।

(ख) और (ग). जी हां । संसदीय सहायकों के रूप में काम करने वालों को निम्नलिखित दरों पर विशेष भत्ता दिया जाता है :

सहायक जो 500 रुपये से कम वेतन पाते हैं	4 रुपये रोज
उच्च श्रेणी निपिक	3 रुपये रोज

यह भत्ता केवल उन कर्मचारियों को मिलता है जो पूरे समय के लिए संसदीय काम करते हैं । और यह भत्ता संसद के सत्र की अवधि के लिए तथा प्रत्येक सत्र के आरम्भ होने से पहले के एक सप्ताह की अवधि के लिए दिया जाता है ।

(घ) 30-5-61 तक, संसदीय सहायकों को तीन रुपये रोज के हिसाब से रात में काम करने का भत्ता दिया जाता था । 1-6-1961 से उन्हें दफ्तर के कर्मचारियों पर लागू होने वाली अधिक समय काम करने के लिए भत्ते की योजना में शामिल कर लिया गया था । इससे कई प्रकार की व्यावहारिक कठिनाइयां पैदा हुई इसलिए 3-2-1964

से अतिरिक्त समय के भत्ते के स्थान पर उपर्युक्त विशेष भत्ता दिया जाने लगा ।

(ङ) सवाल नहीं उठता, क्योंकि यह भत्ता कोई नया नहीं है ।

हिन्दी आफिसर्स तथा हिन्दी असिस्टेंटों के वेतन-क्रम

4057. श्री विश्राम प्रसाद :
श्री हुकम चन्द कछवाय :
श्री रामसेवक यादव :
श्री यशपाल सिंह :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उनके मंत्रालय के स्टाफ इन्सपेक्शन यूनिट ने यह सिफारिश की है कि उनके मंत्रालय के राजस्व विभाग में हिन्दी आफिसर्स के वेतनक्रम बढ़ाये जाने चाहियें तथा हिन्दी असिस्टेंटों के पदों पर अनुवादक रखे जाने चाहियें ;

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

(ग) क्या सरकार का विचार अन्य मंत्रालयों में इन पदों पर काम करने वाले कर्मचारियों के बारे में समान नीति अपनाने का है ?

वित्तमंत्री (श्री शचीन्द्र चौधरी) :

(क) कार्य का अध्ययन करके उसके आधार पर कर्मचारी निरीक्षण एकक (स्टाफ इन्सपेक्शन यूनिट) ने हिन्दी अफसर के पद को 700-40-1100-50/2-1250 रुपये के स्तर पर लाने तथा साथ ही हिन्दी सहायकों के तीन पदों को अनुवादकों के पदों में परिवर्तित करने की सिफारिश की ।

(ख) कर्मचारी निरीक्षण एकक की सिफारिशें हिन्दी अनुभाग में किये जाने वाले कार्यभार की मात्रा तथा स्वरूप का निर्धारण

करके उस पर आधारित की गई थीं और सिफारिशों में इस तथ्य पर भी ध्यान दिया गया था कि हिन्दी अफसर को व्यय विभाग का काम भी सौंपा गया है ।

(ग) हिन्दी अफसरों, हिन्दी अनुवादकों और हिन्दी सहायकों के पद निःसंग संवर्ग बाह्य पद हैं और ऐसे पदों की संख्या और स्तर प्रत्येक मंत्रालय/विभाग में ऐसे कार्य की मात्रा और स्वरूप के साथ सम्बन्धित है । इससे साफ जाहिर है कि हिन्दी अनुभाग के कर्मचारियों की संख्या एकसी निर्धारित नहीं की जा सकती ।

पूर्वी उत्तर प्रदेश का विकास

4058. श्री विश्राम प्रसाद :
श्री हुकम चन्द कछवाय :
श्री रामसेवक यादव :
श्री यशपाल सिंह :
श्री विश्वनाथ पाण्डेय :
श्री राजदेव सिंह :
श्री विश्वनाथ राय :
श्री गहमरी :
श्री बालकृष्ण सिंह :
श्री सिंहासन सिंह :

क्या योजना तथा समाज कल्याण मंत्री यह बताने की कृपा करेंगे कि पटेल समिति की सिफारिशों के अन्तर्गत उत्तर प्रदेश की पूर्वी जिलों में वर्ष 1965-66 और 1966 में अब तक की गई कार्यवाही का व्यौरा क्या है ?

योजना तथा समाज कल्याण मंत्री (श्री अशोक मेहता) : एक विवरण सभा पटल पर रखा गया है [पुस्तकालय में रखा देखिये संख्या एल.टी-6992/66] जिसमें 1965-66 की सम्भावित व्यय-व्यवस्था और 1966-67 के लिए बजट में की गई व्यय व्यवस्था दर्शायी गई है । यह इन जिलों में किए जाने वाले कार्यक्रमों का हवाला देते हैं ।

Rehabilitation of Oustees in Rajasthan Canal Areas

4059. Shri Hem Raj: Will the Minister of Irrigation and Power be pleased to state:

(a) the number of oustees likely to be displaced by the construction of Harike Pond, Rajasthan Feeder, Pong Dam and Sutlej Beas Link, separately, by each scheme; and

(b) the number of oustees of each scheme who will be rehabilitated in Rajasthan Canal area?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

(a) Harike Project	2882
Rajasthan Feeder	442
Pong Dam	31274
Beas-Sutlej Link	400

(b) All oustees from the above Projects in Punjab and Himachal Pradesh will be eligible for resettlement on areas to be set apart by the Government of Rajasthan for the purpose in the command of Rajasthan Canal.

Study Leave Rules

4060. Shri Balgovind Verma: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that a bond to serve the Government of India for three years is required to be executed by an employee granted study leave under the Study Leave Rules, 1962;

(b) if so, whether service in the Government of India includes service in any public sector undertaking under the Government; and

(c) if not, the reasons therefor?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Yes, Sir.

(b) No, Sir.

(c) Public Sector Undertakings are autonomous bodies having se-

parate legal entity and service thereunder cannot be regarded as Government service.

**नई दिल्ली में राजौरी गार्डन में
शमशान भूमि**

4061. श्री युद्धबीर सिंह :
श्री हुकम चन्द कश्यप :
श्री रामेश्वरानन्द :

क्या स्वास्थ्य तथा परिवार नियोजन मंत्री
11 अगस्त, 1966 के अतारंकित प्रश्न संख्या
2101 के उत्तर के संबंध में यह बताने की कृपा
करेंगे कि :

(क) क्या यह सच है कि दिल्ली नगर
निगम ने दिनांक 5 फरवरी, 1952 के अपने
पत्र संख्या 249/जी०डी०/एस०सी०जी०/62
में राजौरी गार्डन निवासियों की एसोसियेशन
के सचिव को लिखा था कि पंजाबी बाग में
नई शमशान भूमि की व्यवस्था होत ही राजौरी
गार्डन से शमशान भूमि हटा दी जायेगी ;

(ख) यदि हां, तो क्या पंजाबी बाग में
शमशान भूमि की व्यवस्था हो गई है और क्या
उसका प्रयोग किया जाने लगा है ; और

(ग) यदि हां, तो अब भी राजौरी
गार्डन में शमशान भूमि रखे जाने के क्या
कारण हैं ?

स्वास्थ्य तथा परिवार नियोजन मंत्री
(श्री सुशीला नायर) : (क) जी हां ।

(ख) जी हां । पंजाबी बाग, मोती नगर
तथा अन्य समीपवर्ती क्षेत्रों के निवासियों
द्वारा इसका उपयोग किया जा रहा है ।

(ग) राजौरी गार्डन क्षेत्र के कतिपय
लोग अपनी वर्तमान शमशान भूमि को छोड़ने
के अनिच्छुक हैं । उन्हें पंजाबी बाग की शमशान
भूमि का उपयोग करने के लिए कहा जा रहा
है ।

Rural Income

4062. Shri P. C. Borooah: Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether an analysis of the rural income has been recently made by the National Council of Applied Economic Research;

(b) if so, what are its main revelations;

(c) the average rural income in Assam and other States according to this study and how far Government's official figures agree with it; and

(d) the average rural income in the Hill Districts of Assam and other border areas?

The Minister of Planning and Social Welfare (Shri Asoka Mehta): (a) to (d). A statement is laid on the Table of the House. [Placed in Library. See No. LT-6993/66].

Gold Control Order

4063. Dr. P. Srinivasan:
Shri P. C. Borooah:
Shri Alvares:
Shri Hari Vishnu Kamath:
Shri Balmiki:

Will the Minister of Finance be pleased to state:

(a) whether the goldsmiths from different States demonstrated outside the Parliament House recently demanding scrapping of the Gold Control Order;

(b) whether any representations or memoranda have been submitted by the demonstrators direct or through their representatives in Parliament; and

(c) if so, the precise nature of the grievances enumerated therein and the demands made and Government's decision thereon?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Yes, Sir.

(b) Yes, Sir.

(c) Besides demanding withdrawal of Gold Control, the goldsmiths demanded relaxation of last date for receipt of applications for issue of certificate to work as goldsmith and for rehabilitation loan assistance and liberalisation of certain procedural matters. The demands are being looked into.

Blood Banks

4064. Shri Wadiwa: Will the Minister of Health and Family Planning be pleased to state:

(a) whether Blood Banks which process and trade in human blood that is administered intravenous in serious cases come under the purview of the Drugs Control Act;

(b) if not, the reasons therefor?

(c) whether Government are aware that private Blood Banks take unhealthy blood from sickly and diseased persons (mostly beggars) who sell blood four or five times a month; and

(d) if so, what steps Government propose to take to check the private Blood Banks from buying unwholesome blood from beggars and selling it to the patients who need healthy and wholesome blood?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) Yes.

(b) Does not arise.

(c) The Government has not received any reports to the effect that private blood banks are taking unhealthy blood from sickly and diseased persons who sell blood four or five times a month.

(d) Does not arise.

Kuttiadi Irrigation Scheme

4066. Shri P. Kunhan: Will the Minister of Irrigation and Power be pleased to refer to the reply given to

Unstarred Question No. 867 on the 24th February, 1966 and state:

(a) whether the Kuttiadi Irrigation Scheme has been finalised for inclusion in the Fourth Plan; and

(b) if so, the amount allocated for it and when it will be commissioned?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

(a) The Kuttiadi Irrigation Scheme is included in the Third Five Year Plan and will continue in the Fourth Plan as a spill over scheme.

(b) The allocation for the Fourth Plan has not yet been decided. A sum of Rs. 38 lakhs has been provided for 1966-67. The scheme will be completed during the Fourth Plan period.

Kanhirapuzha Irrigation Scheme

4067. Shri P. Kunhan: Will the Minister of Irrigation and Power be pleased to state:

(a) the amount is proposed to be allocated to the Kanhirapuzha Irrigation Scheme the Kerala in the Fourth Plan;

(b) whether any representation has been received from the District Development Council, Palghat for increased funds for the scheme and for the completion of it in the Fourth Plan; and

(c) if so, the action taken thereon?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

(a). Allocation for Fourth Five Year Plan has not been finalised.

(b) No.

(c) Does not arise.

Incidence of Elephantiasis in Kerala

4068. Shri P. Kunhan: Will the Minister of Health and Family Planning be pleased to state:

(a) whether Government have conducted any survey in Kerala recently

to assess the number of persons afflicted with elephantiasis; and

(b) if so, their number and the steps taken to eradicate the disease?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) Filaria surveys were conducted in different parts of Kerala State from 1955 to 1963.

(b) Out of 1,08,971 persons examined during surveys, 5,049 persons were found positive for Filariasis giving an overall infection rate of 4.63 per cent.

Filariasis does not lend itself to eradication in a time limited crash programme like malaria. The permanent remedy for the control of the disease lies in the provision of facilities for drainage, disposal of waste water and sewage and improvement of sanitation. These measures are being taken up according to availability of funds. Meanwhile for controlling the spread of the disease, a programme known as the National Filaria Control Programme has been launched since 1955.

Efficacy of Loop

4069. Shri P. Kunhan: Will the Minister of Health and Family Planning be pleased to state:

(a) whether it is a fact that the loop invented by the famous American Doctor Lippes is proving ineffective in controlling births;

(b) whether Government's attention has been drawn to reports from Kerala where there have been births in spite of the application of loop and along with it in single and twins; and

(c) if the reply to part (a) above be in the affirmative the steps taken to offset the situation?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) No, Sir.

(b) Yes. According to official reports available from Kerala, the pregnancy rate in cases with loops in

situ is less than one per thousand which compares very favourably with results of similar studies abroad.

(c) Does not arise.

Foreign Exchange Violations

4070. Shri Ram Sewak Yadav:
Shri Madhu Limaye:
Shri Buta Singh:

Will the Minister of **Finance** be pleased to state:

(a) the names of persons whose cases were arbitrated by the Enforcement Directorate and other Central agencies regarding taxes and foreign exchange violations in July, 1966; and

(b) the type of violations committed by them.

The Minister of Finance (Shri Sachindra Chaudhuri): (a) and (b). There is no provision in the Customs Act, Foreign Exchange Regulation Act, Income-Tax Act or Central Excises and Salt Act for "arbitration" of the offences/violations committed under these Acts.

Raids by Central Investigating Agencies

4071. Shri Ram Sewak Yadav:
Shri Madhu Limaye:
Shri Buta Singh:

Will the Minister of **Finance** be pleased to state:

(a) whether the Central Investigating Agencies carried out any raids in August, 1966 in Calcutta, Bombay, Kanpur and other major cities of India;

(b) if so, whether any documents, jewellery, Indian and foreign currency, foreign liquor and Gold was seized; and

(c) if so, the details thereof?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) to (c). The required information is being collected and will be laid on the Table of the House as early as possible.

Income-tax Arrears in Pondicherry

4072. Shri Ku. Sivapparghassan:
Will the Minister of **Finance** be pleased to state:—

(a) the total amount of Income-tax arrears in Pondicherry as on the 30th June, 1966; and

(b) the steps taken by Government to recover these arrears?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Rs. 14.50 lakhs.

(b) Of the outstanding amount, collection of an amount of Rs. 11.48 lakhs has been stayed by the orders of High Court. In respect of the balance of the amount, such steps as are available in law are being taken by Government on the merits and circumstances of each case.

Major Industries in Pondicherry

4073. Shri Ku. Sivapparghassan:
Will the Minister of **Planning and Social Welfare** be pleased to state:

(a) whether the Government of Pondicherry have put forward any suggestions to the Planning Commission and the Central Government for the establishment of any new and major industries in Pondicherry during the Fourth Plan; and

(b) if so, the names of the Industries proposed?

The Minister of Planning and Social Welfare (Shri Asoka Mehta): (a) Yes, Sir.

(b) In their preliminary memorandum, the Pondicherry Administration have proposed the establishment of two medium scale industries in the public sector during the Fourth Plan period. Among the industries for which there is stated to be scope are the following:—

1. Common Tool Room
2. Small Size Cement Plant
3. Non-ferrous Rolling Mill

4. Manufacture of H.T. Insulators and other ceramic products
5. Production of man-made Fibre
6. Production of Welding Transformers

Detailed proposals are awaited.

Irrigation Projects in Pondicherry

4074. Shri Ku. Sivappara ghasan: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Government of Pondicherry have asked for an allocation of Rs. 30 crores for irrigation projects in the State during the Fourth Five Year Plan; and

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

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

(a) No. Government of Pondicherry have proposed in their Preliminary Memorandum on Fourth Five Year Plan Rs. 22 lakhs for Irrigation Schemes.

(b) The allocations for the Fourth Five Year Plan are yet to be decided.

Tribal Development Blocks in Pondicherry

4075. Shri Ku. Sivappara ghasan: Will the Minister of Planning and Social Welfare be pleased to state:

(a) the percentage of Tribal cadres employed in each of the Tribal Development Blocks of Pondicherry;

(b) whether the percentage is satisfactory; and

(c) if not, the steps taken in the matter?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) There are no Tribal Development Blocks in Pondicherry.

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

Backward Classes in Pondicherry

4076. Shri Ku. Sivappara ghasan: Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether it is a fact that certain categories of people are classified as backward and most backward in Pondicherry;

(b) if so, their strength, category-wise; and

(c) whether any facility or concession is given to them?

The Deputy Minister in the Department of Social Welfare (Shrimati Chandrasekhar): (a) to (c). The information is being collected and will be placed on the Table of the House as soon as received.

दिल्ली से जल की गई लोह की चादरें

4077. श्री सोलंकी : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 11 अगस्त 1966 को दिल्ली में 1 लाख रुपये के मूल्य की लोहे की चादरें जल की गई हैं ;

(ख) यदि हां, तो कितने व्यक्तियों के विरुद्ध कार्यवाही की गई है ; और

(ग) उनके विरुद्ध क्या कार्यवाही की गई है ?

वित्त मंत्री (श्री गजानंद चौधरी) : (क) से (ग). 6 और 10 अगस्त 1966 को दिल्ली प्रशासन के अफसरों द्वारा दिल्ली के 35 व्यापारियों के व्यापार-स्थानों पर छापे मारे गये और उद्योगों का रद्दी माल, टीनप्लेटों, टीनप्लेटों का रद्दी माल पकड़ा गया । जिसमें टीन प्लेटों का रद्दी माल 6 लाख रुपये मूल्य का है । 35 व्यक्ति गिरफ्तार किये गये और बाद में जमानत पर छोड़ दिये गये । मामले की जांच पड़ताल चल रही है ।

Shooting of Films in Foreign Countries

4078. Shri P. C. Borooah: Will the Minister of Finance be pleased to state:

(a) the amount of foreign exchange spent in shooting of Indian films abroad including the foreign tours made by film directors and producers in this connection during the year 1964, 1965 and 1966, so far;

(b) the amount of foreign exchange earned by the Indian films during each of the above years; and

(c) the steps taken to ensure that Indian film producers choose Indian tracts and spot in preference to foreign ones for shooting of their films to minimise drain on exchange resources?

The Minister of Finance (Shri Sachindra Chaudhuri):

(a)	1964	Rs.	73,001
	1965	Rs.	4,09,867
	1966	Rs.	1,75,963
(b)	1964	Rs.	2,12,41,000
	1965	Rs.	1,67,37,000
	1966	Information is not yet available.	

(c) Exchange is being released only after scrutiny by authorities concerned and on condition that the producer gives guarantee to earn foreign exchange at least equal to four times the amount of foreign exchange released to him.

Employees of Enforcement Directorate

**4079. Shri Balmiki:
Shri Basappa:
Shri Siddananjappa:**

Will the Minister of Finance be pleased to refer to the reply given to part (a) of Unstarred Question

No. 4200 on the 21st April, 1966 regarding Employees in the Directorate of Enforcement and pleased to lay a statement on the Table showing:

- (i) the length of service of the personnel of the Madras Regional Office of the Enforcement Directorate who have been confirmed recently;
- (ii) the length of service of the personnel of other Regional Offices of the Enforcement Directorate with same or greater length of service, who were not confirmed at that time and the reasons for their not, the reasons therefor?

- (iii) whether a Departmental Promotion Committee had considered the aforesaid confirmation of the personnel of the Madras Regional Office before the decision was taken and, if not, the reasons therefor?

The Minister of Finance (Shri Sachindra Chaudhuri): (i) A statement giving the length of service in the grade concerned of the junior most persons of the grades who have been confirmed in the Madras Regional office of the Enforcement Directorate is laid on the Table of the House. [Placed in Library. See No. LT-6994 (i)/66].

(ii) A statement giving the length of service in the grade concerned of the senior most persons of the grades who have not yet been confirmed in the Bombay, Calcutta and Delhi Regional offices of the Enforcement Directorate is laid on the Table of the House. [Placed in Library. See No. LT-6994 (ii)/66].

(iii) The confirmations at Madras were made on the basis of the recommendations of the Departmental Promotion Committee.

मसालों में मिलावट

4080. श्री श्रींकार लाल बरवा : क्या स्वास्थ्य एवं परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में कीर्तिनगर स्थित मसाले पीसने के एक कारखाने में हाल में छपा मारा गया है ;

(ख) क्या यह भी सच है कि उपरोक्त कारखाने में मिलावटी मसाले बनाये जाते हैं ; और

(ग) यदि हां, तो सरकार ने इस मामले में क्या कार्यवाही की है ?

स्वास्थ्य तथा परिवार नियोजन मंत्री (डा० सुशीला नायर) : (क) जी हां ।

(ख) और (ग). मिलावटी होने के सन्देह वाले मसालों तथा इस फैक्टरी में मिलावट के उद्देश्य से प्रयोग किए जाने वाले जो भी अन्य पदार्थ मिले उनके नमूने ले लिये गये हैं और उन्हें जन विश्लेषक के पास भेज दिया गया है । विश्लेषण की रिपोर्ट मिलते ही उस पर आगे आवश्यक कार्यवाही की जायेगी ।

नई दिल्ली में विलिंगडन तथा सफदरजंग अस्पतालों में ड्राइवर

4081. श्री विश्वाम प्रसाद :

श्री बड़े :

श्री यशपाल सिंह :

क्या स्वास्थ्य एवं परिवार नियोजन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विलिंगडन और सफदरजंग अस्पतालों के तीसरी श्रेणी के कुछ ड्राइवरों को 1959-60 में पुनरीक्षित वेतनक्रमों के अनुसार वेतन नहीं दिया जाता है ;

(ख) क्या यह भी सच है कि कुछ ड्राइवरों ने इस सम्बन्ध में अपने वरिष्ठ अधि-

कारियों को अभ्यावेदन दिये हैं किन्तु अब तक इस के बारे में कोई भी कार्यवाही नहीं की गई है ;

(ग) क्या यह भी सच है कि ये सभी ड्राइवर भूतपूर्व सैनिक हैं जिनकी वरिष्ठता पर उचित ध्यान नहीं दिया गया है ; और

(घ) यदि हां तो इस मामले में क्या कार्यवाही की गई है ?

स्वास्थ्य तथा परिवार नियोजन मंत्री (डा० सुशीला नायर) : (क) विलिंगडन अस्पताल में ऐसा मामला केवल एक भूतपूर्व सैनिक का है ।

(ख) से (घ). उनके अभ्यावेदन के उत्तर में उन्हें सूचित कर दिया गया है कि चूँकि रक्षा सेवाओं से उनकी निवृत्ति अपेक्षित समय से पहले नहीं हुई थी अतः उनका मामला संशोधित वेतनमान में वेतन निर्धारित करने सम्बन्धी नियमों और आदेशों के अन्तर्गत नहीं आता ।

Water Supply scheme for Cannannore Town

4082. Shri Warrior:

Shri Vasudevan Nair:

Will the Minister of Health and Family Planning be pleased to state:

(a) whether Government have received representations that Cannannore Town in Kerala State is the only District Head-quarters in the State without protected water supply; and

(b) if so, whether any scheme is being prepared to provide protected drinking water to this town?

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) Yes. A Memorandum relating to protected water supply scheme for Cannannore, Tellicherry and Mahe submitted to the Prime Minister during her recent visit to Kerala has been received in the Ministry of Health and Family Planning.

(b) Yes.

Smuggled Article detected in Diesel Loco Workshop, Varanasi

4083. Shri Rajdeo Singh:
Shri Bal Krishna Singh:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that a few months back smuggled articles were detected along with the imported machines and parts in Diesel Loco Workshop, Varanasi;

(b) if so, whether the smuggled articles were recovered during the searches from the residences of some officials; and

(c) if so, the action taken against the officials concerned?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Some transistors, tape recorders and other consumer goods were found inside packages concealed in the cabs of some locomotives imported for the Diesel Locomotive Workshop, Varanasi, from the U.S.A. in 1964.

(b) 374 U.S. Dollars and 1 transistor radio were recovered during the searches from the residences of two officials.

(c) Cases against 15 Railway officials have been adjudicated so far under the Customs law and 14 of them have been penalised.

The Central Bureau of Investigation had also undertaken investigations in these cases which are now complete. The matter is at present under the consideration of the Central Vigilance Commission.

Pay Fixation

4084. Shri Jedhe: Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 1341 on the 4th August, 1966 and state:

(a) whether it is a fact that the pay of 'B' Grade clerks in the Ministerial Services appointed prior to the 16th

August, 1947 in the scale of Rs. 60-5-100 and drawing Rs. 90 as basic pay on the 15th August, 1947, were on the introduction of the Central Civil Service (Revision of Pay) Rules, 1947 fixed in the grade of Rs. 55-3-85-4-125-5-130 on the 16th August, 1947 (the date from which the revised scales of pay were enforced) as Rs. 89 (stage immediately below last pay drawn i.e. Rs. 90 plus Re. 1 as personal pay to be absorbed in future increment;

(b) if not, how the pay in such cases specially where the annual increments were reduced in the revised scales were fixed;

(c) if the reply to part (a) above be in affirmative, whether any deviation had been made from that procedure; and

(d) the number of persons adversely affected as a result thereof?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) and (b). The pay of clerks affected by the pay-revision in 1947 was fixed not under the 'normal rule' indicated in part (b) of the answer to Unstarred Question No. 1341 on 4th August, 1966, but in accordance with Rule 8 of the C.C.S. (Revision of Pay) Rules, 1947, which applied to the generality of employees affected by that pay-revision.

(c) Does not arise.

(d) There is no information available as to whether any persons have been adversely affected and, if so, what their number is.

Rajasthan Canal Project

4085. Shri Hem Raj: Will the Minister of Irrigation and Power be pleased to state:

(a) the number of meetings of the Committee of Directions for the Rajasthan Canal Project held during the current year and the decision taken therein,

(b) whether the question of landless tenants of the Pong Dam Area who are to be ousted by its construction has been considered;

(c) if so, whether it is proposed to settle them in Rajasthan Canal area and the area of land to be given to them; and

(d) if not, the alternate arrangements made for their rehabilitation?

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

(a) One meeting has been held during the current year so far. At this meeting held on 21st July 1966, it was *inter alia* decided that;

- (i) a Technical Committee should examine from technical, economical and practical considerations the suggestion that the intensity of irrigation on the culturable commanded area of Rajasthan Canal Project may be increased as much as possible;
- (ii) Steps should be taken to make an additional allocation of Rs. 50 lakhs for the Rajasthan Canal Project for the current financial year;
- (iii) the proposal for the construction of the Lift Channel should be examined by the Committee mentioned in item (i) above;
- (iv) the present allocation of Rs. 1.0 crore for development of Rajasthan Canal area for the current year should be raised to Rs. 2.0 crores.

(b) and (c). Yes, Sir. In the earlier meeting of the Committee of Direction held on 4th November, 1965, it was decided that ousted landless labourers may also be allotted land to the extent of about one acre each out of a total area of 3.25 lakh acres to be set apart in the Rajasthan Canal area for allotment to the oustees from Punjab and Himachal Pradesh.

(d) Does not arise.

Resettlement of Landless Tenants

4086. Shri Hem Raj: Will the Minister of Planning and Social Welfare be pleased to state:

(a) whether it is a fact that landless tenants occupying the lands requisitioned for the construction of multi-purpose projects are ousted without any alternative accommodation being provided for them;

(b) if so, whether the Planning Commission have evolved any procedure in general for the rehabilitation and resettlement of such persons; and

(c) if not, the reasons therefor?

The Minister of Planning and Social Welfare (Shri Asoka Mehta):

(a) to (c). In a number of States where extensive areas are to be acquired, alternative land is provided to the extent possible. Matters relating to rehabilitation of persons displaced as a result of acquisition of lands are being further examined in the Group of Experts on Land Acquisition set up in the Ministry of Food, Agriculture, Community Development and Co-operation. The recommendations of the Group are awaited.

Tariff increase by Ashoka Hotel

4087. Shri Hari Vishnu Kamath: Will the Minister of Works, Housing and Urban Development be pleased to refer to the reply given to Unstarred Question No. 2035 on the 11th August, 1966 and state the reasons for increase of the rates in the Ashoka Hotel?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): The rates charged in the Ashoka Hotel were last raised in October, 1959. Since then the expenditure incurred in the running of the hotel has increased considerably. In October, 1961, the Department of Tourism authorised a general increase in the charges of all hotels catering for tourists, but the Ashoka Hotel did not increase their charges at that

time. Owing to the increasing costs, however, the management found it-
self obliged to increase the rates in
June, 1966. The approval of the De-
partment of Tourism was obtained
before this was done. This decision
was not connected with the devalua-
tion of the rupee.

जाओरा रेलवे स्टेशन पर अफीम का पकड़ा जाना

4088. श्री युद्धवीर सिंह :

श्री बड़े :

श्री हुकूम चन्द कल्लाय :

श्री जगदेव सिंह तिहानी :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 31 जुलाई, 1966 के 'हिन्दु-
स्तान' में प्रकाशित यह समाचार सच है कि
जाओरा रेलवे स्टेशन पर लगभग दस हजार
रुपये मूल्य की 14 किंवां ब्रकम पकड़ा गई ;

(ख) यदि हां, तो इस सम्बन्ध में कितने
व्यक्ति गिरफ्तार किये गये ; और

(ग) उनके विरुद्ध क्या कार्यवाही की
गई ?

वित्त मंत्री (श्री शचीन्द्र चौधरी) : (क)
जी, हां ।

(ख) एक ।

(ग) मामले की जांच-पड़ताल की जा
रही है ।

अखिल भारतीय चिकित्सा विज्ञान, संस्था में दाखिला

4089. डा० राम मनोहर लोहिया :

श्री रामसेवक यादव

श्री मधु लिमये :

श्री किशन पटनायक :

क्या स्वास्थ्य तथा परिवार नियोजन
मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि इन वर्ष
अखिल भारतीय चिकित्सा विज्ञान संस्था में

विद्यार्थियों के दाखिले का प्रयासों में कुछ
परिवर्तन किया गया है ; और

(ख) यदि हां, तो उक्त परिवर्तन करने
के क्या कारण हैं ?

स्वास्थ्य तथा परिवार नियोजन मंत्री

(डा० सुशीला नायर) : (क) छात्रों को
दाखिले की प्रणाली में इन वर्ष कोई परिवर्तन
नहीं किया गया है ।

(ख) यह प्रश्न नहीं उठता ।

**Representation from Akhila Kerala
Vishwa Karma Maha Sabha**

4090. Shri Vasudevan Nair: Will
the Minister of Planning and Social
Welfare be pleased to state:

(a) whether the Prime Minister
received any memorandum from
Akhila Kerala Vishwa Karma Maha
Sabha during her recent tour of
Kerala State; and

(b) if so, the action taken on the
points raised therein?

**The Deputy Minister in the Depart-
ment of Social Welfare (Shrimati
Chandrasekhar):** (a) and (b). The
Akhila Kerala Vishwa Karma Maha
Sabha had submitted a Memorandum
to the Prime Minister asking for
educational concessions and reserva-
tions in services, educational institu-
tions and in the State Legislature. As
far as the Government of India are
concerned, it has already been decided
that the Other Backward Classes
should be defined on the basis of an
economic criterion. Since the Vishwa
Karma community in Kerala is treated
as Other Backward Classes on the basis
of caste, it is primarily for the State
Govt. to consider the nature and
extent of the concessions to be allow-
ed to the Other Backward Classes in
the State. Their request for reserva-
tion in the State Legislature is not
however tenable as the Constitution
provides for reservation only for the
Scheduled Castes and Scheduled
Tribes.

Private Medical Practitioners

4091. Shri Hari Vishnu Kamath: Will the Minister of Health and Family Planning be pleased to state:

(a) whether the Private Medical Practitioners Association of India has represented to Government that Private medical practitioners should be given the same status, recognition and facility of registration, as have been given to those practising Ayurvedic, Unani and Homoeopathic systems of medicine;

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

The Minister of Health and Family Planning (Dr. Sushila Nayar): (a) and (b). A representation has been received from the Private Medical Practitioners' Association for the registration of unqualified medical practitioners on the basis of their experience in the profession. The matter is receiving attention.

Iron Merchants on Deshbandhu Gupta Road, Delhi

4092. Shri Shiv Charan Mathur: Will the Minister of Works Housing and Urban Development be pleased to state:

(a) whether it is a fact that many iron merchants have unauthorisedly occupied Government land on the Deshbandhu Gupta Road in Paharganj, Delhi;

(b) whether the said merchants have set up regular shops on the land;

(c) if so, whether any action has been taken against the squatters; and

(d) the time since when the squatters are in occupation of the said land?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) to (d). Four iron merchants have set up regular shops on the road berm on Deshbandhu Gupta Road in Paharganj, Delhi. They are paying Teh Bezari

to the Municipal Corporation of Delhi since 1st April, 1962. They have also unauthorisedly occupied Government land behind their place of business in June, 1966. The encroachment measuring 741 square yards is on a part of the land handed over to the Delhi Administration in December 1957 for construction of a higher secondary school. The school is already running in temporary structures on the remaining site. The Delhi Administration is taking action to evict these squatters from the school site.

Assessment of Income-tax on Birthday Purse received by former Chief Minister of U.P.

4093. Shri Hari Vishnu Kamath:
Shri Ram Sewak Yadav:
Shri Madhu Limaye:
Shri Buta Singh:

Will the Minister of Finance be pleased to state:

(a) whether Government are aware that recently a large sum of money was presented to a former Chief Minister of Uttar Pradesh, Shri C. B. Gupta in the form and name of the C. B. Gupta Birthday purse;

(b) whether it is a fact that every individual or body corporate is required, under the law to disclose the nature, quantum and source of all moneys received by him or it, for the purpose of assessing the same to Income-tax;

(c) whether Shri C. B. Gupta has done so;

(d) if so, the details thereof; and

(e) if not, whether the purse has been approved as a charitable fund under the Income-tax Act?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Yes, Sir.

(b) Yes, Sir. Amounts which are taxable as income will be shown in the respective parts of the return of income while particulars of the amounts which the assessee claims

are not taxable will be shown in section F of Part I of the Return of income.

(c) No, Sir. As the amount in question was received by Shri Gupta during the financial year 1966-67, it would fall to be considered for assessment to income-tax only in the assessment year 1967-68, and Shri Gupta will therefore file his return for the assessment year 1967-68 only after 1-4-1967.

(d) Does not arise.

(e) No, Sir.

Ban on New Posts

4093-A. Shri D. C. Sharma:

Shri R. Barua:

Shri D. D. Mantri:

Will the Minister of Finance be pleased to state:

(a) whether the ban on the creation of the new posts has been removed;

(b) whether any expansion schemes have been received from any Ministries as a result thereof; and

(c) if so, the number of posts created by each Ministry?

The Minister of Finance (Shri Sachindra Chaudhuri): (a) Yes, Sir.

(b) The removal of the ban on creation of new posts and the consequent exercise of delegated powers by Ministries etc., will not by itself result in any expansion schemes being implemented. The powers to create posts can be exercised only within the sanctioned budget provision and subject to the powers of valid re-appropriation vested in the Ministries, etc.

Posts which cannot be dealt with under delegated powers will continue to be referred to Finance Ministry for their concurrence as usual under the rules.

(c) In view of the reply to part (b), this does not arise.

Tenant/Landlord Disputes in Delhi

4093-B. Shri Warior:

Shri Sarjoo Pandey:

Shri Hukam Chand

Kachhavaia:

Shri Vishram Prasad:

Shri Yashpal Singh:

Will the Minister of Works, Housing and Urban Development be pleased to state:

(a) whether it is a fact that a large number of cases of disputes between the landlords and the tenants are pending in Delhi Courts and Police Stations;

(b) whether it is also a fact that recently some cases of criminal assaults on tenants were reported in the Roshanara Police Station of Delhi but no action has so far been taken in the matter;

(c) if so, the number of such cases and the reasons for delay in taking action; and

(d) the measures, if any, taken by Government to provide relief to the tenants of Delhi?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) Yes. (i) 3343 cases of eviction, fixation of standard rent, restoration of amenities like electricity and water, and repairs were pending in the courts of Rent/Additional Rent Controllers, Delhi on the 1st August, 1966.

(ii) 121 cases under the Indian Penal Code were reported at various Police Stations during the period from the 1st January, 1966, to the 15th August, 1966.

(b) and (c). Action was taken in all cognizable cases of assault. There is no case in which action was possible under the law but was not taken. Delay, if any, is due to the time taken by the medico-legal examination of injuries on the basis of which alone a cognizable case can be registered against the party.

(d) The Delhi Rent Control Act, 1958, and the Slum Areas (Improvement and Clearance) Act, 1956 provide adequate safeguards.

Corruption Charges against Kerala Official

4093-C. **Shri M. N. Swamy:**
Shri P. Kunhan:
Shri Imbichava:
Shri Y. N. Singha:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government's attention has been drawn to the newspaper reports levelling serious charges of corruption against the present Commercial Superintendent in the office of the Chief Engineer (Civil) under the Kerala Electricity Board;

(b) if so, the steps taken in the matter; and

(c) whether Government propose to institute an impartial enquiry in view of the serious nature of charges?

The Minister of Irrigation and Power (Shri Fakruddin Ahmed): (a) Yes.

(b) The Additional Chief Engineer (Civil), Kerala State Electricity Board, enquired in the charges and found them to be baseless.

(c) In view of his findings, no further enquiry is considered necessary by the Kerala State Electricity Board.

Requisitioning of Houses in Jullundur

4093-D. **Shri Yudhvir Singh:** Will the Minister of Works, Housing and Urban Development be pleased to state:

(a) the number of houses in Jullundur District and proper Jullundur City for which letters for requisitioning were issued during the First and Second Plan periods;

(b) the number of houses which were not requisitioned; and

(c) the reasons therefor?

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): (a) to (c). The information is being collected and will be laid on the Table of the House.

Correction of answer to Unstarred Question No. 3674 dated 14th April, 1966, regarding Burning of Currency Notes in the Reserve Bank of India.

The Minister of Finance (Shri Sachindra Chaudhuri): In reply to Unstarred Question No. 3674, I gave information as under:—

“(a) and (b). The average number of notes cancelled for destruction daily, on the basis of last twelve months figures, is 43, 96, 470. Information about the number of notes actually burnt daily and during the last 3 years is not readily available, but is being collected.”

The above answer was based on the information furnished by the Reserve Bank of India on the 7th April, 1966. The Bank has since advised that the data supplied by some of their offices in periodical returns on the basis of which the figure of notes cancelled daily was compiled, was wrong. The correct figure is 69, 81, 953. The answer to the Unstarred Question may therefore be corrected as under:

“(a) and (b). The average number of notes cancelled for destruction daily, on the basis of the last twelve months figures, is 69, 81, 953. Information about the number of notes actually burnt daily and during the last 3 years is not readily available, but is being collected.”

2. I would also like to take this opportunity to fulfil the assurance given in the second sentence of the above answer. The total number of notes burnt during the last three years is 653,98,10,852.

3. Part (a) of the question asked for information about the number of

currency notes which are released after circulation and are burnt daily by the Reserve Bank of India. The answer was given in terms of the notes cancelled for destruction daily as the number of notes burnt daily was not readily available. The notes cancelled during any given period cannot always be burnt in the same period (for instance, if some incinerators are out of order) so that there may at times be a carry-over of cancelled notes awaiting destruction by fire. As stated earlier, over the twelve-months period preceding the date of the original answer, the daily average of notes cancelled comes to 69,81,953. For the same period the daily average of notes burnt comes to 74,59,645.

CORRECTION OF ANSWER TO UNSTARRED QUESTION NO. 471 DATED 28TH JULY, 1966 REGARDING PERSONS EMPLOYED AT ASHOKA HOTEL

The Minister of Works, Housing and Urban Development (Shri Mehr Chand Khanna): In reply to Unstarred Question No. 471 answered on the 28th July, 1966 relating to the death of an electrician in the Ashoka Hotels Limited, I had stated with reference to parts (c) and (d) of the question that compensation for leave due amounting to Rs. 340.75 has been paid to the wife of the deceased. It has now been found that there is an inaccuracy in the answer given. The amount of compensation for leave due to the deceased is Rs. 83.60 and not Rs. 340.75. Item (i) under the answer to parts (c) and (d) of the above mentioned question should, therefore, read as under:—

"Gratuity of Rs. 210.00 and compensation for leave due amounting to Rs. 83.60 have been paid to the wife of the deceased."

12.15 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE.

DAMAGE DUE TO FLOODS IN BIHAR

Shri Bibhuti Mishra (Motihari): Sir, I call the attention of the Minister of Irrigation and Power to the following matter of urgent public importance and I request that he may make a statement thereon:—

"The damage caused by the recent floods in Bihar".

The Minister of Irrigation and Power (Shri Fakhruddin Ahmed):

There had been heavy rains in Nepal Hills bordering Bihar and in the north-eastern districts of Darbhanga, Muzaffarpur, Champaran and Saran in the last week of August. This resulted in a rush of large quantities of water in the rivers of these districts, causing submersion of large tracts of land. The rivers mainly affected are Kamla Balan, Bhutahi Balan, Bagmati, Lakhandei, Burhi Gandak and the Gandak. Breaches have been reported in the Kamla Balan and Khiroi embankments in Darbhanga district, Adhwara embankments in Sitamarhi sub-Division of Muzaffarpur, Bherihari embankment in Champaran and Saran embankment of Chapra. Serious erosion has taken place in the area adjoining Sikhanderpur in Muzaffarpur town on the Burhi Gandak river, causing a breach. The floods have disrupted road and rail communications in the area.

The assessment of the damage due to these floods is still being made, but according to information collected so far by the State Government, an area of 23.7 lakh acres has been affected, including a cropped area of about 15.5 lakh acres. The approximate value of the crops damaged is estimated by the State Government at Rs. 25 crores. A population of 3.6 million is reported to have been affected. Four persons are reported to have lost their lives.

The State Government have opened a number of relief Centres. A large number of boats has been deployed for rescue operations. Cash grants and loans are being given to the people affected by floods. Fair price shops have been opened and medical and other assistance is being rendered to the people. The Prime Minister

[Shri Bibhuti Mishra]

ter has sent a cheque for Rs. 50,000 for flood relief in the flood-affected areas.

The present floods have been most unfortunate particularly as the State, after a prolonged drought, was hoping for a good harvest.

On receipt of information regarding the severe floods, I proceeded to Bihar along with my colleague, Dr. K. L. Rao and made an aerial inspection of the flood affected areas on the 30th August. We also inspected the serious erosion going on at Muzaffarpur. Five Members of Parliament and officials of the Ministry of Irrigation and Power and Central Water and Power Commission were also in the party. I had also discussions with the Chief Minister and other Ministers and officials of the State Government, regarding the flood situation and the measures to be taken.

A number of flood protection works have already been executed, but much more remains to be done. The experience of this year's floods will have to be studied and suitable remedial measures taken. There is no doubt that drainage conditions in North Bihar require improvement. An Expert Committee has already been appointed by us to go into this problem thoroughly.

In the discussions with the State Chief Minister and others, the immediate measures to be taken to deal with the situation have been indicated. The State Government have indicated that they would require Rs. 10 crores for their flood and drought relief operations. They have also indicated their requirements of foodgrains in the coming months and of supply of seed. The requests of the State Government are being considered.

श्री बिभूति मिश्र : अध्यक्ष महोदय, श्री फखरुद्दीन अहमद, राव साहब और इंडियन ऐयर फोर्स के जवानों को धन्यवाद देते हुए मैं यह पूछना चाहता हूँ कि छितीनी बांध के

टूटने से उत्तर प्रदेश को नुकसान हुआ और फिर मोतीहारी शहर में सिकाहना नदी का पानी पाया गया और इस सिकारना नदी के कमांडेड एरिया में फसलों की बरबादी और घरों की बरबादी हुई। इस के अलावा बागमती नदी के कमांडेड एरिया में क्षति हुई फिर कोसी नदी की बाढ़ से कोसी नदी के कमांडेड एरिया में भी क्षति हुई है तो मैं जानना चाहता हूँ कि क्या मंत्री महोदय कोई ऐसी योजना बना रहे हैं ताकि आगन्दा से इस बाढ़ को रोकने का कोई स्थायी इंतजाम किया जा सके।

श्री फखरुद्दीन अहमद : इन चीजों को हम ने देखा। सब से पहला सवाल यह पड़ा होता है कि जो एम्बैकमेंट बनाये गये हैं उन को मजबूत बनाना चाहिये और ऊँचे करना चाहिये। ज्यों ज्यों साल गुजरते जाते हैं, पानी के साथ जो सिल्ट आती है उस ने मफैस ऊँची हो जाती है। उन की हर साल रिपेयरिंग हों तो जो बड़ी बाढ़ आती है उस से उन में ब्रोकेज होती है और उस की वजह से फ्लड बगैरह होते हैं। हम ने सोचा है कि किसी तरह से स्टेट गवर्नमेंट उन तमाम एम्बैकमेंट्स को ठीक करने का प्रोग्राम हाथ में ले और उन से जो मदद लो जा सकती हो वह ली जाये।

श्री का० ना० तिवारी (बगहा) : स्टेटमेंट में दिया गया है कि :

"The State Government have indicated that they would require Rs. 10 crores for their flood and drought relief operations. They have also indicated their requirements of foodgrains in the coming months and of supply of seed. The requests of the State Government are being considered."

आज अभी रेडियो में खबर आई है कि 165 करोड़ रु० का नुकसान हुआ है। मंत्री महोदय को चीफ मिनिस्टर ने यह भी बतलाया कि करीब 25 लाख टन से ले कर 33 लाख टन फूड ग्रेन्स में कमी होगी। तो वहां से लोट कर

आने पर उन की मांग पर मंत्री महोदय ने क्या कार्रवाई की है ।

श्री फरूद्दीन अहमद : यहां आने के बाद मैंने अपना इन्स्पेक्शन नोट प्राइम मिनिस्टर को भेज दिया है और उन से कहा है कि फौरन स्टेट गवर्नमेंट को, जैसी उन की 5 करोड़ रु० की मांग है फ्लड रिलीफ के लिये, उतने रुपये ऐडहाक बेसिस पर भेज दिये जायें, और जो उनके फूड मिनिस्टर ने 2 लाख टन फ्री महीने के हिसाब से तीन या चार महीने के लिये मांग की है, उस का इन्तजाम किया जाये । साथ ही गेहूं बोने के लिये ज़िम अच्छे बीज की ज़रूरत है वह सितम्बर के पहले पहुंचा दिया जाये ।

श्री यशपाल सिंह (कैराना) : अब सरकार की समझ में यह बात आई है कि चूँकि हमारी वन सम्पत्ति कट गई है इसलिये एक दम बाढ़ें आ जाती हैं । पहले जो करोड़ों की तादाद में दरख्त थे वह इस बाढ़ को रोकते थे । देश में चौथाई लैंड अनकल्टिवेबल कर दी गई है क्योंकि ट्रैक्टर हैं नहीं और बैलों की कमी है । डा० राम मनोहर लोहिया ने पांच साल पहले आवाज लगाई थी कि अन्न सेना कायम की जाये और एक इंच जमीन भी बगैर टिलिग के न रहे । चूँकि चौथाई जमीन बगैर टिलिग के रह जाती है और पानी जवब नहीं होता है इसलिये एक दम से बाढ़ें आ जाती हैं । तो क्या सरकार इस सम्बन्ध में गौर करेगी कि कोई जमीन बगैर टिलिग के न रहे और कोई पेड़ नये तरीके से काटा न जाये ।

श्री फरूद्दीन अहमद : वनों की बाबत मैं कहना चाहता हूँ कि जो एम्ब्रैकेमेंट बनाये गये हैं उन से बहुत हद तक जो फ्लड आते हैं वह रुक जाते हैं । इसके साथ साथ बहुत सी जगहों पर डिटेंशन रिजर्वयर वगैरह बन रहे हैं और जहां जहां बाढ़ें आती हैं उन से उनका कुछ प्रोटेक्शन होता है । पहले जिस तरह से

फ्लड आया करते थे उनसे बहुत हद तक कमी हो गई है । लेकिन यह बहुत बड़ा काम मुल्क में है जहां इतनी बड़ी २ नदियां हैं और उसके लिए बहुत रुपये की ज़रूरत है । जितनी जल्दी हम मुल्क को इन तमाम मुसीबतों से बचाना चाहते हैं, उतनी यह चीजें हमारे सामने आती हैं और उनकी वजह से काम बहुत आगे नहीं बढ़ सका है ।

श्री राम सेवक यादव (बाराबंकी) : मैं जानना चाहता हूँ कि इस वर्ष बिहार में जो बाढ़ आई उस में इस से पहले जो बाढ़ें बाढ़ आई थी उस की अपेक्षा क्या ज्यादा फ़सल नष्ट हुई और क्या ज्यादा जमीन प्रभावित हुई, क्या ज्यादा जानवर बहे या मरे । यदि हां, तो फिर इसे रोकने के लिये फ्लड कंट्रोल बोर्ड ने क्या किया है और इस बाढ़ को रोकने के लिए उस का क्या प्रोग्राम है ।

श्री फरूद्दीन अहमद : मुझ से कहा गया कि इस दफे जों सैलाब आया वह पिछले सैलाब से ज्यादा इन्टेन्सिव था, ऐक्स्टेन्सिव नहीं था । इसको रोकने के लिए सिवा इसके कि हम डिटेंशन डैम बनायेंगे और जो म्वैकमेंट है उन को पक्का करायें और कोई रास्ता नहीं है ।

श्री रामसेवक यादव : मैं ने पूछा था कि कितनी जमीन बाढ़ की लपेट में आई । क्या मंत्री महोदय इसके कोई आंकड़े बतायेंगे कि कितनी जमीन जलमग्न हुई ।

श्री फरूद्दीन अहमद : यह बाढ़ ऐक्स्टेन्सिव नहीं हुई है, इंटेंसिव हुई है । जहां तक जमीन के पानी में आने का सवाल है, मुकम्मिल रिपोर्ट मिलने पर सारी चीजों का पता चलेगा ।

श्री रामसेवक यादव : मंत्री महोदय वहां उड़ कर बाढ़ देखने गये थे । क्या

[श्री रामसेवक यादव]

उनको पता नहीं कि कितनी जमीन जलमग्न हुई और कितनी फसल नष्ट हुई ।

श्री मधु लिमये (मंगेर) : मैं जानना चाहता हूँ कि उत्तर बिहार का जो बाढ़ग्रस्त इलाका है, क्या उसके लिये लगान वसूली, लेवी वसूली, तकावी की वसूली और कर्ज की वसूली आदि के जितने कानून हैं वह सारे स्थगित किये जायेंगे और क्या केन्द्र सरकार द्वारा इस किस्म की सलाह राज्य सरकार को दी जायेगी ।

श्री फल्लूद्दीन अहमद : यह काम तो स्टेट गवर्नमेंट के करने का है कि कैसे रिलीफ वक्रं किया जायेगा । जो लोग काम कर सकते हैं उनको मजदूरी वगैरह देने का काम स्टेट गवर्नमेंट को करना है ।

अध्यक्ष महोदय : भाननीय सदस्य ने तकावी आदि के बारे में पूछा था ।

श्री फल्लूद्दीन अहमद : यह तो रिपॉर्ट के आने पर ही कहा जा सकता है ।

डा० राम मनोहर लोहिया (फर्रुखाबाद) : आज सुबह मंत्री महोदय ने कहा कि कोसी नदी के बांधने का काम काफ़ी हो चुका है । इसके साथ साथ पिछले 19 वर्षों या 20 वर्षों से बांध वगैरह बनाने के लिये तीन सबब या तीन उद्देश्य बतलाये गये, अर्थात् सिंचाई और बिजली देना और बाढ़ों को रोकना । साथ ही यह भी साबित हो चुका है कि 19 वर्ष के काम के बाद भी जो बाढ़ें वगैरह आ रही हैं वह पहले के मुकाबले में कुछ ज्यादा ही खराब हैं । क्या मंत्री महोदय एक मूल्यांकन करेंगे इन सारी योजनाओं का जिससे पता चले कि कहां गड़बड़ हो गई है । या तो यह जो बांध बनाये गये वह मसतबी रहे या उनमें कोई खराबी रही । अगर मूल्यांकन अब तक नहीं किया गया तो क्यों नहीं किया गया, और वह क्या क्या तरीके सोच रहे हैं जिनसे यह समस्या हल हो ।

श्री फल्लूद्दीन अहमद : मैं ने पहले भी बतलाया कि जब पानी चन्द बरसों के बाद कुछ ज्यादा होता है तो उसके साथ सिल्ट आती है और सतह ऊंची हो जाती है । अगर उसी के साथ साथ एम्बैकमेंट ऊंचे न किये जायें तो चार, पांच बरस के बाद जो सैलाव आता है उससे बड़ा नुकसान हो जाता है । दूसरे यह कि इन बरसों में बिहार में करीब दो हजार से ज्यादा एम्बैकमेंट बनाये गये हैं । उन एम्बैकमेंट्स के रिपेयर के लिये हर साल जो रुपया चाहिये, उनको मजबूत करने के लिये, उस के स्टेट गवर्नमेंट के पास न होने से, इसकी तरफ ध्यान नहीं दिया जा सका है । इस लिये जब पानी जोरसे आता है तो कमजोर एम्बैकमेंट टूट जाते हैं और इसकी वजह से बड़ा नुकसान होता है । हम सोच रहे हैं कि किस तरह से सेंट्रल गवर्नमेंट की तरफ से हर एक स्टेट गवर्नमेंट को एम्बैकमेंट मजबूत करने के लिए मदद दी जाये और जहां जहां डिटेन्शन डैम की जरूरत है वह किस तरह से जल्दी से जल्दी बनाये जायें ।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मंत्री महोदय ने फरमाया कि बिहार सरकार पैसे की कमी के कारण इतना सब इन्तजाम नहीं कर पाई । इस तरह से उन्होंने इस बाढ़ के लिये बिहार सरकार को दोषी ठहराया है । अगर मान लीजिये कि हम यहां पर यह सवाल उठाते तो इस सारे मामले में यह कहते कि प्रान्तीय सरकार दोषी है । मैं चाहता हूँ कि आप इस पर एक व्यवस्था दें कि बिहार सरकार और भारत सरकार दोनों मिल कर इस सारे सूबे को तबाह कर रही हैं क्योंकि कोई आकाश की तरफ से तो यह बात नहीं हुई, इनकी बदइन्तजामी के कारण हुई । अगर इन्तजाम ठीक होता तो बाढ़ इतनी खराब न हुई होती । इस सम्बन्ध में आप एक व्यवस्था दें कि क्या मंत्री महोदय को बिहार सरकार के ऊपर जिम्मेदारी डाल कर के, उस को दोषी बना कर के अपने दोष से रिहा होना चाहिये ;

अध्यक्ष महोदय : मैं इस बात को नहीं कह सकता हूँ कि किस का दोष है, तब फिर व्यवस्था कैसे दे सकता हूँ ।

श्री फखरुद्दीन अहमद : मैं किसी को दोषी नहीं ठहरा रहा हूँ ।

डा० राम मनोहर लोहिया : आप क्या मंत्री महोदय को नहीं रोकेंगे । रोकना खाली हमारे लिये है । उन्होंने बिहार सरकार को दोषी बतलाया है ।

अध्यक्ष महोदय : उन्होंने जवाब दिया है कि क्या कारण है । इसमें व्यवस्था का क्या सवाल है ।

डा० राम मनोहर लोहिया : उन्होंने बिहार सरकार को दोषी बतलाया है या नहीं ।

अध्यक्ष महोदय : इसमें व्यवस्था का कौन सा सवाल है ।

डा० राम मनोहर लोहिया : इसलिए कि ये कहते हैं कि यह प्रान्तीय मामला है और बिहार सरकार को दोषी बता कर खुद अपने दोष से रिहा हो जाना चाहते हैं ।

श्री श्रीनारायण दास : (दरभंगा) : बिहार में और सालों की तरह से इस बार भी बाढ़ आई है । बाढ़ की भीषणता इसलिए बढ़ जाती है कि नदियों के किनारे जो तटबन्ध बनाए गए हैं वे अक्सर टूट जाया करते हैं । पहले नदियों पर तटबन्ध नहीं बनाये जाते थे । पीछे गवर्नमेंट ने यह तय किया कि तटबन्ध बनाये जायें । उत्तर बिहार की हालत यह है कि हर बार इनके टूट जाने से बाढ़ की भीषणता पहले की अपेक्षा और भी बढ़ती जाती है । क्या सरकार इस बात की जांच कराएगी कि बाढ़ों पर नियंत्रण करने के लिए तटबन्ध बनाने की जो नीति है उसको त्याग कर कोई और नीति अख्तियार की जाए ?

श्री फखरुद्दीन अहमद : नीति तो वही हांगी । लेकिन जैसा मैं न कहा है हम एम्बैकमेंट्स को मजबूत करने के लिए कार्रवाई करेंगे ताकि ज्यादा पानी आने से वे न टूटें ।

Shri Hem Barua (Gauhati): Before putting a question, may I draw your attention to a very relevant thing? My original notice contained the words "floods in Assam and Bihar", but somehow or other I find, Assam is being blacked out completely from the List of Business. My State, Assam, is neglected. This shows how Assam is neglected by anybody who is somebody.

Mr. Speaker: Nobody; he might put his question.

Shri Hem Barua: May I put a question about Assam since the hon. Minister comes from Assam?

Mr. Speaker: If he can answer it, I will allow it.

Shri Hem Barua: I think, he can because he comes from Assam.

Mr. Speaker: He might put the question.

Shri Hem Barua: Since floods are a recurring phenomenon in the State of Assam devastating human and cattle population and lots of property, may I know whether Government are in a position to tell us (a) if they are contemplating any permanent measures to check recurring floods in Assam, and (b) whether as an interim measure they have adopted any step by way of warning the people before the floods come, by way of having rubber boats to rescue the marooned people and by way of having some buffer stocks of grain so as to offer them relief when they are subjected to floods?

Shri Fakhruddin Ahmed: So far as the first question is concerned, I think, I had an occasion of informing the hon. Member that after my visit when the first flood came in Assam in June; we have discussed the matter and

[Shri Fakhruddin Ahmed] have taken very positive steps to have some permanent schemes for the purpose of relieving Assam from floods and the work is so gigantic that it cannot be achieved within a very short time. As I indicated to hon. Members, we have set up two investigation teams in order to make a thorough investigation within as short a time as possible, one in Cachar and the other in Brahmaputra Valley, for the purpose of investigating the question of setting up retention dams at Pagladia, Manas, Subansiri and Kopli in Brahmaputra Valley and at Barak in Cachar. As soon as the investigation report is available to us, we shall certainly take concrete steps to start the work within the Fourth Plan.

So far as the other two questions are concerned, we are also making some arrangement by which warning regarding floods can be given to the people in proper time.

So far as the question of keeping a stock of foodgrains is concerned, it had been our policy not only because of effects of floods but because we are on one side of the country where sometimes communication is very bad, for the past two or three years of maintaining a buffer stock of essential goods for two or three months. I think, the same position is still maintained by the Assam Government. I shall find out whether there has been any deviation from that policy. It is necessary that the stock should also be kept.

So far as the question of boats is concerned, I think, the hon. Member is aware that practically all over Assam where people know that floods come every year, a large number of people have their own boats.

Shri Hem Barua: Government must have their own boats also.

Shri Fakhruddin Ahmed: The Government also have for the use of their officers as also for relief measures some arrangement. But if it is

found necessary that something more should be done in that behalf, I shall look into that.

Mr. Speaker: Shri P. C. Borooah.

Shri Hem Barua: May I submit, in this case, during the last floods I visited an area in Nalbari and the people were marooned there in the villages for three days and women gave birth to children in their houses and they could not be rescued because you did not have a single boat and the one boat that you had was utilised by officers?

Mr. Speaker: Order, order. Shri P. C. Borooah.

Shri P. C. Borooah (Sibsagar): Even after three Five Year Plans, we find that the rivers in eastern India continue to remain as the rivers of sorrow, misery and suffering despite the promise and the potential inherent in them to become rivers of plenty, abundance and merriment for mankind. May I know what positive steps, concrete steps, Government propose to take in the Fourth Plan to be carried out from the Central sector for their transformation from misery to abundance and, if so, the details thereof?

Shri Fakhruddin Ahmed: I have indicated in detail what measures we propose to take to mitigate this.

Mr. Speaker: Shrimati Ramdulari Sinha.

Shri P. C. Borooah: What are the concrete measures to be taken from the Central sector?

Mr. Speaker: He has given that in detail.

श्रीमती रामदुलारी सिन्हा (पटना) :
क्या यह सही है कि गंडक, बागमति, लखन
देई, कमला बालान और अथवारा मुप आदि
खिबड़ा में प्रतिवर्ष बाढ़ आने के कारण सारन,
जम्पारन, मुजफ्फरपुर और दरभंगा की जनता
को कठिनाई का सामना करना पड़ता है ?

इस साल बाढ़ की विभिन्निका ने जो ताण्डव रूप दिखलाया है वह 1954 से भी अधिक भयंकर है? यह वहां की जनता भी कह रही है। 1954 की बाढ़ के सम्बन्ध में स्वर्गीय प्रधान मंत्री पंडित जवाहरलाल नेहरू जी ने स्वयं पटने में जाकर यह कहा था कि 1954 की जैसी बाढ़ पिछले सत्तर वर्षों में नहीं आई है। इतनी भयंकर बाढ़ पिछले सत्तर वर्षों में कभी नहीं आई है। इससे आप अंदाजा कर सकते हैं कि किस तरह की भयंकर बाढ़ वहां पर आजा आई है। ऐसी जब स्थिति है तो मैं आपसे जानना चाहती हूं कि क्या आपने सिचुएशन का रिएसेसमेंट करके कोई शीघ्रता से कदम उठाने का निर्णय किया है ताकि गंडक प्रोजेक्ट तुरन्त पूरी हो सके?

उसके साथ साथ ये जो छोटी छोटी नदियां हैं इन पर तटबंधों और कलवर्ट्स की व्यवस्था हो सके इसके बारे में भी आपने क्या कोई निर्णय किया है? वहां के लोगों के बीच वाटर का जो डिस्ट्रीब्यूशन है वह प्रापली हो सके और इन फ्लड्स से बे बच सकें इसके बारे में आपने कोई प्रबन्ध किया है? वहां जान और माल की बहुत क्षति हुई है। वहां पर नावों की व्यवस्था पर्याप्त नहीं है। सीड भी वहां पहुंचाना है और फाडर की भी जरूरत है। इन सब चीजों के लिए बहुत बड़ी रकम की आवश्यकता है। आपने जो सहायता अभी तक दी है वह बहुत सी नाकाफी है। मैं जानना चाहती हूं इस रकम में भी आपने पर्याप्त वृद्धि करने का कोई फैसला किया है या करेंगे?

श्री फरहदीन अहमद : आनरेबल मेम्बर ने जो कुछ कहा है मैं समझता हूं कि बहुत हद तक वहां की जो हालत है उसके मुताल्लिक एक सही नक्शा उन्होंने जरूर खींचा है। मैं सिर्फ यह यकीन उनको दिलाना चाहता हूं कि गंडक पर बड़े जोर से काम जारी है और अगर उसमें किसी तरह की कोई कमी हो तो उस पर

सोच विचार करके जो बाकी काम है उसकी वावत सोचा जा सकता है।

श्री विठ्ठनाथ पाण्डेय (सलेमपुर) : मंत्री महोदय आकाशमार्ग से गए और आकाश ही से उन्होंने बाढ़ पीड़ित क्षेत्रों का निरीक्षण किया। मैं जानना चाहता हूं कि बड़ी गंडक जिसका उद्गम स्थान नेपाल है और जो बिहार और उत्तर प्रदेश के किनारे से होकर बहती है और जिसके एक तरफ तो चम्पारन जिला है और दूसरी तरफ देवरिया जिला है उसके तटबन्ध टूट जाने के कारण बिहार में भी और उत्तर प्रदेश में भी भयंकर बाढ़ आई। देवरिया जिले में जो छत्तीनी स्थान है उस क्षेत्र में 27 गांव जलमग्न हो गए हैं हजारों आदमी गृहहीन हो गए हैं, भोजनहीन हो गए हैं, उनके लिए कपड़े का ठिकाना नहीं है, रहने का कोई ठिकाना नहीं है। मैं जानना चाहता हूं कि इन स्थानों का भी क्या आपने निरीक्षण किया है और अगर किया है तो मैं जानना चाहता हूं कि प्रान्तीय सरकार और केन्द्रीय सरकार ने क्या सहायता प्रदान की है? छत्तीनी में जो शूगर है, खड्डा मिल है और रेलवे की जो लाइन संकटग्रस्त है उनकी रक्षार्थ सरकार ने कोई कदम उठाया है?

श्री फरहदीन अहमद : आनरेबल मेम्बर को मैं यकीन दिलाना चाहता हूं कि जब हम बिहार गए थे तो बिहार जाते वक्त गोरखपुर की तरफ से देवरिया जिले की तरफ भी गए थे और वहां हमने देखा जो गंडक के जूरिये से नुकसान हुआ है। यू० पी० की चीफ मिनिस्टर कल या परसों आने वाली हैं। उनको किस किस्म की सहायता चाहिए इस बारे में उनसे बातचीत करके हम आगे कार्यवाही करेंगे।

12.40 hrs.

PAPERS LAID ON THE TABLE

Mr. Speaker: Now papers to be laid on the Table.

Shri Kapur Singh (Ludhiana): Before we proceed further, may I make a submission about the case of my hon. friend, Shri S. M. Banerjee?

Mr. Speaker: Let me finish this first.

Shri Bali Ram Bhagat.

**KERALA SURCHARGE ON TAXES
(AMENDMENT AND VALIDATION) ACT,
1966**

The Deputy Minister in the Ministry of Finance (Shri L. N. Mishra): On behalf of Shri B. R. Bhagat, I beg to lay on the Table:

- (1) A copy of the Kerala Surcharge on Taxes (Amendment and Validation) Act, 1966 (President's Act No. 2 of 1966) published in the Gazette of India dated the 26th March, 1966, under subsection (3) of section 3 of the Kerala State Legislature (Delegation of Powers) Act, 1965.

- (2) A statement showing reasons for delay in laying the above Act. [Placed in Library. See No. LT-6975/66].

Shri Vasudevan Nair (Ambalapuzha): Will you allow me to make a submission?

श्री गुलशन (भटिंडा) : स्पीकर साहब मैंने भटिंडा के एक स्वर्णकार के लड़के की मौत के बारे में कालिग एटेंशन नोटिस दिया है। आपने उसका उत्तर नहीं दिया है।

अध्यक्ष महोदय : उसको इस तरह नहीं उठाया जा सकता है। आप इस तरह न करें। आप रोज़ देखते हैं कि मैं विनती करता हूँ कि इन बातों को इस तरह न उठाया जाये।

श्री गुलशन : एक स्वर्णकार के लड़के की मौत का सवाल है।

अध्यक्ष महोदय : उसकी तहकीकात होगी। मैं क्या कर सकता हूँ ?

एक माननीय सदस्य : यह इन्सान की ज़िन्दगी का सवाल है।

Shri Vasudevan Nair: I am constrained to make this submission because, about the call-attention notices, when you rejected them, some of us again wrote to you saying why they should be admitted and we got a one word reply, "No, it is not admitted". We do not have even the benefit of getting the explanation; I do not say that there should be a detailed explanation, but at least some explanation could be given as to why it is not admitted. My personal feeling is that my call-attention notice on the activities of the Union Railway Minister in a State like Bombay comes under the jurisdiction of the Central Government. Even such a subject is not admitted as a call-attention.....

Mr. Speaker: If we differ on that, what should I do?

Shri Vasudevan Nair: You should at least try to convince us by some explanation.

Shri Umanath (Puddukkottai): We should know the reasons for that....

Mr. Speaker: Then the arguments would be unending. If I give the reason, then the reply would come that the reason is not enough. In that case, what have I to say? The arguments would go on endlessly.

Shrimati Renu Chakravartty (Barackpore): **Mr. Brahmananda Reddy**, the Chief Minister of Andhra Pradesh, has complained publicly that there are Union Ministers who are subverting even the State Government. Here is **Mr. S. K. Patil** who has been doing

the same thing in Bombay. That is why we wanted to get some information from the Government.

**COMPANY'S LIQUIDATION ACCOUNT
(AMENDMENT) RULES**

The Minister of Law (Shri G. S. Pathak): On behalf of Shri C. R. Pattabhi Raman, I beg to lay on the Table a copy of the Company's Liquidation Account (Amendment) Rules, 1966, published in Notification No. G.S.R. 1280 in Gazette of India dated the 20th August, 1966, under subsection (3) of section 642 of the Companies Act, 1956. [Placed in Library. See No. LT-6976/66].

Shri Hem Barua (Gauhati): May I make a submission?

Mr. Speaker: I should not be interrupted like this. Let me finish the papers to be laid on the Table.

Shri C. M. Poonacha rose—

**PASSENGERS (NON-TOURIST) BAGGAGE
(SECOND AMENDMENT) RULES, 1966**

Shri L. N. Mishra: I beg to lay on the Table:

- (1) A copy of the Passengers (Non-Tourist) Baggage (Second Amendment) Rules, 1966, published in Notification No. G.S.R. 1167 in Gazette of India dated the 30th July, 1966, under section 159 of the Customs Act, 1962.
- (2) A statement showing reasons for delay in laying the above Notification.

[Placed in Library. See No. LT-6978/66].

Shri Hari Vishnu Kamath (Hoshangabad): I rise on a point of clarification with regard to item 6; this is Mr. Poonacha's item . . .

Mr. Speaker: Item 7 has been placed on the Table.

Shri Hari Vishnu Kamath: I think you called Mr. Poonacha. Both Mr. Poonacha and Mr. L. N. Mishra were standing at the same time.

Has Mr. Poonacha not laid his paper on the Table?

**AUDIT CERTIFICATE ON THE ACCOUNTS
OF COCHIN PORT TRUST**

The Minister of State in the Ministry of Transport and Aviation (Shri C. M. Poonacha): I beg to lay on the Table a copy of the Audit Certificate on the Accounts of the Cochin Port Trust for the year 1964-65. [Placed in Library. See No. LT-6977/66].

Shri Hari Vishnu Kamath: This, to my untrained eye, appears as a novel item. So far this House has been used to getting only Audit Reports; we have been treated only to Audit Reports. Now this is an Audit Certificate. I do not know what exactly that implies or imports. Does that mean that so far as the Cochin Port Trust is concerned, we are not going to get the Audit Report? Whose Certificate is this? Can he tell us?

Shri C. M. Poonacha: Earlier I had your permission to lay on the Table of the House the Audit Report of the Cochin Port Trust. With that, the Audit Certificate, i.e., the Auditors Certificate was not attached. When the papers came . . .

Shri Hari Vishnu Kamath: Negligence.

Shri C. M. Poonacha: . . . by oversight, the Audit Certificate of the Auditors was not attached. Now I have sought the permission of the House and you, Sir, to place on the Table this Audit Certificate which is a part of the Audit Report which has already been placed on the Table of the House.

Shri Hari Vishnu Kamath: In that case, I would request you to inquire

[Shri Hari Vishnu Kamath]

into this serious irregularity. You cannot just dismiss it as an oversight.

Mr. Speaker: He says that there was an oversight.

Shri Hari Vishnu Kamath: I hope it is not an afterthought.

Shri Bade (Khargone): An Audit Report is never without the audit certificate.

Mr. Speaker: He has said that the certificate was not there before.

STATISTICAL INFORMATION REGARDING
WORKING OF PREVENTIVE DETENTION
ACT

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): I beg to lay on the Table a copy of the Statistical Information regarding the working of the Preventive Detention Act, 1950, during the period 30th September, 1964 to 30th September, 1965. [Placed in Library. See No. LT-6979/66].

Shri Hari Vishnu Kamath: I want to ask something regarding this item also. I am glad my feeble efforts are bearing some fruit with regard to the procedure in various matters. But here I find that this annual report is for the period from 30th September, 1964 to 30th September, 1965. The annual report is welcome. But why has it taken nearly one year? Today is September again, and we are now in September, 1966. Could it not have been laid on the Table of the House in November, 1965 or at least during the budget session of 1966? Why has it taken nearly one year for the report to be presented to the House?

Shri Vidya Charan Shukla: This report is periodically laid on the Table of the House, and as soon as this report was ready, I have brought it forward here to be laid on the Table of the House. There is no particular reason why it has been . . .

Mr. Speaker: The only question which has been asked is this. This pertains to the period from September, 1964 to September, 1965. When did the Ministry get this?

Shri Vidya Charan Shukla: I shall find out the reasons and lay them before the House.

Shri Hari Vishnu Kamath: One more statement giving reasons for delay.

12.47 hrs.

DEMANDS FOR EXCESS GRANTS
(RAILWAYS), 1963-64

The Minister of State in the Ministry of Railways (Dr. Ram Subhag Singh): I beg to present a statement showing Demands for Excess Grants in respect of the Budget (Railways) for 1963-64.

12.47½ hrs.

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary of Rajya Sabha—

- (i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 29th August, 1966, agreed without any amendment to the Advocates (Amendment) Bill, 1966, which was passed by the Lok Sabha at its sitting held on the 16th August, 1966."
- (ii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 29th August, 1966 agreed

without any amendment to the Criminal Law Amendment (Amending) Bill, 1966, which was passed by the Lok Sabha at its sitting held on the 16th August, 1966."

- (iii) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 3) Bill, 1966, which was passed by the Lok Sabha at its sitting held on the 25th August, 1966, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

12.48 hrs.

PETITION RE: MEASURES TO CHECK RISE IN PRICES ETC.

Shri H. N. Mukerjee (Calcutta Central): I beg to present a petition signed by two petitioners namely Shri S. A. Dange (a former Member of this House) and Shri C. Rajeshwar Rao, chairman and general secretary respectively of the Communist Party of India, regarding measures to check rise in prices, and reduce tax burdens on the common man, nationalisation of banks, oil industry etc., and removal of the Union Ministry, and particularly the arraignment of the three delinquent Ministers of Food, Finance and Planning.

I want only to add that several hundred thousand people are converging in a peaceful procession towards Parliament House in support of that petition.

12.49 hrs.

RE: MOTIONS FOR ADJOURNMENT AND CALLING ATTENTION NOTICES

DISTURBANCES IN TRIPURA

Mr. Speaker: I have received notices of adjournment motions from Shri Madhu Limaye, Shri Bagri and Shri Kishen Pattnayak, and Shri Bagri and Dr. Ram Manohar Lohia, and nine calling-attention-notices from Shri Daji, Shri Bagri, Shri Kishen Pattnayak, Shri Braj Raj Singh, Shri Swell, Shri Madhu Limaye and others.

Earlier, I had received intimation that Shri Vidya Charan Shukla was going to make a statement on those disturbances in Tripura. First, I shall hear his statement and then decide whether to allow those motions of adjournment or not.

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): According to information furnished by the Government of Tripura, on August 28, 1966 in the evening, a minor affray took place between an unauthorised cinema ticket-seller and sepoy of the Assam Rifles. This was followed by a quarrel involving other members of the public and some jawans.

A false rumour was spread about the death of a student in the quarrel and this led to the collection of a mob outside the kotwali police station. The mob turned violent and hurled brick-bats at the police. The police had to make mild lathi charge and fire tear-gas shells to keep the crowd away. 93 persons were injured including 66 policemen, 2 jawans and 1 sepoy of the Assam Rifles.

Early on the morning of 29th August, a mob collected before the Kotwali police station and tried to raid the police station. The police was forced to fire tear-gas shells. In protest against the police action, supporters of the agitation also tried to stage a hartal.

[Shri Vidya Charan Shukla]

The mob also raided the local police office and the guards had to open fire, injuring one person.

Fire had also to be opened in another locality to disperse unlawful crowds, resulting in injuries to six persons, one of whom succumbed to his injuries. Two more persons injured in the firing by the police died subsequently. At 11 A.M. a crowd consisting mostly of students started collecting outside the Assembly premises. They succeeded in forcibly entering the premises and taking out the Chief Minister at 2 P.M. The Chief Minister was rescued after intervention by the police who had to open fire. In this firing none was injured.

The mob also took out textiles from the Industrial Sales Emporium and set fire to them. The extent of the loss is being assessed. They tried to raid the local telephone exchange. The Army was called out in aid of the civil power. From 7 P.M. on 29th August, a curfew for 36 hours was imposed in Agartala town.

69 persons have been arrested including one MP and 4 MLAs of the CPI.

On 30th August, 1966, the Assembly proceedings were held peacefully. There were no fresh incidents.

The curfew has been lifted with effect from 7 A.M. on 31st August 1966. The order under s. 144 Cr. P.C. will, however, remain in force upto 4th September. The situation is under control and strict vigilance is being maintained.

Mr. Speaker: Shri Madhu Limaye or Shri Pattanayak—or Shri Bagri—may explain how they allege failure on the part of Government.

श्री बागड़ी (हिसार) : अध्यक्ष महोदय, वहां पर अमन चैन की व्यवस्था बिल्कुल खत्म हो चुकी थी और वहां पर बिल्कुल कानून का राज नहीं बल्कि जंगल का राज रहा है।

जब विधि और कानून का राज न रहे और ऐसा जब वहां पर जंगल का राज हो, जबकि चुनी हुई सरकार बाकायदा तौर पर जो सरकार थी, उसका कोई वहां पर अनुशासन नहीं और कर्फ्यू भी लगा हो, इन हालात को देखते हुए यह जो कामरोको प्रस्ताव है यह जरूर मंजूर किया जाय।

Shri Nambiar (Tiruchirapalli): I wish to make a submission.

श्री राम सेवक यादव (बागबंकी) :
अध्यक्ष महोदय,

Mr. Speaker: His name is not here.

Shri Daji (Indore): My name is there.

Mr. Speaker: In the call attention notice. I am deciding on the admissibility of the adjournment motion now.

अध्यक्ष महोदय : मैं ने बागड़ी जी को सुना। इन को सुनने के बाद मैं इस नतीजे पर पहुंचा हूँ कि कोई फेल्योर गवर्नमेंट के पार्ट पर नहीं है। तो मैं ऐडजर्नमेंट मोशन तो नहीं एलाऊ कर सकता लेकिन कार्लिंग अटेंशन नोटिस जो है वह 5 बजे लूंगा।

Shri Hari Vishnu Kamath (Hoshangabad): There is also a short notice question on this. I request that the names of the signatories thereon may be clubbed with this.

Shri Daji: It may be replied tomorrow.

Shri Surendranath Dwivedy (Kendrapara): There is a half an hour discussion today at 5 p.m.

Mr. Speaker: Tomorrow there may be another—All right. We will take it up tomorrow.

श्री राम सेवक यादव : अध्यक्ष महोदय, कल न लेकर आज ही ले लिया जाये।

अध्यक्ष महोदय : अब जिस वक्त आप कहें, मैं लेने के लिए तैयार हूँ ।

श्री राम सेवक यादव : साढ़े चार बजे रख लीजिए ।

अध्यक्ष महोदय : साढ़े चार बजे गवर्नमेंट का टाइम है, उस में नहीं ले सकता । कल ठीक है । कल रख लेता हूँ ।

Shri Nambiar: The names of those who have given notice yesterday also on the same same subject may be added to it.

Mr. Speaker: I will see if that can be done under the rules.

12.53 hrs.

RE. POINT OF ORDER

Shri Tyagi (Dehra Dun): I would seek your permission to raise a point of order on the petition presented. According to the rules, this petition is not permissible with the subject headings which my hon. friend read out. Therefore, that may be considered.

Mr. Speaker: I must remind the hon. Member of one thing. Objection ought to have been taken at the moment the petition was presented.

Shri Tyagi: It was never circulated, the headings which he actually read out. Therefore, it was not possible for me to refer to the rules earlier. Therefore, I raise this small objection now.

Mr. Speaker: It was in the order paper.

Shri Tyagi: In that, all the subject-headings read out were not mentioned.

Mr. Speaker: Anyway, if he gives me regular notice and if there is something for me to see, I will look into it.

Shri Tyagi: If it is against the rules?

Mr. Speaker: Not against the rules.

12.54 hrs.

RE. WITHDRAWAL OF MEMBER

(Shri S. M. Banerjee)

Shri Kapur Singh (Ludhiana): I wish to make a brief submission about the case of my hon. friend Shri S. M. Banerjee. The sequence of events culminating in your order asking him to leave the chamber which he has obeyed, as he should have, was somewhat as follows.

The hon. Deputy Minister of Finance made certain remarks about Shri Banerjee suggesting that he was amenable to influence from outside this chamber, to which he had taken exception and made certain remarks about which you said 'Let it now pass'. It was obvious that you knew that the remarks which my hon. friend had made were not parliamentary. Later on some members from the other side rose to point out on a point of order that what Shri Banerjee had said was unparliamentary; then you gave your ruling that it was unparliamentary. At that stage, Shri Banerjee withdrew the remark.

I beg to request that in view of these two considerations, first that, previously you had desired explicitly that the matter might be allowed to pass and second, that Shri Banerjee withdrew those objectionable remarks, he might now be allowed to return to this House, particularly when he has obeyed your orders.

Some hon. Members: Yes.

Shrimati Renu Chakravartty (Barrackpore): After all, we should recognise that when it was pointed out the words were unparliamentary and should be withdrawn, he did withdraw them. I think you should allow him to come back.

Mr. Speaker: It was not the words as such that really compelled me to ask to leave the Chamber, though the words he used were unparliamentary, and subsequently held so. I had said 'Let it pass'; I had ignored that because in excitement he had said that. I did not take much notice of that. But I had asked him half a dozen times to discontinue interrupting the proceedings. That was what he was doing. It is not the words used which were subsequently withdrawn to which I had taken objection. But I had asked him again and again, not once, twice or thrice, but more than six times that he should not interrupt and he should allow me to go on. He did not listen to that.

Members should realise how proceedings can be conducted if this kind of procedure is adopted. How can we go on in this manner? They should think among themselves about this.

Shri Kapur Singh: What you say is unexceptionable, but understandably enough the young hon. Member was excited about what had been said about him by the hon. Deputy Minister. Taking that into account, you may now relent a little and allow him to come back.

Shri Tyagi (Dehra Dun): For some time past, discipline in the House has been rather bad . . . (Interruptions).

Shri Umanath (Pudukkottai): The other day he walked out in protest against your ruling!

Shri Tyagi: Whatever decision you take about Shri Banerjee, my submission is this. Let there be a convention established in this House that once you ask a member to sit down, which he does not obey, he must essentially be turned out for the day, because otherwise there will be no discipline. I think the Opposition and we might agree together to abide by the rulings

of the Chair. When the Chair asks us to sit down, we must essentially sit down. If this understanding is arrived at, we can forget the past and behave better in future.

Shri Hem Barua (Gauhati): Once you in your wisdom have taken a decision that Shri Banerjee, for whatever reasons, should go out and he has gone out, and is coming back tomorrow, what is the need to waste time over this question?

Shri Sivamurthi Swamy (Koppal): On a point of order. I do not raise any point of order unless I feel there is point in it. During the question hour, the Minister of Irrigation and Power . . .

Mr. Speaker: A point of order is to be raised now about what happened during question hour?

Shri Sivamurthi Swamy: He said falsely that Mysore had not requested that the water dispute be referred to the tribunal. I have got a letter here. I want to lay it on the Table. . . .

Mr. Speaker: Order, order. It is very strange that in respect of what happened during question hour, a point of order should be raised at this moment.

How can that be done? He can write to me.

Shri Sivamurthi Swamy: He has said falsely.

Mr. Speaker: Then he can write to me, not that a point of order should be raised.

श्री मधु लिंगये (मुंगेर) : अध्यक्ष महोदय, मेरा एक निवेदन है। मैं ने सुना है कि काम रोको प्रस्ताव के बारे में आपने मेरा नाम पुकारा था। लाबी-एस्सिस्टेंट ने मुझे कहा था कि आप आज इसे न उठावें, इसलिये मैं बाहर चला गया था। मेरी विनती है कि कल उसको सुनिये।

अध्यक्ष महोदय : नहीं, अब नहीं सुन सकते ।

श्री मधु लिमये : मुझ को कहा गया था कि आज नहीं आयेगा ।

13 hrs.

STATEMENT RE.

HEALTH OF SHRI YAJNIK, M.P.

The Minister of Home Affairs (Shri Nanda): I have had enquiries made with regard to the state of health of Shri Yajnik, and the information that I have received I shall share with the House.

On the 26th August, Shri Yajnik complained of a slight pain in the chest and head and general uneasiness. He was immediately examined and treated by the doctors of the jail. Next day he was transferred to the Government General Hospital, Baroda, on the advice of the Civil Surgeon. His electro-cardiogram was taken and he was found to be suffering from irregular throbbing of the heart and hypertension. He has been given the best possible facilities and is under the care of a Professor of Medicine. The latest reports about Shri Yajnik's health say that his health has been steadily improving and there is no cause for anxiety.

These are the later reports:

30th August, 1966: He slept well on previous night. Symptoms are still persisting. Investigation has not revealed any further information. Health steadily improving. No cause for anxiety.

31st August, 1966: Slept comfortably last night. More blood tests done. One test shows high eosinophle content. Necessary treatment started. No new symptom. No cause for anxiety.

Report this morning: No change in condition.

Shri Hem Barua (Gauhati): Why should he not be released?

Shri Nanda: I have conveyed to the Chief Minister my own concern and the concern of the House about the condition of Shri Yajnik, and I hope he is considering this matter.

Shri Hem Barua: He should ask the Chief Minister to release him.

Shri N. C. Chatterjee (Burdwan): I want to know if the Home Minister has been good enough to communicate to the State Ministry the desire of the House that he should be released. If that has been done, what is the response?

Mr. Speaker: That is what he means.

13.02 hrs.

RE. STATEMENT BY DEFENCE MINISTER

Mr. Speaker: The Defence Minister will be making a statement on the border situation between India and Pakistan at 4.45.

Shri Indrajit Gupta (Calcutta South West): What about the rest of the unfinished debate?

Mr. Speaker: That must be taken up some day.

Shri Indrajit Gupta: Before he replies to that debate, he is going to make another new statement?

Mr. Speaker: This is independently of that. That debate has to be carried on.

श्री जगदेव सिंह सिद्धान्ती (इज्जर) :
अध्यक्ष महोदय, डिफेंस मिनिस्टर साहब ने एक अग्रस्त को भी एक वक्तव्य दिया था, उस के बाद जो बहस हुई थी उसका भी उत्तर आना है ।

अध्यक्ष महोदय : ठीक है ।

13.02½ hrs.

PUNJAB STATE LEGISLATURE
(DELEGATION OF POWERS) BILL
—Contd.

Mr. Speaker: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

13.03 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Clause 3——(Conferment on the President of power of the State Legislature to make laws).

Shri Hari Vishnu Kamath
(Hoshangabad): I beg to move:

(i) Page 2, line 9,—

for "Act" substitute "Bill" (2)

(ii) Page 2, line 10,—

omit "Whenever he considers it practicable to do so," (3).

(iii) Page 2, line 15,—

after "House" insert—

"and the other members shall be nominated by the Speaker in consultation with the Leader of that House as well as the Leaders of all Opposition Groups in that House". (4).

(iv) Page 2, line 19,—

after "House" insert—

"and the other members shall be nominated by the Chairman in consultation with the Leader of that House as well as the Leaders of all Opposition Groups in that House". (5).

(v) Page 2, line 2,—

for "Act" substitute "Bill". (6)

(vi) Page 2, line 29,—

after "effect to" insert "forthwith". (7)

(vii), Page 2, line 29,—

for "Act" substitute "Bill". (8).

(viii) Page 2, line 32,—

after "taken" insert "in good faith".. (9).

(ix), Page 2, line 15,—

omit "and" (12).

(x) Page 2,—

after line 19, insert—

"(c) twenty members of the Legislative Assembly of Punjab nominated by the Speaker of that House; and

(d) ten members of the Legislative Council of Punjab nominated by the Chairman of that House." (13).

Shri Shree Narayan Das (Darbhanga): I beg to move:

Page 2,—

(i) line 11—

after "consisting of" insert—

"members of both Houses of Legislature of the State of Punjab"

(ii) omit lines 12 to 19. (10).

Shri Hari Vishnu Kamath: This is a vital clause before the House, and I do appeal to all colleagues on all sides of the House to bestow special attention on this particular clause because it will determine the manner in which the affairs of Punjab, a State which is dear to us all, will be administered during this interregnum of President's rule.

I would first request you to concentrate your attention and that of the House on the more substantial amend-

ments that I have tabled to this clause—Nos. 3, 4, 5, 12 and 13. I wish the Secretariat had consolidated all of them into one bunch, they have not done so, so there is difficulty. Amendment No. 12 is not so important, it is only verbal and consequential.

I will dispose of Amendment No. 3 first. Clause 3 contains a proviso which reads as follows:

"Provided that before enacting any such Act, the President shall, whenever he considers it practicable to do so, consult a Committee...."

That will come later on. Now, particularly when the legislature of Punjab State has not been dissolved and is in a state of mere suspended animation, we must be more careful, Parliament should be more careful, about the manner in which the President will function.

I said the other day that it is almost an insult, to the legislature of the Punjab which is still in existence which is still in force, which still constitutionally exists, if we do anything through this Bill which will cause concern to the people of the Punjab and to the legislature of the Punjab that their affairs are not looked after properly by this Parliament.

By this Bill, the powers of Parliament will be conferred on the President, and the President will have a committee to assist him in the matter of legislation. That is a separate issue to which we will come later, but the proviso says that the President may dispense with this committee whenever he chooses to do so. Is he an autocrat, is he an arbitrary ruler? He is a constitutional President, and nowhere in the Constitution is it provided that in matters of this kind promulgated where a state has been where the proclamation has been taken over by the President, he can summon the committee or he can do as he thinks in his discretion with regard to the legislation of that State.

My amendment is very simple, and if the Ministers have got some regard for democratic decencies, they should have no hesitation in accepting my amendment No. 3.

Amendment No. 4 is even more substantial. I want to lay down categorically through this amendment that on every occasion when an Act has to be enacted for the Punjab, the President shall have no option but to consult the committee. He shall be obliged; he shall have no discretion in the matter. I think all right-thinking democrats in the House who belong to the Congress party or any other party will wholeheartedly subscribe to this proposition. After all it is only for two or three months it will not be more than six months as elections would be held in six months' time. How many Acts will be enacted? Besides, most members of Punjab are close by; they are geographically contiguous to Delhi. It is not like Kerala where it was suggested that it was a far off State and it may be difficult for the President or his deputy to consult the committee, have a meeting in Trivandrum or somewhere far away from Delhi. But here we are good neighbours, Delhi and Punjab, Central Government's seat and the Punjab Government's seat. The President is here and therefore there should be no difficulty on that score, apart from the principle involved. The principle is that the President must consult this committee. As it is this committee is unsatisfactory and I will come to that later but the committee that is being constituted must be consulted on every occasion when the President wants to enact a Bill under the authority sought to be conferred on him by this Bill and I do hope that they will accept this regardless of party considerations. I think there will be no whip on these amendments. I do hope that the Ministers will see to it that no whip is issued with regard to such amendments.

Shri Kapur Singh (Ludhiana): You presume too much.

Shri Hari Vishnu Kamath: They lose nothing; they stand to gain in their democratic stature, if they have got any.

Shri Shinkre (Mormagoa): What about the Congress?

Shri Hari Vishnu Kamath: Their majority, their bull-doser majority is there that is why I am anxious; they are going to bull-doze not caring a jot, or a tittle for democratic decencies and conventions or traditions.

The second one is even more substantial and I would ask the Ministers, seniormost and the senior to pay close attention to that amendment. The Law Minister the other day when it was raised in the House on a point of order said I do not wish to tire the House with quoting him in *extenso* but the essence of his argument was that—the legislature had not been dissolved; it continued to be in force; it exists and because, he said, we want to summon the legislature immediately after the President's rule is brought to a close and it will do the work assigned to it. That is what he said. That means that the Government accept that the legislature is more or less in abeyance; the working is in abeyance but the legislature is there. Ministers are not there, that is all; the legislators are there and they draw their salaries. I suppose their are no allowances because there is no session..

Shri Kapur Singh: They occupy sumptuous flats also.

Shri Hari Vishnu Kamath: So, they are there; their salaries guaranteed under the Constitution are being drawn by them. That means all their rights and other things *mutatis mutandis* are also in force. The provision in this clause is to the effect that the consultative committee will consist of thirty Members from this

House nominated by the Speaker among whom shall be included all Members of the State of Punjab. That is quite correct; if that had not been done it would be objectionable; all Members from Punjab must be in that committee, from both the Houses, Rajya Sabha and the Lok Sabha. In the case of Kerala the legislature had been dissolved and the legislators had no *locus standi* physically they did not exist; the legislature did not exist; members did not exist and therefore, they had no *locus standi* and so it was impossible to associate them with this committee. Now, Sir, ponder over this a little while, if I may appeal to you. Ministers have got to ponder but you should ponder too now and then. There are 30 Members from this House and 15 from the other place. The Punjab assembly and the council are both in force, in existence but not a single member of the assembly or the council has any place on this committee; it is a wonderful Government, democratic Government....

Shri Kapur Singh: He concedes this point.

Shri Hari Vishnu Kamath: He concedes it is a wonder. I do not know what made them completely ignore the assembly which is in existence, which is conceded by them to be in force.

Shri Shinkre: Why do you presume. The real motive can be different.

Shri Hari Vishnu Kamath: You can read their motives better than I do. I have said yesterday also that Mr. Nanda is an honourable man and he will pay some attention to this. He tries to be a democrat off and on I hope he will be so now, today and do justice to the Punjab assembly. Punjab is a border State and we must take good care of Punjab; it withstood the Pakistani onslaught about a year ago and I think we should do justice to the people of

Punjab and the legislature which exists.... (An hon. Member: It is his native State) I am reminded that it is his native State and the papers say—we do not know he may seek election from some part of Punjab next year; and if it is true, that is a reason for greater love for Punjab and he must show greater solicitude....

The Minister of Home Affairs (Shri Nanda): What amendment does this refer to?

Shri Hari Vishnu Kamath: You have not been listening? You have been thinking of your seat in Hari-ana?.... (Interruptions.) My amendment number is 13. I have disposed of No. 3; I am coming to 13. I have sought to associate with this committee, include in this committee which is more or less taking the place of the legislature, pale anaemic substitute, for want of anything better, we have got to have a committee where President's rule is enforced in any State. The Committee which will give official firman, will have thirty Members from the Lok Sabha and 15 from the Rajya Sabha, including all Members from Punjab. I want to associate, include a few more and do justice to the Punjab legislature and the Punjab people. That is my amendment. I want, besides these 30 and 15, to add twenty members of the Legislative Assembly of Punjab nominated by the Speaker of that House and ten members of the Legislative Council of Punjab nominated by the Chairman of that House. I think I have said enough to convince every reasonable and sensible individual of the soundness of the amendment and why it is necessary in the present circumstances. Otherwise, it will mean that the legislature has no existence. We ignore its existence. Parliament, Sir, cannot ignore its existence; Government may, but Parliament cannot and I hope this amendment will commend itself for acceptance by the House.

Now, I will briefly refer to the remaining amendments of mine, the amendments that are standing in my name. I have disposed of amendment Nos. 3 and 4. I have suggested by way of procedure that the other Members besides the Punjab members—the Punjab members will be all *ipso facto* automatically, there—shall be nominated by the Speaker in consultation with the Leader of the House as well the leaders of all Opposition groups in that House. Regretfully I have to state that when the Kerala Committee was appointed sometime last year—1965—some active groups in this House were not represented in that committee at all. I think it is doing injustice to the group, to the active, independent group, if they are left out. If they are left out, it is a grave injustice to the House. I do hope that this amendment also which seeks to ensure that all Opposition groups also should be represented, as far as possible, of this House as well as the active independent members also, will be accepted.

Similarly, my amendment that besides the Punjab members, the others shall be nominated by the Chairman of the Council in consultation with the Leader of the House, the Council, as well as the leaders of all Opposition groups in that House may be accepted by the House.

The other amendments are verbal. I do not propose to deal with them at length. I may not press the amendments to the effect that for the word "Act", substitute "Bill"; they are not very important. But I should like to refer in brief to my amendment to clause 3(4), which reads:

Page 2, line 29, after "effect to" insert "forthwith".

Now, every Act made by the President in consultation with the Committee will come back to Parliament for such modification as may be necessary. The sub-clause, as it is, reads that "such modification shall be given effect to

[Shri Hari Vishnu Kamath]

by the President by enacting an amending Act under sub-section (2)." Here, I would only seek to add the word "forthwith"; that is to say, the President shall give effect to the modification forthwith. There should be no time-lag, because there is very often delay which causes great harm. This amendment must be easily acceptable to the Treasury Benches.

I therefore commend all these amendments for the acceptance of the House.

Shri Shree Narayan Das: The Bill under discussion is to confer the power of legislation, which is at present exercised by us under the authority of Parliament, to the President. While doing so, the Bill provides that the President before enacting any law with regard to the State of Punjab may consult whenever he finds it convenient, a committee consisting of Members of both Houses of Parliament. As has been pointed out by my hon. friend Shri Kamath, in Punjab, the power of making laws by that legislature has been taken away though the legislature is there and the members are there. When a committee is being constituted by Parliament to give advice to the President with regard to legislation that he may undertake, I think that instead of Members of Parliament being put there, members of the whole legislature of Punjab should also be represented, because the legislature exists and the members are there; the Legislative Assembly has not been dissolved. I think it would be proper that the President, when enacting any law for Punjab, should consult the whole Legislative Assembly and not only the members just picked up from this House and from the other House, the Rajya Sabha. As my hon. friend said, to pick up some members from the local Assembly and some members from the local Council would not be good. It would be better if the whole House was consulted in these matters, because, it is for a very short period. When the Legislative Assembly exists and when the members are there, I think it would be only in the

fitness of things that whenever any Act is made by the President, the Assembly that is there should be consulted. My amendment is to insert the words "members of both Houses of Legislature of the State of Punjab" after the words "consisting of" in line 11 at page 2, and then I want to omit lines 12 to 19 in the same page.

I would request the hon. Minister to accept these amendments. Due to certain circumstances it has been necessary that the powers of the legislature have been taken away. But in Kerala, when these powers were taken away, the legislature did not exist; it does not exist now. The provisions in the Bill are just like the provisions as had been passed by this Parliament with regard to the Kerala Legislature, but there is a big difference in that there is no legislature in Kerala and the members are not functioning, while in Punjab the members are functioning and members of both Houses of the legislature are there. Therefore, I think it would be better, not only better but it would proper also, if not only the Members of Parliament are there but the whole legislature there is included. If the advice of the Members of Parliament is taken and the advice of the local legislature is not taken, I think it will be improper. Therefore, I request the hon. Minister to concede this amendment. As I have pointed out, there is much difference between the functioning of such a committee in regard to Kerala and the functioning of such a committee in regard to Punjab where the legislature exists.

Therefore, I would request the hon. Minister to accept my amendment and not the amendments of my hon. friend over there which is just mixing up both Members of Parliament. I think it is unnecessary; here we have sufficient work. My amendment, thus, is that the committee which is going to advise the President should consist of members of both Houses of legislature in Punjab. That is a simple amendment, and I think the hon. Minister would accept it because it would be only in the fitness of things to do so.

Shri Kapur Singh: Mr. Deputy-Speaker, Sir, I support all the three amendments which have been proposed by my hon friend Shri Kamath to clause 3 of this Bill. As Shri Kamath has very aptly remarked, he has shown to the House that all these amendments should be acceptable to all sensible and reasonable individuals and I being one accept them wholeheartedly.

All that my hon. friend Shri Kamath says is that the provisions in sub-clause (2) of clause 3 which says that the President shall consult the committee only whenever he considers it practicable should be removed. My hon. friend has well pointed out that there is nothing impracticable and there cannot be conceivably anything impracticable for the President to consult this committee on all occasions and therefore this loophole should not be left in the Bill.

The second amendment which he proposes is that since we have already associated the Members of this House as well as the Members of the other place with the committee to be consulted by the President, there is no good reason why the members of the Punjab Assembly and the Punjab Council should be left out. It would be only reasonable and just that they should also be associated on the same principle on which the Members of this House and the Members of the other House have been associated; to leave them out as the Bill proposes to do would be unreasonable and unjust.

The third amendment which my hon. friend proposes is that there should be inserted the word "forthwith" in sub-clause (4) of clause 3 so that there should be no occasion and no possibility of time-lag or delay in the enactment of the amending Act which this sub-clause contemplates. I think such is already the intention of the sub-clause as it stands. But by way of abundant precaution, as the jurists call it, the word "forthwith" might be inserted.

With these words, I support Mr. Kamath's amendments.

Shri N. C. Chatterjee (Burdwan): Sir, the Statement of Objectives and Reasons says:

"Under the Proclamation of the President, dated the 5th July, 1966, the powers of the Legislature of the State of Punjab are now exercisable by or under the authority of Parliament."

We all know that parliamentary time is limited. We have got a very heavy legislative programme with so many Bills on the legislative anvil that we cannot do justice to them. We have got so many privilege matters also which deter legislative work. Therefore, it is desirable that this power should be conferred upon the President under article 357, which says:

"(1) Where by a Proclamation issued under clause (1) of article 356, it has been declared that the powers of the Legislature of the State shall be exercisable by or under the authority of Parliament, it shall be competent—

- (a) for Parliament to confer on the President the power of the Legislature to make laws, and to authorise the President to delegate, subject to such conditions as he may think fit to impose, the power so conferred to any other authority to be specified by him in that behalf."

We are exercising this power. We are happy that the aspirations of the Punjabi-speaking people have been realised. At the same time, the democratic process should not be in any way retarded and checkmated. Therefore, I am supporting Mr. Kamath's suggestion contained in his amendment No. 13. You are saying that before the President functions, he must consult a committee constituted for the purpose, consisting of thirty members of the House of the People nominated by the

[Shri N. C. Chatterjee]

Speaker, etc. We have not dissolved the State legislature. It is still functioning. They are the people who represent the people of Punjab, who are the elected members reflecting the wishes of the constituencies. So, Mr. Kamath says that in that committee should be included 20 members of the Legislative Assembly of Punjab to be nominated by the Speaker of that House and also some members nominated by the Speaker in consultation with the Leader of the House and also Leaders of the Opposition. That means, we shall not make a mockery of democracy. We are conferring the power on the President. We have got the power under the Constitution to ask the President to consult certain people subject to certain conditions. Let it be done democratically, consistent with the principles of good Government. In our wisdom, we have not dissolved the legislature. Call it suspended animation or anything, but in practice and in law, it is there. The financial commitment is there. You are paying the legislators and they are still there; they are not *functi officio*. When they are still representing the people, before you pass a legislation for Punjab, it is only fit not merely to consult the MPs representing the area, but at least certain members of the State legislature who are nominated by the Speaker. There should be some indication that the opposition groups also should be consulted in that matter, so that it may really reflect the wishes of the majority of the elected representatives of the people. That is the only thing that Mr. Kamath has said. I hope the Home Minister would have no objection in accepting this, because it only says that you shall not reverse the democratic process and make any kind of mockery of democracy. When you are giving the power to the President and saying that the President shall consult a committee, that committee must have some members of the State legislature, who are the elected representatives of the people.

Shri Shinkre: Sir, although Mr. Kamath's amendment is very reasonable that this committee should be expanded to include members of the State legislature also, I have my own misgivings about it. Even if the Home Minister goes to the extent of accepting it, I think it would not be appropriate within the framework of our Constitution. Our Constitution has established a certain hierarchy. Under the Presidential Proclamation, when the powers of the State Legislature have been vested upon this Parliament the President can only be advised by this Parliament. It would not be becoming or appropriate to the whole structure of the constitutional process that the President should be advised by anybody who is not a member of this Parliament—Lok Sabha or Rajya Sabha. I do not have any grudge against the Home Minister expanding this committee and having more members, but he cannot associate or bring in the same committee Members of Parliament and Members of the State Legislature. That would not be appropriate *vis-a-vis* the general framework of the Constitution.

The President's representative in the respective State is there. He can be advised by the members of the State legislature. If some advice is necessary at any stage, there is no reason why the President should not get such advice from his representative in that State. Mixing together Members of Parliament and members of the State legislature, in my submission, would not be proper within the general structure of our Constitution. Therefore, I oppose this amendment. Although it is democratic and reasonable, it is not appropriate within the framework of our Constitution.

Shri Nanda: Sir, in the first place I would like to compliment Mr. Kamath for his vigorous initiative and specially the spirit of innovation he brings to bear on the work in Parliament. Innovation, certainly, is the key to progress. In the case of Mr. Kamath and

Mr. Kapur Singh, I felt that I could just meet it on the ground that innovation is welcome, but not necessary when tradition suffices for our purpose and we might just do with that. But when Mr. Chatterjee said something, I started looking into the Constitution. I felt rather anxious whether there might be something in that. But immediately, Mr. Shinkre gave a very adequate and full answer to the whole thing. Perhaps there is very little left for me to say after that, but I will repeat it.

Mr. Chatterjee read out something from article 357. We have conferred on the President the powers of the State legislature. The President is authorised to delegate that power. This committee is not getting any delegated power. It is only an advisory committee to the President. Therefore, this does not apply at all. Having taken away the powers and functions of that legislature by passing this law and conferred them on the President, again why should we bring back that body and give them certain functions?

Shri N. C. Chatterjee May I point out, Sir, that here it is said, in this article:

"for Parliament to confer on the President the power of the Legislature of the State to make laws, and to authorise the President to delegate, subject to such conditions as he may think fit to impose, the power so conferred to any other authority to be specified by him in that behalf;"

We are only saying, we are giving you the power, let it be subject to these conditions that you shall consult some members of the legislature. I could understand the objection if the legislature had been dissolved.

Shri Nanda That is only where he delegates his powers to any officer or

authority. Still I do not feel at all that this is relevant for that purpose. Powers are delegated and then they are made subject to certain conditions. Here, those functions have been taken away from the legislature. Apart from the fact that it will be very incongruous—to have Members of Parliament, certainly it is their place to advise the President and that advice certainly should be very helpful—to bring in members of the legislature again is some kind of a novelty for which, firstly, there is no precedent and, apart from that, there is very serious objection to that course. The President has to be advised by Parliament. It is Parliament which is giving these powers. Then the Parliament says, you have our help also. We choose from here, from Parliament, a certain number of Members including all the Members from that State. Therefore, the State's view point is reflected there. The Members of Parliament drawn from that area will suffice for that purpose. Then, other Members, if there are considerations which may have relevance, beyond the limited area of that State are also associated so that it becomes a broad-based, representative body to advise the President.

Shri Hari Vishnu Kamath: I am sorry to interrupt, but as a good friend I hope he will bear with me for a minute. As has been rightly pointed by my hon. colleague, Shri Chatterjee, this article does not make any mention of a parliamentary committee, or any other body. It is Parliament that, under this article, confers the powers of Parliament, as has been rightly said, subject to certain conditions. We lay down the conditions, the first condition being that members of both Houses of Parliament be there, the second condition being that members from Punjab Legislative Assembly also be there, etc. It is left to us to lay down the conditions how to exercise the power. There is no mention of the committee in the article.

Shri Nanda I do not think this sub-clause goes to his aid for this purpose. It says: "Having conferred on the President the powers of the legislature to make laws.....and to authorise the President...." We are authorising the President. Afterwards, it is for the President to do the rest.

The other advice the hon. Member gave us was this. He asked, why do you have this "whenever he considers it practicable to do so"? This, again, is a phraseology, a terminology which, in the laws, it is customary to make. Some precautions are taken for any urgent situation or contingency that may arise. It may be that in this case, particularly, there will be no such occasion, there may not have been occasions elsewhere also. But this has been reproduced on all occasions when such legislation has to be passed. It is just a precaution that there may arise an occasion, a situation, when it may not be possible, it may not be practicable to do so, to spend the time that may be otherwise involved in calling the committee, because the committee will require a certain amount of notice, etc. Therefore, both because it is already there in similar legislation that has been enacted in the past and there is no good reason why it should not be here also, I am unable to accept the suggestion.

Then I come to amendments Nos. 4 and 5, where he says that it should be done in consultation. I thought, when we have given the Speaker and the Chairman such an amount of power, authority, on our behalf, we could trust them to do this very simple thing, to make a choice with a view to making this committee as representative as possible of various sections of the House so that they can discharge their responsibilities properly, adequately and effectively. I think this is usual and I do not think it is necessary at all now to bring in a new way of constituting this committee for which I do not think there is any warrant not to

trust the Speaker and the Chairman to do their part properly.

There is also his amendment No. 7 where he wants to add the word "forthwith". The moment that modification is made, it is mandatory on the President to do it, whether you say "forthwith" or "immediate" here. Therefore, no amendment is necessary.

Shri Hari Vishnu Kamath: What about my amendment No. 9 where I seek to insert the words "in good faith". The last sentence of this clause, the proviso, says:

"Provided that nothing in this sub-section shall affect the validity of the Act or of any action taken thereunder before it is so amended."

I want to add the words "in good faith" after "taken". Other legislations have got that phrase. I do not know why here it is not there. If you add it, it will become "any action taken in good faith" and not "any action taken".

Shri Nanda: Here it is not any action of individuals that we are dealing with. Here the point is that, the enactment should not become invalid because of the modification.

Mr. Deputy-Speaker: Does he want me to put any amendment separately?

Shri Hari Vishnu Kamath: Please put amendment No. 3 first and then amendment No. 13.

Mr. Deputy-Speaker: I will now put amendment No. 3 to the vote of the House. The question is:

Page 2, line 10,—

omit "whenever he considers it practicable to do so,". (3)

The Lok Sabha divided:

Division No. 26]

AYES

[13.52 hrs.]

Buta Singh, Shri
Chatterjee, Shri N. C.
Gulshan, Shri
Kakkar, Shri Gauri Shankar
Kamath, Shri Hari Vishnu
Kapur Singh, Shri

Kunhan, Shri P.
Lakhan Das, Shri
Nair, Shri Vasudevan
Ranga, Shri
Sezhiyan, Shri
Singh, Shri Y. D.

Swamy, Shri M. N.
Trivedi, Shri U. M.
Umanath, Shri
Venkaiah, Shri Kolla
Warior, Shri
Yashpal Singh, Shri

NOES

Alva, Shri A. S.
Babunath Singh, Shri
Bal Krishna Singh, Shri
Banerji, Dr. R.
Barua, Shri R.
Basappa, Shri
Basumatari, Shri
Borooah, Shri P. C.
Chandok, Shri
Chandrabhan Singh, Dr.
Chandriki, Shri
Daljit Singh, Shri
Das, Shri Sudhansu
Dass, Shri C.
Dixit, Shri G. N.
Dorai, Shri Kasinatha
Gahmari, Shri
Gajraj Singh Rao, Shri
Gupta, Shri Badshah
Harvani, Shri Anwar
Jadhav, Shri M. L.
Jha, Shri Yogendra
Joshi, Shrimati Subhadra
Jyotishi, Shri J. P.

Khan, Dr. P. N.
Kindar Lal, Shri
Lalit Sen, Shri
Laskar, Shri N. R.
Mahida, Shri Narendra Singh
Mandal, Dr. P.
Mandal, Shri Yamuna Prasad
Masuriya Din, Shri
Mehrotra, Shri Braj Bibari
Minimata, Shrimati
Mishra, Shri Bibhuti
Mukerjee, Shrimati Sharda
Murli Manohar, Shri
Murti, Shri M. S.
Nanda, Shri
Naskar, Shri P. S.
Pande, Shri K. N.
Pant, Shri K. C.
Parashar, Shri
Patel, Shri Rajeshwar
Patil, Shri S. B.
Prabhakar, Shri Naval
Pratap Singh, Shri
Rajdeo Singh, Shri

Reju, Shri D. B.
Rane, Shri
Raut, Shri Bhola
Reddy, Shri H. C. Linga
Saigal, Shri A. S.
Sengupta, Shri S. C.
Saraf, Shri Sham Lal
Sharma, Shri K. C.
Shastri, Shri Ramanand
Sheo Narain, Shri
Shree Narayan Das, Shri
Siddananjappa, Shri
Siddiah, Shri
Sinha, Shrimati Ramdulari
Sonavane, Shri
Swamy, Shri M. P.
Tahir, Shri Mohammed
Thimmaiah, Shri
Tiwary, Shri D. N.
Tiwary, Shri K. N.
Tiwary, Shri R. S.
Veeraswamy, Shri
Vyasa, Shri Radhela
Yadav, Shri Ram Harsh

Mr. Deputy-Speaker: The result of the division is:

Ayes : 18, Noes : 72.*

The motion was negatived.

Mr. Deputy-Speaker: I will now put amendment No. 13 to the vote of the House. The question is:

Page 2,—

after line 19, insert—

“(c) twenty members of the Legislative Assembly of Punjab nominated by the Speaker of that House; and

(d) ten members of the Legislative Council of Punjab nominated by the Chairman of that House.” (13).

The Lok Sabha divided:

Division No. 27]

AYES

[13.54 hrs.]

Alvares, Shri
Buta Singh, Shri
Chatterjee, Shri N. C.
Gulshan, Shri
Kakkar, Shri Gauri Shankar
Kamath, Shri Hari Vishnu

Kapur Singh, Shri
Kunhan, Shri P.
Lakhan Das, Shri
Nair, Shri Vasudevan
Ranga, Shri
Sezhiyan, Shri

Singh, Shri Y. D.
Swamy, Shri M. N.
Umanath, Shri
Venkaiah, Shri Kolla
Warior, Shri
Yashpal Singh, Shri

NOES

Alva, Shri A. S.
 Babunath Singh, Shri
 Bal Krishna Singh, Shri
 Banerji, Dr. R.
 Barua, Shri R.
 Basappa, Shri
 Basumatari, Shri
 Borooah, Shri P. C.
 Chandak, Shri
 Chandrabhan Singh, Dr.
 Chandriki, Shri
 Das, Shri Sudhansu
 Das, Shri C.
 Dixit, Shri G. N.
 Dorai, Shri Kesaratha
 Gabmari, Shri
 Gajraj Singh Rao, Shri
 Gupta, Shri Badshah
 Harvani, Shri Anwar
 Jadhav, Shri M. L.
 Jha, Shri Yogendra
 Joshi, Shrimati Subhadra
 Jyotishi, Shri J. P.
 Khan, Dr. P. N.

Kindar Lal, Shri
 Lalit Sen, Shri
 Laskar, Shri N. R.
 Mahida, Shri Narendra Singh
 Mandal, Dr. P.
 Mandal, Shri Yamuna Prasad
 Masuriya Din, Shri
 Mehrotra, Shri Braj Bihari
 Minimata, Shrimati
 Mishra, Shri Bibhuti
 Mukerjee, Shrimati Sharada
 Murli Manohar, Shri
 Murti, Shri M. S.
 Nanda, Shri
 Naskar, Shri P. S.
 Pande, Shri K. N.
 Pant, Shri K. C.
 Parashar, Shri
 Patel, Shri Rajeshwar
 Patil, Shri S. B.
 Prabhakar, Shri Naval
 Pratap Singh, Shri
 Raju, Shri D. B.
 Rane, Shri

Raut, Shri Bhola
 Reddy, Shri H. C. Linga
 Saigal, Shri A. S.
 Samanta, Shri S. C.
 Saraf, Shri Sham Lal
 Sharma, Shri K. C.
 Shastri, Shri Ramanand
 Sheo Narain, Shri
 Shinkre, Shri
 Shree Narayan Das, Shri
 Siddananjappa, Shri
 Siddiah, Shri
 Sinha, Shrimati Ramdulhari
 Sonavane, Shri
 Swamy, Shri M. N.
 Tahir, Shri Mohammad
 Thimmaiah, Shri
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Tiwary, Shri R. S.
 Veerabasappa, Shri
 Vyas, Shri Radhelal
 Yadav, Shri Ram Harkh

Mr. Deputy-Speaker: The result of the division is:

Ayes : 18, Noes : 71.

The motion was negatived.

Mr. Deputy-Speaker: Does Shri Kamath want to press to a vote his other amendments?

Shri Hari Vishnu Kamath: No, Sir. I do not want to press them.

Mr. Deputy-Speaker: Has the hon. Member the leave of the House to withdraw his amendments?

Some hon. Members: Yes.

Amendments Nos. 2, 4 to 9 and 12 were, by leave, withdrawn.

Shri Shree Narayan Das: Sir, I do not want to press my amendment, No. 10.

Mr. Deputy-Speaker: Has the hon. Member the leave of the House to withdraw his amendment?

Some hon. Members: Yes.

Amendment No. 10 was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 3 stand part of the Bill".

The motion was adopted.

Clause 3 was added to the Bill.

Clause 1.—(Short title).

Mr. Deputy-Speaker: There are two amendments, Nos. 1 and 11 by Shri Kamath. They are one and the same.

Shri Hari Vishnu Kamath: No, Sir. I want to move them.

(i) Page 1, lines 3 and 4,—

for "Delegation" substitute "Conferral". (1).

(ii) Page 1, lines 3 and 4,—

for "Delegation" substitute "Conferment". (11).

You will please see that they are alternative amendments in the sense that the appropriate word to be used in this legislation should be not "delegation". You will see that clause (1) says: "This Act may be called the Punjab State Legislature (Delegation of Powers) Act, 1966." Now I would invite your attention first to the Constitution itself. Article 357 of the Constitution, under which this Bill has been brought before the House, how does that read? Clause (1) of article 357 says:

"Where by a Proclamation issued under clause (1) of article 356, it has been declared that the powers of the Legislature of the State shall be exercisable by or under the authority of Parliament, it shall be competent—

(a) for Parliament"

To do what?

"to confer on the President the power of the Legislature of the State to make laws . . .".

I do not know which draftsman has taken it into his head to alter the terminology or the language of the Constitution itself. I do not say that the Constitution is sacrosanct but unless there are reasons, convincing reasons, to the contrary, there should not be any departure from the wording of the Constitution, where legislation is concerned, where Bills are concerned. Now, my knowledge of the English language is rather meagre.

Shri Shinkre: Thank God, you realise that.

Shri Hari Vishnu Kamath: But I do submit in all humility that there is a distinct difference in meaning between the words "conferred" and "delegated". It may be linguistic nuances, but here I have got in my support the Oxford Dictionary, the Concise Oxford Dictionary, latest edition, 1964 edition, not the pre-war or anti-diluvian edition but the newest, latest edition. I have got it from the library. Sir, I hope you are paying

close attention to what I say. Because, I am reminded of the incident which took place in this very House in the first year of this Parliament, of this Lok Sabha, when the word "vermins" was used in a piece of legislation. I said that in the English language there is no word "vermins" because both the singular and plural are the same, namely, "vermin". Mr. Nye Bewan called the Tory Party 'vermin', I do not however want to call the Congress Party "vermin". The right word is "vermin" and there is no word as "vermins". I tried hard and I tried my best to get at that word. I appealed to the Speaker to refer to the dictionary on that occasion. But the Speaker said that it be decided by vote. I do not think it is a question which can be decided by vote. I hope my colleagues will agree with me when I say that, be it English, Hindi, Tamil or Kannada, when there is a doubt it has to be decided by means of the dictionary or by some such authority, and not by the vote of the House. I, therefore, appeal to the Members to exercise their minds and come to a sober conclusion.

Now, what does the Oxford Dictionary say? It says: "confer" means "grant, bestow" certain powers, "converse, take counsel . . .". Now, what does the word "delegate" mean? Everybody knows the word "delegate". but I would like to read to the House what the dictionary has also got to say with regard to this. "delegate . . . depute, send as representative, commit (authority etc.) to or to agent". Then "delegated legislation" is defined which, Sir, you know very well.

"Delegated legislation, delegation to Ministers, by Acts of Parliament, of the power to make orders & regulations which have the force of law."

That means, when we delegate certain powers it is usually to make orders, rules and regulations which have the force of law ultimately under the statutory order

[Shri Hari Vishnu Kamath]

14 hrs.

Here, what we are doing is that we are not delegating our powers of legislation to the President but are conferring on the President our powers to make laws. Parliament has got the power to make Acts under the Constitution and we are conferring on the President the power to make Acts. Rules and regulations are, what is called, delegated legislation. It is not that; we are conferring that power.

The article also makes it clear. Please see sub-clause (a) of clause (1) of article 357. That makes a distinction between the words "confer" and "delegate". In one place it has used the word "confer" and in the next half of the sentence it has used the word "delegate". Please mark these words. It reads:—

"it shall be competent—

(a) for Parliament to confer on the President the power of the Legislature of the State to make laws, and to authorise the President to delegate,"—

we confer on the President and authorise the President to delegate—

"subject to such conditions as he may think fit to impose, the power so conferred".

Parliament confers the powers on the President and the President delegates to somebody else the power so conferred by Parliament. I do hope you catch the point and the distinction between the two. We use in legislation English words, and we should not take it light-heartedly. I am made that way. When we use any language, we should use it well and properly, whether it is Punjabi, Gujarati or any language. That is my plea, use it well, properly and correctly.

The other even stronger argument is that the Constitution itself used the word "confer". Article 357 used the words "confer on the President".

Why should we take a lesser word? "Delegation" is a lesser word in my judgment. Parliament is supreme under the Constitution.

Shri Shree Narayan Das: May I inform the hon. Member that in clause 3 the same word is used, that is, the power "is hereby conferred on the President".

Shri Hari Vishnu Kamath: That is why there is inconsistency here.

Parliament is supreme and Parliament has got the right to bestow or grant. We are granting these powers to the President. We are not delegating but we are granting him fully and completely.

Then, there is another distinction. "Delegate", I suppose, has the implied power to re-assume those powers. If something is conferred on somebody, normally it is difficult to re-assume or take back upon oneself the power from the person or authority on whom the power is bestowed or conferred or granted.

I hope, in this case it will not be by a vote of the House, as it happened in the case of the word "vermin" that day in September or October, 1962, in October, when it was decided by the vote of the House—it is still incorrect, the word "vermins"—but it will be decided by the dictionary of the English language. If there is any other dictionary which gives a different meaning to these words, I would like to have that. Let the Minister produce that dictionary, but this is what the Concise Oxford Dictionary says.

Shri Gauri Shankar Kakkar (Fatehpur): There is hardly any quorum. Shri Kamath is making very valuable points. I wish that Members were present to appreciate his points.

Mr. Deputy-Speaker: The bell is being rung . . . Now there is quorum. The Home Minister.

Shri Nanda: Sir, I admire the hon. Member for his devotion to purity of expression and accuracy. Accuracy is very important in these matters.

Shri Hari Vishnu Kamath: You have equal devotion, I hope.

Shri Nanda: I have to see things in a different light. He can produce a dictionary. I have no dictionary with me at the moment but I have an extract from the Shorter Oxford English Dictionary.

Shri Hari Vishnu Kamath: "Shorter" is not so good as the "Concise"; "Concise" is an authority.

Shri Nanda: It may be better because it says:—

"Delegate, to entrust, to commit to another as an agent".

Shri Hari Vishnu Kamath: I said, "Agent".

Shri Nanda: That is quite enough for our purpose.

My main argument is that this word that has been used in the Title has the sanction of usage. It has been there in one piece of legislation after another and the presence of that word has given no trouble at all anywhere. It has not been questioned.

Shri Hari Vishnu Kamath: That is no argument at all.

Shri Nanda: That does not mean that the hon. Member cannot raise the question now. He is very keen on having the word "confer". In all provisions here, so far as the substance is concerned, the word "confer" or "confer on the President the power of the Legislature of the State" has been used.

Shri Shinkre: What is the objection?

Shri Hari Vishnu Kamath: What is the objection now? You cannot persist in a wrong.

Shri Nanda: This legislation provides for Parliament conferring on the President and also there is a power for the President to delegate; therefore that more general word is better. This is a more general expression and it will do better. That is all that I have to say.

Shri Alvares (Panjim): It would be much more proper for Parliament to confer on the President than to delegate to the President.

Shri Kapur Singh: Sir, may I make a submission?

Mr. Deputy-Speaker: Not now. Shri Kamath has explained the position and the Home Minister has replied. It is for the House to decide. Do you press your amendment to vote, Shri Kamath?

Shri Hari Vishnu Kamath: Yes, yes; of course. You can give some time to Shri Kapur Singh.

Mr. Deputy-Speaker: I am putting amendment No. 1 to the vote of the House.

Shri Bade (Khargone): I want to raise a point of order on this subject.

Shri Kapur Singh: There is a fundamental confusion which is prevailing on this subject.

Shri Bade: Sardar Kapur Singh is raising a point and is elucidating the matter further whether "delegate" is correct or not.

Shri Kapur Singh: I will not take more than half a minute. I just want to say that "confer" and "delegate" can never be equated because the difference between the connotations of these two words is fundamental. When you confer a thing, you confer it when you yourself are the source of that thing; you yourself can create it and you possess it. When you delegate a thing, you delegate it only when you have already received it from some other source and you yourself

[Shri Kapur Singh]

are not the original source of it. Therefore in legal enactments to confuse these two terms or try to equate them merely on the ground that such has been the practice is a most dangerous precedent to set.

I therefore, humbly request that a more serious notice should be taken of the difference which exists between these two words and the words 'confer' and 'delegate' should not be equated.

Mr. Deputy-Speaker: It is for the House to decide.

Division No.]

Alvares, Shri
Bade, Shri ■
Buta Singh, Shri
Chatterjee, Shri N. C.
Gulshan, Shri ■
Kakkar, Shri Gauri hankar

AYES

Kamath, Shri Hari Vishnu
Kapur Singh, Shri
Mukerjee, Shri H. N.
Sezhiyan, Shri
Shinkre, Shri

[14.15 hrs.

Singh, Shri Y.D.
Trivedi, Shri U.M.
Virbhadra Singh, Shri
Warior, Shri
Yudhvir Singh, Shri

NOES

Akkamma Devi, Shrimati
Alva, Shri A.S.
Bakliwal, Shri
Bal Krishna Singh, Shri
Banerji, Dr. R.
Basappa, Shri
Brij Raj Singh, Shri
Chandak, Shri
Chandrabhan Singh Dr.
Chandrihi, Shri
Daljit Singh, Shri
Das, Shri Sudhansu
Dass, Shri C.
Gowdh, Shri Veeranna
Gupta,, Shri Badshah
Jena, Shri
Jyotishi, Shri J. P.
Kappen, Shri

Kindar Lal, Shri
Kotoki, Shri Liladhar
Kureel, Shri B. N.
Mahadeva Prasad, Dr.
Mahida, Shri Narendra Singh
Maimoona Sultan, Shrimati
Malaichmi, Shri M.
Mandal, Dr. P.
Masuriya Din, Shri
Mehrotra, Shri Brij Bihari
Mohanty, Shri Gokulananda
Murti, Shri M. S.
Nanda, Shri
Naskar, Shri P. S.
Pande, Shri K. N.
Pratap Singh, Shri
Rajdeo Singh, Shri

Raju, Shri D. B.
Rane, Shri
Samanta, Shri S. C.
Saraf, Shri Sham Lal
Shastri, Shri Ramanand ■
Sheo Narain, Shri
Shree Narayan Das, Shri
Siddananjappa, Shri
Singha, Shrimati Tarkeshwari
Sinha, Shri
Sumat Prasad, Shri
Thimmaiah, Shri
Tiworthy, Shri D. N.
Tiworthy, Shri R. S.
Uikey, Shri
Veerabasappa, Shri
Vyas, Shri Radhelal

Mr. Deputy-Speaker: The result of the division is: Ayes 16; Noes 52.

The motion was negatived.

Mr. Deputy-Speaker: What about Amendment 1 of Shri Kamath?

Shri Hari Vishnu Kamath: I do not press it.

Amendment No. 1 was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 1 stand part of the Bill".

The motion was adopted.

Clause 1 was added to the Bill.

The Enacting Formula and the Title were added to the Bill.

Shri Nanda: I move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

Shri U. M. Trivedi (Mandsaur): I wanted to say something. I had stood up.

Mr. Deputy-Speaker: I looked on all sides. Nobody stood up.

Shri U. M. Trivedi: I do not want to quarrel with you. It is not fair.

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

14.12 hrs.

DELHI HIGH COURT BILL

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): Mr. Deputy-Speaker Sir, I beg to move* :

"That the Bill to provide for the constitution of a High Court for the Union territory of Delhi, for the extension of jurisdiction of that High Court to the Union territory of Himachal Pradesh and for matters connected therewith, as reported by the Select Committee, be taken into consideration."

As the House know, the Bill was referred to the Select Committee and during the discussions there I may say that various constitutional points were discussed and thrashed out. I am grateful specially to the Members of the Committee, particularly Shri Kamath and Shri Trivedi, one by sheer industrious application and the other by practical knowledge of law, and others too who have contributed greatly in bringing out some impor-

tant changes in this Bill. I would not like to reiterate the various constitutional aspects because at the time of moving the Bill, I had already pointed out these implications.

I may, briefly, placed before the House the four changes which the Select Committee has made in the original Bill. The original clause 4 of the Bill provided for modification of article 217 in its application to the High Court of Delhi. It was that the words "the Governor of the State" shall be omitted from article 217 because there is no Governor for the Union Territory of Delhi, that is, the consultation cannot be with the Governor, and that the President himself will appoint High Court Judges while in other cases, the President shall do so in consultation with the Governor. But during the consideration by the Select Committee, it was also thought that on the first appointment there will also not be the Chief Justice of Delhi in office and, therefore, in its application there also, for the first appointment of the High Court Judges, the consultation of the Chief Justice was not necessary. That is the first change that the Select Committee has suggested. Of course subsequent appointments will be in consultation with the Chief Justice.

The other change made is in clause 16. In the original Bill, it was provided that although the High Court will have original civil jurisdiction in every suit the value of which exceeds Rs. 25,000, such pending cases immediately before the appointed day in any subordinate courts in the Union Territory of Delhi shall be proceeded with and disposed of by those courts as if this Act had not been passed. It meant that while for future cases the High Court will have original civil jurisdiction the pending cases will continue to be disposed of by the subordinate courts. It was pointed out that the same na-

*Moved with the recommendation of the President.

[Shri Hathi]

ture of cases—pending and future—would be tried by different courts; the pending case will go to a Subordinate Court and the future case of the same nature would go to the High Court; there would, therefore, be rather a sort of discrimination between two cases of the same nature. So it was decided that even those cases pending, before the appointed day, in any Subordinate Court in the Union Territory of Delhi in or in relation to any such civil suit under Sub-Section 2 of Section 5 shall on that day stand transferred to the High Court of Delhi. That means, from that day all the suits pending will stand transferred to the High Court. This was another important change which specially Mr. Trivedi wanted and I think it is a change for the better.

Another important change that has been made by the Select Committee is that the orders made by the Central Government under this Clause shall be laid before each House of Parliament and shall be subject to modifications by Parliament. Necessary provision has been made in this Bill by adding a new sub-Clause 2 of Clause 20.

These are the four main, important changes that have been made. With regard to the other Clauses, they are the same and no further changes have been proposed by the Select Committee. Therefore, on these four changes which the Select Committee have made, I do not think I have much to say.

The only point that has been raised by the members in the Minutes of Dissent is whether there can be a common High Court for two Union Territories. Now let us understand that we are not having a common High Court. We are establishing a High Court for Delhi and then under Clause 17 we are extending the jurisdiction of the High Court of Delhi to the Union Territory of Himachal Pradesh. That is permissible.

Under Clause 4 we are amending Article 230. Here I would refer to Article 241; for establishment of High Courts for Union Territories, the relevant Article of the Constitution is 241; it reads:

"Parliament may by law constitute a High Court for a Union Territory or declare any court in any such territory to be a High Court for all or any of the purposes of this Constitution."

An hon. Member: Clause 4.

Shri Hathi: I am coming to that. Clause 4 is the relevant Clause.

I am reading the other provisions. Clause 2 reads :

"The provisions of Chapter V of Part VI shall apply in relation to every High Court referred to in clause (1) as they apply in relation to a High Court referred to in article 214 subject to such modifications or exceptions as Parliament may by law provide."

Therefore, under article 241, certain modifications in the various provisions of the articles of the Constitution in their application to this High Court can be made. That was thrashed out.

Article 230 is being modified by Clause 4 of the Bill which provides:

"In clause (1) thereof, for the words 'High Court' in both the places where they occur, the words 'High Court for Union Territory' and for the words 'Any Union Territory' the words 'any other Union Territory' shall be substituted."

That means, the jurisdiction of the High Court of a Union Territory can be extended to any other Union Territory. This power to modify has been given, as I said, in Article 241(2). Thus in Article 230 modification is made whereby it will be quite constitutional and lawful for extending the jurisdiction of the High Court of the Union Territory of Delhi to the Union Territory of Himachal Pradesh.

So far as Shri Kapur Singh's note of dissent goes, he feels that there cannot be a common High Court for two Union Territories under Article 241. I may make it clear that under this Bill we are not having a common High Court for the Union Territory of Delhi and the Union Territory of Himachal Pradesh. It is not a common High Court. We are first establishing a High Court for Delhi and after having established that, under Clause 17 of the Bill we are providing that its jurisdiction shall be extended to the Union Territory of Himachal Pradesh. That is the provision.

The point raised in the Note of Dissent that the jurisdiction of a High Court cannot be extended so as to include any Union Territory is not correct, in view of the application of Article 230 with the modification that I have just said.

In the Minutes of Dissent it is also stated that it would be practical to have a common High Court for Haryana and Delhi, but it would be constitutionally impossible to extend the jurisdiction of the High Court of Delhi to Haryana State. The extension of the jurisdiction of the High Court of Haryana is, however, possible and desirable. That is in the Minutes of Dissent. But the question is whether Delhi requires a separate High Court. If Delhi does require, in view of the growing importance of the city, a separate High Court—there is no doubt that there is a need for it—then a High Court for the Union Territory of Delhi should be established. Then the question is, as was raised even earlier, why not have the jurisdiction of Delhi extended to Haryana. That is not possible. The other thing which is possible is establishing a High Court for Haryana and extending its jurisdiction to Delhi or a part of Haryana. Again that will not be possible because you cannot have a part of a State under one High Court, that is of Punjab and a part of Haryana, i.e., Hissar, Gurgaon and others under Delhi. That is not possible. You cannot

divide a State and put one part of a State under the High Court in Chandigarh and the other part in Delhi. You can have a High Court for the whole of Haryana; that is possible. But you cannot divide Haryana into two parts and place a part of Haryana State in Delhi and put the other part in Chandigarh. That is not possible. If you want a separate High Court for the whole of Haryana, that would be possible and at that time if the House so decides, it can have a separate High Court. That is a different matter.

But the point is that at present also Delhi is under the Punjab High Court. So to put Delhi and Haryana together will not change the position so far as Delhi is concerned. Today it is Punjab and if tomorrow it is Haryana, then Delhi will not have an independent High Court. So that is a need which would not be met by any other contrivance except by having a separate High Court for Delhi.

It was also argued about Himachal Pradesh. Himachal Pradesh today has a Judicial Commissioner. Henceforward, after the passing of this Bill and after the extension of the jurisdiction of the High Court of Delhi to that, it will have, instead of a Judicial Commissioner, a Bench; the provision, as I said earlier, will be that we will have a Bench for Himachal Pradesh so that people will not have to come here; there will not be any difficulty in that; we have also consulted the Chief Commissioner.

Therefore, on all these considerations, I commend the Bill, as reported by the Select Committee, for the acceptance of the House.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to provide for the constitution of a High Court for the Union territory of Delhi, for the extension of jurisdiction of that High Court to the Union territory of Himachal Pradesh and for matters connected therewith,

[Mr. Deputy-Speaker]

as reported by the Select Committee, be taken into consideration".

There are some amendments to this motion. Amendment No. 8 is in the name of Shri Shree Narayan Das. It is to the effect that debate on the Bill be adjourned. But the hon. Member is not present here. There is also another amendment standing in his name, namely amendment No. 7 but that is out of order.

Then, there is amendment No. 1 standing in the name of Shri Vishwa Nath Pandey. This seeks circulation of the Bill for eliciting opinion thereon. The hon. Member is not present here to move it.

Then, there is amendment No. 2 standing in the name of Shri Hem Raj, but he is also not present here.

So, the motion is now before the House.

2 hours have been allotted for the discussion of this Bill, for the general discussion as well as the other stages.

श्री बड़ै (खारगोन) : माननीय उपाध्यक्ष महोदय, इस दिल्ली हाई कोर्ट बिल की सेलेक्ट कमेटी का मैं मेम्बर था और उस में यह सब डिस्कशन हो गए हैं। लेकिन अभी फिर माननीय मंत्री जी ने जो सवाल उठाया है और उसका जवाब दिया है, वैसे मैं समझता हूँ कि वह पर्याप्त है लेकिन ताहम मैं थोड़ा सा प्रकाश डालना चाहता हूँ और उसका कारण यह है कि मेरे को मालूम है कि मेरे मित्र माननीय चैटर्जी साहब इस के गुरु तो होंगे, वह कांस्टीट्यूशनली इस के गुरु होंगे, यह मैं अन्दाज करता हूँ और शायद इस के भी गुरु होंगे कि जो यूनियन टैरीटरीज का जुरिस्डिक्शन एक्सटेंड हुआ है वह ऐसा हो सकता है या नहीं।

लेकिन इस का पर्याप्त डिस्कशन उस मीटिंग में हुआ था और कांस्टीट्यूशन के 241 और 230 दोनों आर्टिकल अगर पढ़े जायें तो उस में साफ लिखा है, 230 में :

"Parliament may by law extend the jurisdiction of a High Court to ...any Union territory".

और 241 का जो फोर्थ क्लॉज है वह इस प्रकार है :

"Nothing in this article derogates from the power of Parliament to extend or exclude the jurisdiction of a High Court for a State to, or from, any Union territory or part thereof".

इसका मतलब यह है कि हम उस को केवल एक्सटेंड करना चाहते थे और एक्सटेंड करने का अधिकार पार्लियामेंट को है और इस वास्ते उस में डालते हैं। लेकिन दिल्ली का हाई कोर्ट होना चाहिए या नहीं होना चाहिए यह सवाल आया तो यही मैं समझता हूँ कि दिल्ली इंडिया की राजधानी है। यहां काफी ओरिजनल टाइप के मुकदमे चलते हैं, कम्पनी ला के मुकदमे चलते हैं। रिट दाखिल करना हो तो चेंडीगढ़ दौड़ना पड़ता है और इतने मुकदमे यहां पेंडिंग थे कि उस को देखते हुए यहीं दिल्ली में हाई कोर्ट होना चाहिए। लेकिन इतना ही नहीं, हम ने देखा कि इस के साथ में हरयाना और हिमाचल प्रदेश को भी इस में इन्क्लूड करना चाहिए और उस के ऊपर कामत साहब ने अपना डिसेंटिंग नोट दिया है कि वह अभी आफिग में है इसलिए इस को ऐडजर्न किया जाय तो मैं यह समझता हूँ कि पार्लियामेंट यहीं पर है, अगर शासन को मालूम पड़ेगा कि दिल्ली का जुरिस्डिक्शन और एक्सटेंड करना चाहिए, कुछ डिस्ट्रिक्ट्स और इस में मिलाने चाहिए तो वह हो सकता है।

हमारे मध्य प्रदेश में इतना बड़ा क्षेत्र है। वहां तीन तीन बेंचें हैं। एक ग्वालियर में, एक इन्दौर में और एक जबलपुर में है। और उसके बाद में यह सवाल चल रहा था कि इन को एक जगह लाना भी नहीं है। तो जब तीन तीन बेंचिज हो सकती हैं तो यहां भी अगर जरूरत मालूम पड़े कि एक्सटेंड करना चाहिए तो एक्सटेंड कर सकते हैं। यूनियन टेरीटरीज को एक्सटेंड कर सकते हैं तो स्टेट का हाईकोर्ट जूरिस्डिक्शन भी एक्सटेंड हो सकता है। लेकिन दिल्ली में हाई कोर्ट होना चाहिए, इस में कोई सेंशय नहीं है। जो केसेज यहां के पेंडिंग थे उन को देखें तो इतने केसेज पेंडिंग हैं कि उन के लिए यहीं ट्रायल होना चाहिए और यहीं अपील भी होनी चाहिए, यह हमने निश्चय किया।

एक सवाल यह पड़ता था कि क्या जो नीचे के कोर्ट्स में डिस्ट्रिक्ट कोर्ट्स में या ऐडीशनल सिविल जज के यहां केसेज पेंडिंग हैं उन को ट्रांसफर करना है या नहीं। लेकिन उस में एनामली हो जायगी। इसलिए यह निर्णय लिया गया कि यह पूरे के पूरे केसेज देहली हाई कोर्ट को ट्रांसफर करने चाहिए और इस के बास्ते काम अगर ज्यादा हो जायगा तो छः महीने के लिए, साल भर के लिए या दो साल के लिए एक ऐडीशनल जज नियुक्त किया जा सकता है। लेकिन एक मैं यह कहना चाहता हूँ कि देहली में ओरिजिनल सिविल जूरिस्डिक्शन होना चाहिए, ऐसी मांग बहुत दिनों से दिल्ली वालों की थी और इसी बास्ते यहां जब केसेज इतने पड़े हुए हैं, इसलिए हमने यह निश्चय किया कि यहां दिल्ली में हाई कोर्ट होना चाहिए और उसका जूरिस्डिक्शन एक्सटेंड करने में कोई हर्जा नहीं है।

सवाल आता है कि आगे पंजाब हो रहा है, तो पंजाब भी या हिमाचल प्रदेश और हरयाणा भी इस में डालना चाहिए या नहीं, तो यह तो आगे सवाल होगा। केवल यही एक

आपत्ति उठायी है हमारे दो मेम्बर सहाय ने, हमारे सरदार कपूर सिर का जो आबजेक्शन है, उस के बारे में मैं समझता हूँ कि वह उस को और पढ़ें कि यह हाई कोर्ट या यूनियन टेरीटरी का हाई कोर्ट अपना जूरिस्डिक्शन एक्सटेंड कर सकता है या नहीं, इस के बारे में दूसरी किताबें भी मैंने जब पढ़ीं तो हमारी तसल्ली हो गई कि इस का एक्सटेंशन हो सकता है। इसलिए हमने यह प्राविजन ऐड किया है और मैं समझता हूँ कि इस में और कोई आपत्ति नहीं होनी चाहिए। इसलिए मैं इस बिल का पूर्णतया समर्थन करता हूँ।

Shri N. C. Chatterjee (Burdwan):
I had been associated with the Calcutta High Court for the greater part of my forensic life. When I came over, after the Constitution was inaugurated, to Delhi and joined the Supreme Court Bar I had the chance on numerous occasions to appear in the Circuit Court at Delhi, and I have been associated with that court for the last sixteen years.

A very pertinent question has been put by the hon. Minister before the House. Does Delhi really need a High Court? My answer is a clear affirmative. Delhi needs a High Court, and it has been not at all too early that Government are going to institute a High Court in Delhi. I have been in close touch with the members of the Delhi Bar, the High Court Bar, that is, the Circuit Court Bar as well as the District Court Bar, and I am associated with the Legal Aid Committee of Delhi, and I am associated with the Bar Association of India from its very inception, and I am convinced that there should be a properly equipped strong High Court established in Delhi.

[Shri N. C. Chatterjee]

I used to appear in the Delhi Circuit Court which, as you will remember, was on Rajpur Road. I was appearing before Mr. Justice Kapur who later became a judge of the Supreme Court. Once when the Attorney General Mr. Setalvad was appearing, he opened a map, and I am sorry to tell you, and I am ashamed to tell you that the map almost hit the face of the judge. It was a small room about 12' X 12' in size, but justice was being dispensed by a High Court judge in that room. Fortunately we have transferred that to a new building. I lived in that building for many years when I was a judge of the Calcutta High Court. Dr. Shyama Prasad Mukerjee was then a Minister, and it was then the Minister's house. In the drawing room the Division Bench is now sitting. That is not quite enough and that is not satisfactory.

From a population of five lakhs we have got today a population of 35 lakhs in Delhi. It is an expanding city. It is not merely the metropolis of India or the capital of India but industrially also it is developing.

My hon. friend Shri Bade is quite right when he says that there is accumulation of writ petitions, not merely for *mandamus* but for *certiorari* and *quo warranto* etc. You are aware that there was a judgement by the Supreme Court, I think, Mr. Justice Patanjali Sastri's judgement, in that great election case that if you have got to file a writ against the Union of India, you have got to file it in Delhi and in no other court, that is, you must file it in the Punjab High Court. So, from Trivandrum in Kerala, from the extreme south up to the north, people from different parts of India had to come here, and there was accumulation. Just imagine today what the position is. I know the court very well. Today, there are two Division Benches and one judge who is sitting. That only means three courts. Can you expect justice to be done properly, efficiently and speedily?

I am not casting any reflection on the Bench. We had a first-class judge in Mr. Justice Falshwa, the last Englishman who was on the Bench. He was a very good judge, but he has now retired. Then, we have got a good judge in Mr. Justice Mehr Singh who is the Chief Justice of the Punjab High Court. But we want a fully equipped High court here and we want it badly, and we want it to be properly strengthened. There should not be merely two Benches or two Benches and a half. We have got today one court or one Bench presided over by Mr. Justice Capoor and Mr. Justice Khanna. In another Bench we have got Mr. Justice Grover and Mr. Justice Capoor sitting, and in the third Court only one Judge, namely Mr. Justice Bedi is sitting. That would not do. We must have a court fairly strong. I hope you will agree with me and the House will agree with me that a small court is always a weak court. So, we must make it a strong court, an efficient court, and a court which will command the confidence of the people. I am quite sure that the hon. Minister will see that the Punjab Bar and also the Punjab judiciary are properly reflected on the Bench of this High Court. When people said that judges for this High Court were coming from Maharashtra and South India, there was a lot of grievance against that. I hope that will not be the case and proper recognition will be given to the lawyers from both the Bench and the Bar of Punjab and Delhi and I am saying 'Punjab' in a big sense, including Delhi and Haryana and other parts.

One great thing which troubles me is this, that this is a geographical absurdity. From the people's point of view, they are laughing at this thing. After this Bill is passed, what will happen? We are talking of law's delays. Everyday we stand in parliament and decry it. The other day the Law Minister also conceded

this and said that he would take some steps to rectify it. I think the Home Minister also will agree on this point. Today the greatest handicap is that thousands of cases are pending in different courts. Thousands of writ petitions are pending in the different High Courts also. I am told that in the Allahabad High Court—I am not sure about it—there are over 50,000 appeals pending. Thousands of writ petitions are pending there for years together. This must be checked and mitigated. You can only do it provided you make justice accessible at the door of the litigant. Here are people from Gurgaon, Rohtak, Hissar; they will have to pass through Delhi on to Chandigarh and file their writ petitions and conduct their cases. This is a ridiculous proposition. I know the difficulty. Two Members have appended notes of dissent, namely, Shri Gajraj Singh Rao and Shri Kapur Singh. Shri Gajraj Singh Rao's minute of dissent requires careful study. I am not in a position to accept whatever he has said. I have told him so. Under art. 241 there can be a High Court for a Union Territory, but under clause 4 of the same article, nothing in the article derogates from the power of Parliament to extend the jurisdiction of the High Court of a State to a Union Territory. Therefore, if you have a High Court, as the Home Minister was pointing out, for Haryana, you can extend its jurisdiction to the Union Territory of Delhi. But you cannot do it in the reverse manner. There is some lacuna in the Constitution which is very unfortunate and, therefore, they are pointing out that it is doubtful whether you can extend the jurisdiction of this High Court to Haryana hereafter. But something has got to be done. Unless it is done, it will be an anomaly and it will never lead to redress of grievances. People from Mahendergarh, Gurgaon, Rohtak, Karnal and Ambala would like to come here and get justice here.

All sections of the legal profession are united in demanding a strong and efficient Court. I hope the High Court

will be properly equipped, will have a building of its own with proper accommodation, proper situation and it will cater justice to all. I am quite sure that the judiciary will be such as will inspire confidence. I do not know whether the Law Minister's recent idea of having a centralised taxation court will mature. If it does, it will be of very great importance.

Shri Hathi: That requires an amendment of the Constitution.

Shri N. C. Chatterjee: True. As a matter of fact, the Constitution will have to be slightly amended here also and at a very early date, if the Haryana people want to come under the Delhi High Court, at least a part of Haryana. I think that will be desirable. I am against tinkering with the Constitution, but if it is necessary in public interest, we should not be dogmatic but elastic. After all, we have amended it 19 times, so why not one more and be done with it.

I am quite sure that Shri Hathi before pronouncing his opinion must have consulted the Attorney General or other legally competent advisers, because I am rather troubled with the points made by Shri Gajraj Singh and Shri Kapur Singh. They have raised points which require careful study. I do not want a High Court to be instituted tomorrow followed by a writ petition challenging the vires or legality of that act. You know yesterday a writ petition was moved in the Supreme Court challenging the legality of the appointment of a Judge of the Madras High Court. These things are happening. Therefore, I do not want this to be done without proper study. I want the Home Minister to assure the House that he has taken—competent legal advice and has satisfied himself that this legislature is completely *intra vires* Parliament and is perfectly constitutional and sustainable if ever impuned or challenged.

But I think we should all give our best wishes to the new High Court. A circuit Court is absolutely impossible. Such a court means you bring

[Shri N. C. Chatterjee]

a Judge here may be for three weeks or month and then he is transferred back to Chandigarh just in the middle of cases part heard. I have argued a case for about seven days, an important regular appeal in the circuit Court. After the week's hearing with the case part-heard, the Judges were transferred back to Chandigarh. The case is pending for one year and in that way and we do not know when and whether the Judges will come back or not and whether there will be the same division Bench or not. So this circuit court procedure will not operate.

Therefore, I am perfectly certain that this is a right move. I only wish that this should be on a par with High Courts like those of Calcutta, Bombay, Allahabad and Madras and will establish traditions, will be properly equipped and will dispense justice, of course, without fear or favour, and quickly, thus inspiring confidence among all sections of people. I hope that steps will be taken, if necessary, to amend the Constitution at least to make justice accessible to people round about Delhi so that this High Court can cater not only to the people of Delhi but also people of surrounding areas like Rohtak, Hissar, Gurgaon, Mahendergarh and so on.

Shri G. N. Dixit (Etawah): Mr. Deputy-Speaker, a High Court for Delhi was long needed and I support the Bill for its constitution.

What I feel is this. It is not the building housing it that makes a good High Court. It is competent and efficient Judges that is the first essential. I am sorry to say that I have a feeling that appointments of High Court Judges have been made in some cases incorrectly. Last time one such instance came to my notice. A certain person was appointed a High Court Judge on an enquiry by the Home Ministry that that person would be appointed from out of the claimants who field a return of the highest income-tax. The income-tax return

was filed; never before had a return been filed for that amount or even much less. And that gentleman was appointed High Court Judge.

Shri Hathi: Where?

Shri G. N. Dixit: That I will discuss confidentially with the Minister, not in the House.

An hon. Member: Was that the criterion?

Shri G. N. Dixit: I will not disclose it here because this is a matter concerning a Judge who has already been appointed and is acting as High Court Judge. I do not want to mention the name at all.

My submission is that really the Home Minister is not the person to know exactly who is the right person to be appointed. It is the lawyers of that place who know who is the right person to be appointed. I remember Shri Setalvad, as the President of the Supreme Court Bar Association, once praising an ex-Judge of the Supreme Court, Shri Venkataraman Iyer. He said 'lawyers are judges of the Judges and I have judged this Judge to be a great Judge'. He was right. It is the lawyers who should be consulted; at least their advice should be taken. When the Home Minister wants to give his opinion, my suggestion is that the lawyer MPs from that State at least should be consulted in the matter and then the appointment made (*Interruptions*).

Shri Sham Lal Saraf (Jammu and Kashmir): Do not mix politics with it.

Shri G. N. Dixit: I do not say that a formal consultation is necessary. But the Home Minister can utilise this agency also.

The lawyer members of all parties may form that agency. They will know what is the position of the advocate.

What I desire to submit is this, that the Judges to be appointed at Delhi

must be competent and efficient Judges they should not be appointed merely because they have been recommended by this person or that person, they must have established themselves as good lawyers, lawyers of repute, lawyers of integrity, lawyers of eminence, and a good choice of the High Court Judges means a good High Court at Delhi. Whether they sit under a tree, whether they sit at a bad table or in a small room is not important; what is important is efficient, competent Judges of high integrity.

My second submission is this. About pending cases, I agree with hon. Mr. Chatterjee. In my High Court, the Allahabad High Court, I examined this position about 1953 and I came to this conclusion that if the High Court were to touch no new cases and were only to deal with the pending cases, it would take six years to dispose of those cases. This is a very serious situation, and it is time that this situation is strongly dealt with, because justice delayed is justice denied.

So, my submission is this, that the Government must see to these two things. Firstly, if the Members are not to be consulted, there are members in the Cabinet itself, lawyers, they must be consulted. The Home Minister must not only depend upon the Chief Justice of the High Court but personally enquire also as to who is the right lawyer to be appointed to the post. My second request is this, that all these pending cases, arrears of cases must be disposed of.

I have only one thing more to say, and that is this. Mr. Chatterjee has raised a point, and I think the Home Minister must get it a little more thoroughly examined, because it is no good a High Court being established and the first question raised is that the High Court is not properly constituted. If the Supreme Court holds that it is not properly constituted, that will not be a good name for this

august House. Therefore, I would request the Home Minister to get this point examined.

Today I examined this section 4. As the Home Minister has rightly said, article 241(2) does contain these words:

"subject to such modifications or exceptions as Parliament may by law provide."

But the difficulty is this, that there is also article 368 which says:

"An amendment of this Constitution may be initiated only . . ."

The word "only" has been used. If it were said that this provision in article 241 is an exception to article 368 it would have been all right, but the use of the word "only" raises a suspicion, and therefore this question must be examined before getting this Bill passed. The Minister of State has already said that this is an amendment of the Constitution, and article 368 says that an amendment of the Constitution can be initiated only by the introduction of a Bill.

Shri Hathi: May I interrupt for a minute? This is not an amendment of the Constitution, but this is application of an article with such modification as Parliament may by law provide.

Shri G. N. Dixit: That is what the Minister of State says, but the difficulty is this, when this goes before a court of law, before the Supreme Court, these two clauses will have to be studied, and then a pronouncement will have to be made by the Supreme Court. There is material in the Constitution for an argument to the contrary that article 368 is not controlled by this article 241, because the word "only" has been used. Therefore, I say that it would not have been difficult for the Government to have appointed the Chief Justice first and then the Judges could have been appointed. Is it worthwhile to

[Shri G. N. Dixit]

keep this point for being argued later or get it satisfied once and for all and make a provision in the Bill so that it is not challenged in future?

Shri Gauri Shankar Kakkar (Fatehpur): I also agree that there is a very good reason for Delhi to have a High Court. I have gone through the dissent notes of Mr. Kamath, Mr. Gajraj Singh and Mr. Kapur Singh. I can agree with the hon. Minister that the legal position has been thrashed out and there would be difficulty, in accordance with article 241(2), to include part of any union territory or State in forming a High Court. But when this Bill was still under the consideration of the Select Committee, the Punjab Reorganisation Bill had come, and very shortly we are going to have the three units of Himachal Pradesh, Haryana and Punjab. It has been emphasized and argued that there has been much delay in the disposal of cases, and everybody will agree that justice delayed is justice denied. I fail to understand what would happen to the law of Himachal Pradesh union territory which is being included in the jurisdiction of this newly created High Court which is undergoing some change and reorganisation. As a result of the creation of this new High Court, the entire Himachal Pradesh comes within its jurisdiction. Then, when Himachal Pradesh is going to be reorganised as a result of the Bill which is coming in this House, then there will be a difficulty of those cases which were to be filed in the High Court, unless a new position comes again, a new clarification or a new creation of a Himachal Pradesh High Court or some such thing. By that time those cases will again be pending, and they will not be able to get speedy adjudication or justice. So, my suggestion is that, in view of the creation of these three States of Haryana, Himachal Pradesh and Punjab, it would have been proper to wait for some time. Already this matter has been delayed, and it could very easily be put off for a couple of months, and then we could come for-

ward with the amendment of the Constitution keeping in mind the convenience of the litigants.

I quite agree with what Mr. Chatterjee said, that the delay in the disposal of cases is on account of one reason, and that is this. If justice is accessible easily to every villager, to people in every locality, then it would be feasible and practicable for them to approach the proper court. As it has been argued, it would be an absurdity; there are certain districts adjoining Delhi which are nearer to Delhi than Chandigarh.

So, my only suggestion is this. I can understand the difficulty of the Home Minister, I can understand the legal interpretation which has been thrashed out, I shall not say anything about it. I understand that the Home Minister is favourably inclined to consider the convenience of the litigants living in the neighbourhood of Delhi. If he is favourably inclined, what would be the harm if the consideration of this Bill is put off for a couple of months or so. When the three States are created, a new, second thought can be given as to how to accommodate those States also, and how to make arrangement for the speedy disposal of the cases of the litigants living in the newly created States. I think it would be better. My only suggestion is that the creation of the new High Court for Delhi and Himachal Pradesh should be undertaken keeping in view of the creation of the new States which are coming forthwith. That would be both equitable and just.

15 hrs.

Shri Hem Raj (Kangra): Mr. Deputy-Speaker, Sir, nobody will grudge Delhi should have a high Court of its own. Being a commercial city of importance, it is right and proper that it should have a separate High Court of its own. But the haste with which this Bill is rushed through should be looked into properly. The Home Ministry has today circulated

a Bill for the reorganisation of Punjab on the basis of language. In that context, Haryana area which is round-about Delhi has been forced to integrate itself with the Punjab High Court rather than the Delhi High Court and it is therefore proper that the views of Shri Gajraj Singh Rao and Shri Kapur Singh be taken into consideration. Some portions of Punjab Hill areas are going to be integrated with Himachal Pradesh. A Memorandum had been received from four or five associations but only two associations tendered evidence. I want to ask whether it will not be proper to ascertain the opinion of the assemblies of Haryana and of Himachal Pradesh after the general elections to find out whether they would like to come to the Delhi High Court because it will be convenient for the litigants of these areas round about Delhi to integrate themselves with the Delhi High Court. Regarding Himachal Pradesh, Chamba is in the north and Kangra district is on the northeast and still north are Lahaul and Spiti and the distance between these places and Delhi is something like 400-500 miles. I cannot think of persons wishing to travel this long distance for the purpose of filing original suit with a limit of Rs. 25,000. They have a High Court nearer than Delhi. Therefore, I have moved an amendment that this Bill as it has emerged out of the Select Committee might again be circulated for the purpose of eliciting public opinion thereon so that the areas which are concerned might give their views about their convenience about the proposed arrangement or they want some other arrangement. When I toured my area, I found that the Dharmasala bar association would like very much to have the Chandigarh High Court rather than Delhi. Therefore, it is not proper for the government to rush through this Bill. Again, the opinion of the assemblies which will come into existence after the general elections will be the best indication of what is the public feeling in those areas. Therefore, my suggestion is that be-

fore you pass this Bill the public opinion in these areas may be ascertained. With these remarks, I support this Bill.

Shri Kapur Singh (Ludhiana): Sir, I rise to oppose this Bill wholly and fundamentally. This Bill is infected with three gross and glaring blemishes. The first blemish with which this Bill is infected is that its constitutionality, its vires is not free from grave doubts. In my dissent note of 15th April, 1966 I have given my reasons in detail and I will not reproduce them here. Without clearing those doubts, to attempt to proceed with this Bill in such a haste seems to me to be a little indecent.

Its second defect is that it is misconceived. These pendency of a large number of appeals at Delhi is certainly not an argument for establishing a separate Delhi High Court. At best, and properly, it is an argument for expanding the strength of the Punjab High Court and for location of a circuit bench here, more or less on a permanent basis. Therefore, this Bill is misconceived.

Thirdly, and lastly, this Bill is ulteriorly motivated. When the reorganisation of Punjab, Haryana and Himachal Pradesh is before Parliament and when it is going to take place in the very near future, there is no good reason that we could comprehend, where is the unworthy hurry about proceeding with this Bill at such haste? Why cannot we wait for a few months? There are, it seems to me, some political reasons behind the haste with which Government are proceeding with this Bill and therefore behind the whole conception of having a separate High Court for Delhi. I do not want to spell them out here. I, therefore, conclude by saying that I am wholly and totally opposed to this Bill.

Shri Shinkre (Marmagao): I feel that since practically every working lawyer has expressed the opinion that

[Shri Shinkre]

Delhi requires badly a High Court and the main purpose of this Bill is to establish a High Court in Delhi, I do not see any point in putting off discussion of this Bill. Since there is no controversy or two opinions regarding the need a High Court for Delhi....

Shri Kapur Singh: There is controversy.

Shri Shinkre: So far as I could see most working lawyers have expressed their views that Delhi should have a High Court.

Shri Bade: There is controversy about jurisdiction also.

Shri Shinkre: Government could behave with some circumspection or caution. The hon. Minister has already made it clear that clause 17(i) is aimed at extending the jurisdiction of the Delhi High Court to Himachal Pradesh as and when they might consider it necessary. That being so, it can wait until the new States come into being, Haryana and Punjab Suba and thereafter the people of Himachal Pradesh could be given a chance to express their views as to which High Court they would prefer whether to Candigarh high court or to the high court that will be brought into existence for Haryana State or to the Delhi High Court. Only then can they think in terms of extending the jurisdiction of this high court or any of these high courts to the people of Himachal Pradesh. That way, the apprehension expressed by my hon. friend Shri Dixit also would be given proper safeguard, because he has expressed a view or the apprehension that this might not be very much within the Constitutional provisions. (Interruption). As far as article 368 is concerned, I do not think there is much force in his argument. There may be, however, some point whether more than one Union territory could have a common high court. Although Shri Hathi has made it clear that this is not for having a common high court

for two Union territories, in practice it means that. Although clause 17 (1) has given the Government enough breathing-space or gap, they can always contend that it is only that the power that the Government have assumed and they have not utilised it and that under these circumstances it, cannot be taken as a common high court.

If the Government only behaves with some caution and just now only establishes the high court that is meant for the Union territory of Delhi, then, the real purpose of the Bill will have been served and the apprehensions raised and expressed by some hon. Members also will be borne properly in mind. Therefore, I do not see any point in putting off the discussion of this Bill and it should be considered in the light of our remarks.

श्री राधेलाल व्यास(उज्जैन): उपाध्यक्ष महोदय, जहां तक दिल्ली में हाई कोर्ट की स्थापना करने का सवाल है, मैं समझता हूं कि एक दो माननीय सदस्य के सिवाये किसी को उस पर कोई आपत्ति नहीं है। लगभग हर एक माननीय सदस्य ने इस का स्वागत किया है। यह बिल्कुल सही है कि दिल्ली जैसे दिन-प्रति-दिन बढ़ने वाले शहर और राज्य में एक हाई कोर्ट की बहुत दिनों से आवश्यकता अनुभव की जा रही है।

श्री कपूर सिंह : हाथी भी होना चाहिये।

श्री राधेलाल व्यास : हाथी साहब तो बैठे हैं।

श्री कपूर सिंह : सफेद हाथी।

श्री राधेलाल व्यास : जहां तक पंजाब हाईकोर्ट में केसिज के निपटाने में देर होने का सम्बन्ध है, माननीय सदस्य, श्री

चटर्जी ने उदाहरण दिया है कि उन्होंने एक केस को सात दिन तक आयुर्वु किया, लेकिन केस की हीयरिंग पूरी होने से पहले ही संबंध जज को चंडीगढ़ भेज दिया गया, जिस के कारण लगभग साल डेढ़ साल से उस केस की सुनवाई नहीं हुई है। इस लिये यहां पर कोई कोर्ट की स्थापना बहुत जरूरी है। इस का उद्देश्य यह है कि लोगों को न्याय जल्दी और कम खर्च पर सुलभ हो। मेरे विचार में यह खास उद्देश्य हाई कोर्ट और दूसरी कोर्ट्स को कायम करने का है। होम मिनिस्ट्री को इस बारे में बड़ी गंभीरता के साथ सोचना चाहिये कि हाई कोर्ट्स में इतने केसिज पेंडिंग पड़े रहते हैं और केवल हाई कोर्ट्स ही में नहीं, बल्कि छोटी-छोटी अदालतों में, डिस्ट्रिक्ट कोर्ट्स में, भी इतने केसिज पड़े रहते हैं कि वर्षों तक उन का निकाल नहीं हो पाता है। अगर जायदाद के बारे में कोई डिग्री या फैसला हो जाता है, तो उस के इजरा और एक्सीक्यूशन में इतने साल लग जाते हैं कि लोगों को अपने जीवन में न्याय मिलना बड़ा दुर्लभ हो रहा है।

हमारे कॉन्स्टीट्यूशन में यह आश्वासन दिया गया है कि हर एक आदमी को जस्टिस, न्याय, सुलभ होगा। अगर इस को दृष्टि में रखते हुये हाई कोर्ट्स वगैरह की स्थापना की जाये और उन की कार्य पद्धति को निर्धारित किया जाये, तो हमारा उद्देश्य पूरा होगा। इस लिये इस हाई कोर्ट की स्थापना विल्कुल स्वागत योग्य है। लेकिन इस के साथ ही होम मिनिस्ट्री को इस बात की व्यवस्था करनी चाहिये कि हाई कोर्ट्स को छोटी अदालतों पर इस बात की निगरानी रखनी चाहिए कि उन में ठीक काम होता है या नहीं, केसिज का निकाल होता है या नहीं, मुकदमे कितने बकाया हैं और उनको कितने वर्ष हो गए हैं आदि, सुपरिन्टेंडेंस के इस काम की तरफ जिस का उल्लेख आर्टिकल 227 में किया गया है, हाई कोर्ट्स का कोई ध्यान नहीं है। मैं समझता हूं कि इस ओर ध्यान देने

की जरूरत है।

इंडिपेंडेंस से पहले ग्वालियर स्टेट और कई दूसरी जगहों में हाई कोर्ट्स थीं। उस समय यहां पर जजिज के लिये कोई पेपर बुक्स नहीं बनती थी। आज कल हम हाई कोर्ट्स में क्या देखते हैं, आज पेपर बुक्स बनती है। वे बने हमें कोई एतराज नहीं है। लेकिन उसका सब खर्चा मुकदमे वालों, फरीकों को बर्दाश्त करना पड़ता है। अगर एक हिन्दी का पेपर हो, तो उस के ट्रांसलेशन की फीस अलग देनी पड़ती है। इसी तरह साईक्लो-स्टाइल और प्रिंट करने का खर्चा अलग देना पड़ता है। इस के अलावा कोर्ट फीस और प्रोसेस फीस तो चार्ज की ही जाती हैं। इस प्रकार हाई कोर्ट और सुप्रीम कोर्ट में पार्टी पर इतना खर्चा डाला जाता है, सैकड़ों हजारों रुपये लग जाते हैं कि आदमी बर्बाद हो जाता है। इस स्थिति में बेचारे गरीब आदमी की यह हिम्मत नहीं है कि वह हाई कोर्ट या सुप्रीम कोर्ट में जाकर न्याय की याचना कर सके। मैं शासन और होम मिनिस्ट्री का ध्यान इस तरफ दिलाना चाहता हूं कि अगर यह सब खर्चा करना है, तो इस की व्यवस्था शासन करे। जजिज के सुभीते और समझने के लिये पेपर बुक्स वगैरह की व्यवस्था शासन को करनी चाहिये, उस का खर्चा गरीब आदमियों पर नहीं डाला जाना चाहिये। अगर खर्चा ज्यादा पड़ता है, तो जनता को सस्ता न्याय देने के लिये चाहे ज्यादा टेक्स लगा दिये जायें और उन लोगों से टेक्स वसूल करना चाहिये, जो कि टेक्स दे सकते हैं। लेकिन हाई कोर्ट्स और सुप्रीम कोर्ट में हर एक गरीब आदमी पर, जिस के मीन्ज और साधन नहीं है, जिस की सामर्थ्य नहीं है, यह सारा खर्चा डालने की जो प्रथा चली है, उस को बंद करना चाहिये।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूं

Shri Gajraj Singh Rao (Gurgaon): Sir, I have given my Minute of Dissent, raising legal and constitutional issues and this Bill may be judged in that light. Now, it has been said that the jurisdiction of the high court in the Union territory can be extended to another Union territory. I would submit that the legal position is very clear. Is there already a high court for the Union territory of Delhi? A high court for Delhi at Delhi has not yet been established by law and it is said that in anticipation of that, this jurisdiction can be extended to Himachal Pradesh. First, there must be a high court in the Union territory. If the Minister's contention is to be accepted, then, there must first be a High Court in the Union territory of Delhi and then the question of its jurisdiction being extended to any other Union territory, or Himachal Pradesh, as they say, could arise. I would submit that this Bill, therefore, cannot be taken up now. It cannot be said that it is an extension of the High Court at Delhi to the Union territory of Himachal Pradesh; when the High Court Bill itself has not been passed by both Houses of Parliament and approved according to the law, what the Minister contended cannot be the constitutional and legal position.

In order to avoid the legal position, what has been done? It has been admitted that for the two Union territories there cannot be a common High Court; for a State and a Union territory or for two States and a Union territory there can be a high court. I stand for justice. Haryana extends to 75 miles on one side and 80 miles on the other side and it is 15 miles from this place. It should have a common high court with Delhi. Instead of having that, they are proposing to extend its jurisdiction to Himachal Pradesh at a far distance. Those things are still pending. Even if there is to be a high court for Delhi and Haryana Pranth at Chandigarh even with a permanent Bench at Delhi—there may be a permanent Bench at Delhi—it is

not yet certain whether Himachal Pradesh would be given a high court, a full-fledged high court. Now, it is a Union territory, and between two Union territories this Bill proposes a common High Court. I submit that this thing should be examined. As it is, it is altogether unconstitutional and it cannot be supported. A High Court has not yet been established for Delhi. This Bill says that the jurisdiction of the High Court of Delhi can be extended to some other area. That means it presupposes that there is a High Court already existing for the Union Territory of Delhi and this Bill seeks to extend its jurisdiction to another Union Territory. Under the Constitution as it is, good or bad for two Union Territories there cannot be a High Court. The purport of the whole Bill is to have a High Court for the two Union Territories of Delhi and Himachal Pradesh. We cannot look at it from any other aspect.

The people of Haryana have been punished because of their rising against the Britishers in 1857. So they were not given any facilities. When they are near Delhi, why should they be asked to go to Chandigarh for a High Court? We have got so many offices—tribunals, Financial Commissioner's office, etc.—and those buildings in Chandigarh can be used for housing those offices. That is not the question. The question is, when they have a High Court just 15 miles away, why should not the common people of Haryana be allowed to use that High Court in Delhi? Why should they go to another disconnected area when people from Himachal Pradesh—Kulu, Manali, etc.—are coming to Delhi? After all, there must be some reasoning at least in the administration of justice. The common people should have justice cheapest at the door.

I would again submit that just by circumventing words, this would not become constitutional. I have already referred to Article 241(4) in my minute of dissent. That has been already conceded by the Home Minister and

he said it is not a question of having a common High Court for two Union Territories, but it is a question of extension of the jurisdiction of the Delhi High Court to Himachal. But that presupposes that there is already a High Court at Delhi, that a Bill has been passed by both Houses and assented to by the President establishing a High Court for Delhi. When the High Court itself is not there, how can its jurisdiction be extended to another Union Territory?

I submit that the convenience of the common people and the sense of justice should be taken into consideration. Haryana has always been a victim because it mutinied against the Britishers and they have been punished throughout. In the last 20 years, there has not been a single Judge from Haryana on the Bench of the Punjab High Court, to which we are attached. Even in the British days, Sir Shadilal was the first Chief Justice. He was from Haryana and he was praised as a good and independent Chief Justice.

My note is absolutely clear. Legal quibbling would not do. Lest it might fall through, I appeal to the Home Minister. We should wait for one or two months. Himachal people are saying, they should have a State. They have said this; we and they can have a common High Court at Chandigarh. In no sense, I would say, this would derogate from our right for Chandigarh so far as the political aspect of it is concerned. We have that right and we can utilise the High Court building for our tribunals and other offices. For the sake of cheap justice at the door. I appeal to the Home Minister; Let the Bill be passed; let the High Court be established at Delhi and let its jurisdiction be extended to Haryana, which is just 15 to 80 miles away. We can get better justice, cheap justice at the door and better lawyers in Delhi. The whole thing should be considered from this aspect and not any other aspect. Cheap justice for the common people should be the criterion.

Shri Hathi: Sir, I am thankful to all the members who have participated in the debate. Even those who opposed the Bill did so on certain principles and approached the subject in the way that does evoke respect for them. It was not on petty grounds; they have maintained a high level and the points they have raised do deserve consideration.

I am specially grateful to Mr. Chatterjee who has made my task much lighter. With his experience as a Judge and as an Advocate of the Supreme Court, he knows well the functioning of the courts here and elsewhere. It has been unanimously agreed by all the members that Delhi does require a High Court. On that, there are no two opinions. Considering the importance of Delhi, it is but natural that the people of Delhi do wish that they should have a High Court here. The only controversy is whether under the provisions of this Bill, it would be permissible to extend the jurisdiction of Delhi to Himachal Pradesh. As the hon. member rightly said, we are today not extending the jurisdiction of Delhi High Court to Himachal, clause 17 says it will be done from date to be specified hereafter. First, we are establishing a High Court for Delhi. After that is done, on a subsequent date it can be extended. We may not be in a hurry also.

Shri Sham Lal Saraf: The point is that Himachal would be much nearer to Chandigarh and Haryana would be much nearer to Delhi.

Shri Hathi: Let hon. members allow me to proceed in my own way and I am sure I will be able to meet all the points that have been raised. If there are any doubts, I shall try to explain, because there is yet time for the extension of the High Court of Delhi to Himachal Pradesh. It would not be done today. Even that point could be examined because, as Shri Dixit has pointed out, as other hon. Members also have pointed out, we

[Shir Hathi]

have taken all precautions and examined the case. Even then, in a few days we can further examine it. There is no question of having any political motive in this, because the High Court of Delhi is a necessity and everybody has agreed on that point.

Now, the point is whether Haryana and Delhi could have a common High Court or not. The point raised was, why not extend the jurisdiction of Delhi to Haryana. Under the Constitution, the jurisdiction of a Union Territory High Court cannot be extended to a State. Therefore, you cannot extend the jurisdiction of Delhi High Court to Haryana. The other point would be, to have a High Court for Haryana and have it at Delhi. That does not make the position any way better than the position that exist today. Today, the Punjab High Court is a High Court for Punjab and Delhi. The jurisdiction of the Punjab High Court is extended to Delhi. But the need of Delhi thereby is not met. That is why we are creating a new High Court for Delhi. So far as Delhi is concerned, Delhi does require a separate High Court and that is agreed to by everybody.

The other point raised was that certain portions of Haryana are contiguous to Delhi and, therefore, why should they not come to Delhi. On the one hand, we all agree, and all those who have participated in the debate have agreed, that Delhi must have a High Court of its own. That is one part which is admitted. Then, extension of jurisdiction of the High Court of Delhi to Haryana is not possible under the Constitution. Having a High Court for Haryana and extending the jurisdiction of Haryana to Delhi will not improve the position at all because that situation does exist today also, where the jurisdiction of Punjab is extended to Delhi. But that does not meet the needs of Delhi. As Shri Chatterjee pointed out, for all writ petitions from any part of India you have to go to the Punjab High Court.

Shri Tyagi (Dehra Dun): Could it be legally possible that the same judge who sits in the capacity of a Judge in the High Court of Delhi can sit in the capacity of a Judge in the High Court of Haryana also.

Shri Hathi: No, that is not possible. Then, Himachal Pradesh was mentioned. Today Himachal Pradesh has a Judicial Commissioner. Its status is being raised to a High Court. The difficulties which the people of Himachal Pradesh may experience are also envisaged. Therefore, we have provided that there will be a Bench, a permanent Bench also it can be, in Himachal Pradesh so that the people of Himachal Pradesh will not have to come to Delhi. Therefore, taking into consideration the present position of Himachal Pradesh, which has only a Judicial Commissioner, they will get a High Court and in order to obviate the difficulties of the people of Himachal Pradesh coming all the way from Himachal Pradesh to Delhi we will have a Circuit Bench there in Himachal Pradesh itself. We have also consulted the Government of Himachal Pradesh. They are agreeable to have it here and not at Chandigarh, and they want a Circuit Bench, which is possible, and therefore, naturally, they are interested.

It was said, why not postpone for some time more, for two months at least, and let the Bill be passed. That does not solve the problem of Delhi. Delhi wants a High Court. I will also point out another thing, which Shri Gajraj Singh Rao has said, that there cannot be a High Court for two Union Territories; one State and a Union Territory can be there, but two states and two Union Territories is not permissible under article 231 of the Constitution. You cannot have a common High Court for two Union Territories and a State. That also is not possible. You know that Chandigarh is going to be a Union Territory. Delhi will be a Union Territory. Therefore, for some time you cannot have a High

Court for Chandigarh, a Union Territory and a High Court for Punjab and Delhi which is already under Punjab. So, that position also legally is not permissible.

Taking into consideration all these things, after great deliberation and consultation with our legal advisers, we have come to the conclusion that this is the only way that it could be done. It is no use waiting. If you wait till the new States are formed, then Chandigarh will be a Union Territory. It will have a High Court at Chandigarh for Punjab. Delhi is also a Union Territory with jurisdiction of the High Court of Punjab. If you have a common High Court for two Union Territories that is also not permissible. Therefore, if at all in future the people of Haryana want a High Court to be established at Rohtak, Karnal or anywhere else, that will be permissible for them and they can have a High Court of their own. But to insist that the High Court of Haryana also should have jurisdiction over Delhi Territory, from Delhi's point of view that is not desirable. The demand is to have a separate High Court for Delhi which everybody has accepted.

Another point raised was that we have to examine whether this is constitutional or not. I am thankful for the caution which Shri Chatterjee and Shri Dixit have given. We have examined this point carefully. Still, before extending the jurisdiction to Himachal Pradesh, we shall once again go through it to make doubly sure that these things do not in any way come in the way of the constitutional propriety.

I would like to refer to the points raised by some hon. Members about delays in the disposal of cases, appointment of judges etc. All these points are, of course, general. I may say, so far as the judiciary is concerned it must be the anxiety of all to see that we maintain the tradition of the judiciary, the impartial judiciary which we have today, and that in the appointment of judges we should be very very careful in choosing the judges wherever they may be.

Shri Hari Vishnu Kamath (Hoshangabad): Last bastion of democracy.

Shri Hathi: And it is on this independent and impartial judiciary that depends perhaps the whole structure of society. If that is taken away then, certainly, we shall be detracting something from the ideal conditions which we want to achieve. It is, therefore, that we will take care that the first High Court which Delhi will have will be a model High Court where people will have full confidence, people will get justice—quick justice—and....

Shri Hari Vishnu Kamath: In other High Courts you do not get justice?

Shri Hathi: Circuit Benches have some difficulties. As Shri Chatterjee narrated his own experience, a part-heard case is adjourned, then after a few days they again sit and so on. Therefore, I think, looking to the needs of Delhi, it is imperative that a High Court should be established. Looking to the convenience of the people of Himachal Pradesh, it is better that they should have the jurisdiction of the High Court extended to Himachal Pradesh. They may have a circuit bench there later on. So far as Haryana is concerned, if possible, they may have a part of Haryana added to the jurisdiction of Delhi, but constitutionally you cannot divide a State into two parts and put a part of Haryana under the High Court of Delhi and another part under Chandigarh. That is not permissible. Secondly, the High Court of a State cannot be under the High Court of a Union Territory. That is also not permissible. So, this is the best possible solution that we could think of. I commend this measure to the House for acceptance.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the constitution of a High Court for the Union territory of Delhi, for the extension of jurisdiction of that High Court to the

[Mr. Deputy Speaker]

Union Territory of Himachal Pradesh and for matters connected therewith, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We will now take up clause-by-clause consideration.

The question is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Mr. Deputy-Speaker: There is one amendment by Shri Shree Narayan Das to clause 4. I find that he is not here. The question is:

"That clause 4 stand part of the Bill".

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5 was added to the Bill.

श्री हुकम चन्द कछवाय (देवास) : क्या बिना कौरम के ही यह बिल पास किया जायेगा

Mr. Deputy-Speaker: Let the bell be rung... Now, there is quorum. The question is:

"That clauses 6 to 16 stand part of the Bill."

The motion was adopted.

Clauses 6 to 16 were added to the Bill.

Clauses 17.—(Extension of the jurisdiction of the High Court of Delhi.

Shri Hem Raj: I beg to move:

Page 6,—after line 24, insert—

"Provided that before issuing such notification the wishes of the Himachal Pradesh Assembly constituted after General Election shall be ascertained." (3).

The hon. Minister of State for Home Affairs has stated that the opinion of

the Himachal Pradesh Government has been ascertained. But the present Himachal Pradesh consists of 13 lakhs of people, while the area that is going to come from Punjab will consist of 11,000 sq. miles and 15 lakhs of people. I say that the wishes of the elected representatives of those people should also be ascertained. The opinion of the Bar Association of those areas should also be taken, especially of Simla, Dharamsala and Dalhousie. Therefore, my amendment seeks to provide that before a decision is taken the wishes of the representatives of the people after the general elections are ascertained.

Shri Hathi: I have already explained that the people of Himachal Pradesh would be benefited by having a High Court rather than a Judicial Commissioner's court. Even if they want a separate High Court for the Union territory, that is a different matter. But today the position is they stand to gain. There is no need to consult the Assembly which is yet to come.

Shri Hari Vishnu Kamath: The point that he made was that they have to come all the way to Delhi.

Shri Hathi: No, there will be a bench.

Mr. Deputy-Speaker: Do you press it to a vote?

Shri Hem Raj: Yes, Sir.

Mr. Deputy-Speaker: The question is:

Page 6,—

after line 24, insert—

"Provided that before issuing such notification the wishes of the Himachal Pradesh Assembly constituted after General Elections shall be ascertained." (3)

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 17 stand part of the Bill".

The motion was adopted.

Clause 17 was added to the Bill.

Clause 18. (Rule of Construction).

Mr. Deputy-Speaker: There is one amendment by Shri Hem Raj. Does he want to move it?

Shri Hem Raj: Yes, Sir. I beg to move:

Page 7,—

omit lines 22 to 26. (4).

I have already submitted my point earlier.

Shri Hathi: I have already given the reasons for not acceptance it.

Mr. Deputy-Speaker: The question is:

Page 7,—

omit lines 22 to 26. (4)

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 18 stand part of the Bill".

The motion was adopted.

Clause 18 was added to the Bill.

Clauses 19 and 20 were added to the Bill.

Clause 21.—(Power to adapt laws)

Shri Hem Raj: I beg to move:

Page 8, lines 7 to 9,—

omit "and before the expiration of two years from the prescribed date in relation to the Union territory of Himachal Pradesh" (5).

Shri Hathi: I am not accepting it.

1584 (Ai) LSD—10.

Mr. Deputy-Speaker: The question is:

Page 8, lines 7 to 9,—

omit "and before the expiration of two years from the prescribed date in relation to the Union territory of Himachal Pradesh". (5)

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 21 stand part of the Bill".

The motion was adopted.

Clause 21 was added to the Bill.

The Schedule

Shri Hem Raj: I beg to move:

Pages 8 and 9,—

omit lines 30 to 42 and 1 to 11 respectively. (6).

Shri Hathi: I am not accepting it.

Mr. Deputy-Speaker: The question is:

Pages 8 and 9,—

omit lines 30 to 42 and 1 to 11 respectively. (6).

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Schedule stand part of the Bill".

The motion was adopted.

The Schedule was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Hathi: I beg to move:

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

15.50 hrs.

REPRESENTATION OF THE PEOPLE
(AMENDMENT) BILL

Mr. Deputy-Speaker: The hon. Law Minister.

The Minister of Law (Shri G. S. Pathak): (Sir,

श्री रामसेवक यादव (बाराबंकी) : इस बिल के लिये कितना समय निश्चित किया गया है ?

उपाध्यक्ष महोदय : इसके लिये मैं समय मुकर्र करूँगा ।

Shri G. S. Pathak: Sir, I beg leave of the House to substitute another motion for the motion which stands in my name. The reason for this substitution is that some hon. Members wanted the enlargement of the Committee and wanted to have certain Members of this House on that Committee. That is the sole reason.

Sir, I beg to move:

"That the Bill further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951, be referred to a Joint Committee of the Houses consisting of 36 members, 24 from this House, namely, Shri S. V. Krishnamoorthy Rao, Shri Bhagwat Jha Azad, Shri N. C. Chatterjee, Shri Homi F. Daji, Shri N. Dandekar, Shri Shree Narayan Das, Shri A. K. Gopalan, Shri Hari Vishnu Kamath, H. H. Maharaja Karni Singhji of Bikaner, Shri Madhu Limaye, Shri Ghanshyamlal Oza, Shri Vishwa Nath Pandey, Shri C. R. Pattabhi Raman, Chowdhary Ram Sewak, Shri Shivram Rango Rane, Shri H. C. Linga Reddy, Shrimati Yashoda Reddy, Shri Sham Lal Saraf, Shri Era Sezhiyan, Shri T. H. Sonavane, Shri U. M. Trivedi, Shri Tula Ram, Shri Amar Nath Vidyalankar, and Shri Radhe Lal Vyas and 12 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 first day of the next session;

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 joint the said Joint Committee and communicate to this House the names of 12 members to be appointed by Rajya Sabha to the Joint Committee."

Shri Hari Vishnu Kamath (Hoshangabad): Now that the Minister has moved the motion I rise on a point of order. My point of order is briefly this. I am happy and so is the House, I am sure, that the Law Minister is about to pilot the first big Bill in this House since he became a minister.

Shri G. S. Pathak: It is not the first Bill. Earlier there was the Constitution (Amendment) Bill.

Shri Hari Vishnu Kamath: I said, "big Bill in this House since you became the Minister". I am happy and so is the House. But as you are well aware of the conventions and traditions that have grown in this House during the last 10 years—you have been here and in the other place also; so, you know these conventions very well—before any Joint Committee or Select Committee is constituted, it has been the practice, a well-established practice, that one of the Whips—big whip, small whip, little whip or the deputy whip; one of them—approaches or sounds the various groups in the House.

Shri Tyagi (Dehra Dun): Even my own group, the Congress, has not been sounded.

Shri Hari Vishnu Kamath: That makes matters worse. I am glad, the

Tashkent spirit is working. I am glad that he has raised this point.

All groups used to be sounded and requested to depute their representatives to work on the Committee and, so far as I am aware, there is no group which, when they were invited to join a Joint Committee or a Select Committee, declined the invitation. But on this occasion I am constrained to say—I do not know what the reasons or circumstances were—what of other groups, but I just now learn that even the biggest party here has not been sounded.

Shri Tyagi: It was not on party basis; therefore, they were not sounded. All the parties are equally concerned with the elections.

Shri Hari Vishnu Kamath: I wish, Shri Mahavir Tyagi was on the Committee. He must be on the Committee.

I take serious exception to this kind of departure from practice, taking Members for granted. Of course, we are happy to serve this Parliament and on the committees of this Parliament. But that should not lead the ministers to think that they can take Members for granted and put them on any committee they like.

Shri Tyagi: Has your consent not been taken?

Shri Hari Vishnu Kamath: It was not taken. After it was put on the Order Paper the junior Minister did tell me, but only after the thing was done and I was faced with a fait accompli. I was put in such an awkward position that it was difficult to say "No". I have got many other commitments and I would have rather not served on this Committee and would have requested someone else to serve on this Committee. But having put me on the Committee and my name in the motion on the List of Business, it is hardly fair to approach me and say, "I am sorry, this has happened". This word

"sorry" comes very easily from one's mouth. They should express regret; that is the least they should do. But I am told that the reason behind this action, which was rather an unfair action, departure from practice and convention, was due to the fact that the Speaker has issued a new direction, of which I am not aware—therefore, I want light to be thrown by you if you are in a position to do so—to the effect that the list of Members of a Joint Committee or a Select Committee must be submitted to the Speaker three days in advance. I have not yet seen that new direction. I know, last week we gave notice of a motion for reference to Joint Committee . . .

Shri Tyagi: I am surprised. The Speaker does not come in. The Speaker has nothing to do with the names.

Shri Hari Vishnu Kamath: That puts a more serious complexion to the whole matter then. I am glad, Shri Tyagi is helping us in this matter. I am thankful to him. It assumes a more serious complexion.

Now, what has happened has happened. We cannot undo it, but at least the Treasury Benches will be more careful in the future and they will not take either the big party, the ruling party, or small Opposition parties for granted and put Members as they like on committees. I would only ask them to beware of the future lest worse things should come their way. I hope, they will behave better in future.

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): I was told on the 29th that the procedure to be adopted is that along with the motion the names of Members have also to be given. 30th happened to be a holiday and on the 29th I was asked to give the names. I could contact my hon. friend, Professor Ranga, and Shri Madhu Limaye of the SSP and one or two other groups, as also, I think, my hon. friend, Shri Chatterjee, if I am not wrong. It

[Shri Jaganatha Rao]

is a fact that I could not contact the leader of the PSP group, Shri Dwivedy was not present. It so happened that yesterday some of the Opposition groups also suggested to me that the size of the Committee may be enlarged. I said, "It will be considered". I tried to contact my hon. friend, Shri Kamath, last night but I could not contact him. This morning I contacted him. Last night I contacted the Leader of the PSP Group and he said that he would not be in a position to serve on the Committee and that he has requested his friend, the Deputy Leader, Shri H. V. Kamath, to serve on the Committee. I think, Shri Kamath would be a useful member on the Committee. His contribution would be useful.

Shri G. S. Pathak: He has always been useful.

Shri Jaganatha Rao: I intended to show no disrespect to Shri Kamath or to any other group. It is due to the circumstances in which the names were given that this happened.

Mr. Deputy-Speaker: The only direction is the old direction which says that the names may be given along with the motion. There is no other direction.

Shri Tyagi: The Speaker did not want the names.

Shri Hari Vishnu Kamath: Then, I am sorry to say that the Minister has sought to mislead me. He said, "Three days in advance of the motion".

Mr. Deputy-Speaker: You will help the Committee with your presence? You have no objection?

Shri Hari Vishnu Kamath: I will consider the matter. I have not yet accepted.

Shri Jaganatha Rao: This morning you accepted it.

Shri Hari Vishnu Kamath: I have not yet accepted.

16 hrs.

[SHRI SHAM LAL SARAF in the Chair]

Shri G. S. Pathak: Sir, the House will recall that the Election Commission gave its Report on the Third General Elections and after that the Election Commission made certain other recommendations also, that is, recommendations which were not contained in the Election Commission's Report. Now, the Election Commission being a constitutional body which is invested with the superintendence and the control of all elections, it is necessary that they should make recommendations first before the Government should undertake any legislation and it is in consequence of this practice that the Government considered the recommendations made by the Election Commission. The Government accepted almost all the recommendations with the exception of a few and the result of the acceptance of those recommendations is the Bill before the House.

The Government did not accept the recommendations in respect of four matters. Let me mention those matters at the very outset. With regard to other matters, the reasons why the law has been proposed in the shape in which it is have been set out in the note on clauses which has been appended to this Bill. The perusal of the Objects and Reasons will also indicate what are the matters in respect of which the recommendations have not been accepted and what are the matters in respect of which the recommendations have been accepted.

I would refer you first to four matters in respect of which the recommendations have not been accepted. The first is that of election expenditure. This is a very important matter. There is no doubt about it. But the recommendation of the Election Commission was that either the provision relating to expenditure should be drastically amended or that there should be a total repeal of the provision and the Election Commission, in

its Report, gave various reasons for arriving at that conclusion. It is not necessary for me to detail those reasons. Those reasons must have come to the notice of the hon. Members when they perused the Report of the Election Commission. There have been various views expressed on this question. The views expressed are conflicting. Some consider that the amount of expenditure should be reduced. Others are of the view that there should be abolition of the provision itself. The Government has taken the view that trial should be given for a little more time or at least for sometime before the provision which already exists should be varied or modified.

Shri Bakar Ali Mirza (Warrangal): The Election Commission's Report was not circulated amongst Members. Could it be circulated now?

Shri G. S. Pathak: It was laid on the Table of the House.

Shri Radhelal Vyas (Ujjain): It should be circulated.

Some hon. Members: It should be circulated.

Shri G. S. Pathak: It was placed on the Table of the House. I will obey any order which the Chair may give.

Mr. Chairman: The point raised is that the Report that had been laid on the Table of the House should be circulated. Is it the sense of the House that we may go on with the discussion and in the meantime ask the hon. Minister to get it circulated? Yes.

Shri Surendranath Dwivedy (Kendrapara): Both the Reports of the Election Commission on Third General Elections should be circulated.

Shri G. S. Pathak: There is only one Report.

Shri Surendranath Dwivedy: Both the volumes.

Shri G. S. Pathak: That is right.

Mr. Chairman: These could be circulated tomorrow. It will not be possible now. Let us go on with the discussion.

Shri G. S. Pathak: It is not right, the Government thought, that this provision should be done away with or this provision should be interfered with at the present moment. The fact that there is a ceiling fixed does operate as a deterrent to many people. It may be that some people may violate the provision. Yet the very fact that there is a provision, that the breach of it will amount to corrupt practice, will certainly serve as a deterrent and, therefore, the Government took the view that this recommendation of the Commission should not be accepted.

Shri Tyagi: I understood you to say that you were of the view that the Government would make up their mind after a little more experiment on it. Since, the British times, this thing is continuing in India.

Shri G. S. Pathak: When I said that the trial should be given to this provision for a longer time than it has been given, the reason is that this provision came on the statute book, by way of an amendment, a few years ago. The Government feels that in view of the conflicting opinions upon this question, namely, whether the ceiling should be enhanced or the ceiling should be reduced or the provision itself should be repealed, the trial should be given for a longer time than it has already been given. That is what I intended to say.

The second recommendation which the Government has not accepted is the increase in the security of deposits. The Commission recommended that for Parliamentary seats, there should be a deposit of Rs. 1500 and for Legislative Assembly seats, there should be a deposit of Rs. 750. The Government has not accepted this recommendation because the Government feels that no sufficient reason exists for the enhancement of the security deposit. There are people in

[Shri G. S. Pathak]

the country who want to fight the election and whose means may not be as large as those of some other people and, therefore, opportunity should be given to every person who wants to contest the election and in the opinion of the Government it is better that it should not be enhanced.

Then, another recommendation was that multiplicity of candidates should be prevented. In a democracy, it is meaningless to say that candidates should not be as many as they want to be. Every person has got a right to stand for election and, therefore, no curb could be imposed upon the number of candidates....

श्री रामसेवक यादव: श्री गुप्ता के पास जो 45 लाख रुपये हैं, मंत्री महोदय पहले उस को खत्म करायें, तब चुनाव में बराबरी हो सकेगी।

सभापति महोदय: अर्डर, अर्डर।

Shri G. S. Pathak: ...and no restriction could be imposed upon the right of a citizen to stand for election. If reduction of the security was intended to serve that purpose, then to that view the Government could not agree.

Shri Hari Vishnu Kamath: Just as the number of Ministers in the Council of Ministers cannot be limited.

[Shri G. S. Pathak: On this question I have not yielded the Floor.

Shri Tyagi: They have not to deposit any security.

Shri G. S. Pathak: The last recommendation which the Government has not accepted is this: the Commission recommended that, for the Presidential election, there should be a security imposed. There were only three candidates in the last Presidential elections. The Government has not accepted this recommendation for obvious reasons; there were not so

many candidates for this. It is an election to a very high office and only persons who hold a certain position in life stand for election to the office of the President.

Shri Hari Vishnu Kamath: Any one can stand. Gandhiji once said that a Harijan woman should become the President.

Shri G. S. Pathak: Any one has a right to be the President. I accept that, but then to impose a condition of security, I submit, requires very strong reasons in the case of a Presidential election and the Government does not see any such reason.

Now very briefly I shall give you the reasons why certain provisions in the Act of 1951 have been proposed to be amended in this Bill. The most important provision is the abolition of Tribunals. It was very disconcerting, it was very unfortunate, that what was expected of the Tribunals was not fulfilled. (Interruption).

Mr. Chairman: He is not yielding.

Shri Ranga (Chittoor): The appointment is left to the local Ministers and they make a mess of it.

Shri G. S. Pathak: There may be many reasons. We want to abolish those.

Shri Hari Vishnu Kamath: The Minister was also there before the Tribunals.

Shri G. S. Pathak: Mr. Kamath is quite right. (Interruptions).

Mr. Chairman: Please listen to his speech.

Shri Umanath (Pudukkottai): The Minister should not think that this is a court.

Shri G. S. Pathak: As the House will remember, in the beginning there were Tribunals consisting of three members. Now experience showed that they did not dispose of the cases expeditiously. An amendment was made in the law and it was decided

that there should be a one-man Tribunal and a provision was made in the amending Act that the cases should be disposed of as expeditiously as possible and so on. Now we find today that there are still—a few days ago I made enquiries—some election petitions pending.

Shri Ranga: Still pending!

Shri Ram Sewak Yadav: How many are there now?

Shri G. S. Pathak: When I made the enquiry, I believe there were 13.

Shri Ram Sewak Yadav: How many against the Ministers?

Shri G. S. Pathak: I am not answering that question; it is not relevant to the Bill.

Shri Tyagi: There should be a law to take to task those judges who have proved negligent. There must be some control over judges as well.

Shri G. S. Pathak: I will give some reasons which have been mentioned by the Election Commission and which are also known otherwise. I will give some reasons to the House.

It is very unfortunate that in a case where a person was not entitled to have a seat in the Legislature and was allowed to remain in his seat for so many years. (*Interruptions*).

बी प्रॉकार लाल बोरवा (कोटा) यह सीट पर पर रख सकते हैं क्या?

Mr. Chairman: Order, order. Please listen to the speech.

Shri G. S. Pathak: As I said, it is very unfortunate that these cases are not disposed of as expeditiously as they should be disposed of. It is unfortunate that some election petitions are still pending. Let us assume a case out of these petitions where a person is not entitled to have a seat in the House; for so many years he is enjoying the emoluments; he is working in the Legislature. We must have

a law under which cases could be disposed of expeditiously and a certainty should be secured as to whether a person has rightfully won the election or not.

Shri Ranga: The Chief Minister is carrying on in Andhra Pradesh.

Shri G. S. Pathak: One of the reasons is that when District Judges were transferred from one place to another, the cases were postponed. But a more important reason is this: from interlocutory orders, as we say, from orders passed in the course of trial, writ petitions were filed in the High Courts; stay orders were obtained; people also want to the Supreme Court and stay orders even from the Supreme Court in some cases were obtained. The result was that the trial could not proceed and, therefore, the Government has accepted the recommendation of the Election Commission that jurisdiction should be conferred on the High Courts. The result of that would be that there will be no interlocutory orders from which writ petition could be filed because there will be the orders of the High Court itself. And the Government has proposed in this Bill that the decision of a judge who disposes of an election petition shall be final subject, of course, to appeal by special leave in the Supreme Court, so that if there is any grave error, that might be corrected by the Supreme Court—on questions of law or in the interest of justice. That is the proposal which has been made here in this Bill and a provision has also been made in this Bill that six months should be the time in which the decision should be expected. There may be some special reasons; that is different. But the Parliament would expect the disposal of the cases within six months. That is why we have made the provision that the jurisdiction shall be conferred on the High Courts and the Tribunals shall be abolished; all consequential provisions have been made in this Bill.

Then there is another matter to which I would invite the attention of the House. A person who enters into

[Shri G. S. Pathak]

a contract with the Government incurs a disqualification. In the welfare State, when the Government activity..

Shri Ranga: Welfare State or Soviet State?

Shri G. S. Pathak: has increased and is bound to increase, the citizens would come in a greater degree into contractual relations with the Government.

Shri Ranga: Is that the recommendation of the Election Commission?

Shri G. S. Pathak: I shall check it. The Election Commission has been making recommendations. I shall let you know in a moment.

Shri Umanath: With all respect to the hon. Minister, may I submit that he is consulting the officers straightway across the Benches? That is not fair and that is not proper. So, he may be corrected.

Mr. Chairman: That is not the procedure to consult. He may look into it and then try to explain the position.

Shri G. S. Pathak: I stand corrected. That is all I can say.

Mr. Chairman: Secondly, in reply to Shri Ranga's question, the hon. Minister has made some statement. I would like to know whether he is sure about it. I would suggest that he may find out the correct position and then let the House know.

Shri G. S. Pathak: To the best of my recollection, there is a recommendation. But Shri Ranga might have read the report more carefully and he might be right. So, I speak subject to correction.

Shri P. K. Deo (Kalahandi): It is not contained in Vol. I of the Election Commission's report. Perhaps, there is some other report

Mr. Chairman: Why should the hon. Minister not be briefer so that he might first hear what Members have to say and then reply to the points?

Shri G. S. Pathak: Yes, I shall accept that suggestion.

We have felt that in cases where a person who enters into a contract with Government has fulfilled his part of the bargain, and has completed the contract, there should be no disqualification. That is the reason why we have slightly altered the law. There was a judicial decision on section 7 (c) and, therefore, we thought that we should make it clear.

What happened was that after this election report was made, the Election Commission made the recommendation.

Shri Sezhiyan (Perambalur): Will those recommendations made by the Commission after the report was submitted be made available to us?

Mr. Chairman: It has already been declared that it will be circulated.

Shri Tyagi: Suppose somebody has rented his property to Government, will that be a disqualification . . . (Interruptions.)

Mr. Chairman: The hon. Minister may please conclude his speech. It seems to me that what may have happened after the report is not before the House now. So, it is better that the hon. Minister first hears the hon. Members and then replies to those points; I, think that would be better.

Shri Ranga: He may explain why these provisions have become necessary.

Shri G. S. Pathak: Then, we have reduced the time-table of elections by reducing the number of days which would be occupied.

Then, we have also introduced a change in the law to provide for cases

where there may be ballot papers lost or destroyed, and the Election Commission has been given certain powers under the law to meet with such situations.

Shri Tyagi: In what way?

Shri G. S. Pathak: He can declare the poll void.

Shri Tyagi: And the persons responsible are not to be punished?

Shri G. S. Pathak: Provision has been made in this Bill. The hon. Member will see what the provisions are. So far as the punishing part is concerned. . .

Mr. Chairman: I May tell the hon. Minister that I feel that hon. Members have got a number of misgivings about certain things. Instead of replying to every point as and when it is raised, I would suggest that the hon. Minister may first hear the hon. Members and then reply.

Shri G. S. Pathak: I do not wish to take up the time of the House any longer. I shall wait to hear what hon. Members have got to say and I shall deal with the points later.

श्री रामसेवक यादव : सभापति जी, मेरा निवेदन है कि मंत्री महोदय जल्दी न करे, इस विधेयक को जो जरूरी बातें हैं, उन पर पूरी तरह से रोशनी डालें ताकि उनकी तरफ से सदन को पूरी जानकारी हो। उनको अच्छी तरह से पढ़ कर इसकी पूरी जानकारी सदन को देनी चाहिये।

Mr. Chairman: Order, order. First of all, let me place the motion for reference of the Bill to the Joint Committee.

Motion moved:

"That the Bill further to amend the Representation of the People Act, 1950, and the Representation of

the People Act, 1951, be referred to a Joint Committee of the Houses consisting of 36 members, 24 from this House, namely:

Shri Bhagwat Jha Azad,
Shri N. C. Chatterjee,
Shri Homi F. Daji,
Shri N. Dandekar,
Shri Shree Narayan Das,
Shri A. K. Gopalan,
Shri Hari Vishnu Kamath,
H. H. Maharaja Karni Singhji of Bikaner,
Shri Madhu Limaye,
Shri Ghanshyamlal Oza,
Shri Vishwa Nath Pandey,
Shri C. R. Pattabhi Raman,
Chowdhary Ram Sewak,
Shri Shivram Rango Rane,
Shri H. C. Linga Reddy,
Shrimati Yashoda Reddy,
Shri Sham Lal Saraf,
Shri Era Sezhiyan,
Shri T. H. Sonavane,
Shri U. M. Trivedi,
Shri Tula Ram,
Shri Amar Nath Vidyalankar, and
Shri Radhelal Vyas.

and 12 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 first day of the next session;

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

[Mr. Chairman]

that this House recommends to Rajya Sabha that Rayja Sabha do join the said Joint Committee and communicate to this House the names of 12 members to be appointed by Rajya Sabha to the Joint Committee.

Shri Bakar Ali Mirza: Let the hon. Minister finish his speech.

Mr. Chairman: Order, order. Let me conduct the house, please. Let me say what I want to say. Now, this motion is for the consideration of the House.

Shri Bakar Ali Mirza: The hon. Minister was explaining the provisions of the Bill, but you have intervened and in your wisdom you have said that hon. Members would like to have some more material and you have asked the hon. Minister to sit down. We want to hear what the hon. Minister has to say, and what new things have been done. But I think he has been forced to conclude his speech. I would submit that he should be allowed to continue his speech.

Mr. Chairman: Perhaps, the hon. Member was outside the House for some time . . .

Shri Bakar Ali Mirza: No. I have been here all the time.

Mr. Chairman: Then he has not heard him well. Certain points were raised by hon. Members, and the hon. Minister been to apply to them one after the other. That would not be the correct procedure. The correct procedure will be this. At 5 p.m. we have to conclude the debate on this Bill for today. In the meantime, these reports would be circulated to all the Members; they may go through them and tomorrow the Bill can be discussed further.

Shri Bakar Ali Mirza: They were only interventions, when the hon. Member was making his speech.

Hon. Members were not asking questions of him to which he was replying one after the other. He was making his speech and in between there were interventions. That is a different thing altogether from replying to points one after the other.

Shri Bade (Khargone): My point is that the report has not been circulated). So, we are handicapped according to your orders. We have to criticise this Bill, but how can we effectively criticise it until we have heard the Minister— But you have asked the hon. Minister not to initiate the Bill; further, that report is also not with us. So, how can we criticise the Bill here? So, my request is that you may kindly ask the hon. Minister to elucidate the provisions of this Bill, and if you do so, I shall feel highly obliged.

Shri Gauri Shankar Kakker (Fatehpur): I move that the consideration of the Bill be postponed. We have not been supplied with all the papers. Further, the Bill has been moved for consideration, and the hon. Minister has been elucidating the provisions of that Bill, and when the hon. Minister is half-way through, you, Sir, have actually intervened and he has had to sit down. He has, therefore, not been able to elucidate the provisions of the Bill. Further, the report which is being depended upon has not been supplied to us. And you are now calling upon Members to speak on this Bill. But we are handicapped in the absence of these reports and in the absence of any elucidation by the hon. Minister. So, I move that until the papers are furnished, the consideration of this Bill be postponed.

Shri Sezhiyan: I support the motion moved by hon. friend.

श्री रावबेकत मदार : सम्भाषण जी, अग्री जो प्रस्ताव माननीय कवर जी ने रखा है, मैं उस से सहमत हूँ। सब सदस्यों के लिए जरूरी है कि वे इस की पूरी जानकारी

रख और मंत्री जी से तो हम इस की ज्यादा आशा करते हैं, क्योंकि वे इस बिल को पायलट कर रहे हैं कि वे इसकी व्यवस्थाओं पर पूरी तरह से रोशनी डालें, लेकिन वह ऐसा नहीं कर पाये हैं। फिर उन्होंने अपनी बहस के दौरान यह भी कहा है कि चुनाव आयोग ने कुछ ऐसे सुझाव दिये हैं, जो कि रिपोर्ट के बाद आये हैं, वे भी हमें उपलब्ध नहीं हुए हैं। पहला जो उनका प्रतिवेदन है, वह भी उपलब्ध नहीं है। जब तक ये सारी चीजें उपलब्ध न की जाय, तब तक यह उचित नहीं है कि इस पर बहस चलाई जाय और विचार हो। यह बहुत ही महत्वपूर्ण विधेयक है हिन्दुस्तान की जनता के लिए....

Shri K. N. Pande (Hata): This Bill has been brought forward before the House on the basis of the recommendation of the Election Commission. And the hon. Minister was explaining the provisions of the Bill. But the Members, instead of listening to him patiently and trying to understand what the provisions are, are interrupting the hon. Minister and they are desiring to have extra information about it. And they are trying to create disorder in this House and then asking the hon. Minister to sit down and then take the Bill to another day by getting it postponed.

श्री रामसेवक यादव : किसी ने इन्टरप्ट नहीं किया। अध्यक्ष महोदय, यह इन्सिन्चुरेशन है। किसी भी आदमी ने मंत्री महोदय को नहीं रोका।

Shri K. N. Pande: It is the Chair that has allowed me and not my hon. friend. So, I am not yielding.

श्री रामसेवक यादव : हम भी चेयर से कह रहे हैं।

Shri K. N. Pande: They are in the habit of ordering us.

श्री रामसेवक यादव : आपकी आदत है।

Shri K. N. Pande: I am not addressing the hon. Member, but I am addressing the Chair.

श्री रामसेवक यादव : आप चेयर से कहिए। आप मुझे हुक्म नहीं दे सकते हैं। आप कौन होते हैं हुक्म देने वाले। किसी ने नहीं कहा कि मंत्री को नहीं सुनेंगे, झूठ-बोल रहे हैं।

Shri K. N. Pande: The hon. Member may kindly resume his seat.

Mr. Chairman: Order, order.

श्री रामसेवक यादव : असत्य भाषण कर रहे हैं। पूंजीपतियों के पैसे पर पलते हैं, बड़ी इज्जत वालें हैं.... (व्यवधान)।

श्री हुक्म चन्द कछवाय (देवास) : सभापति महोदय क्या यह बात सही है जो आरोप श्री यादव ने लगाया है।

सभापति महोदय : मैं आप से प्रार्थना करता हूँ कि मेहरबानी कर के हालात ऐसे पैदा कीजिये कि जो बिल हमारे सामने है उसको हम समझे और उस पर अच्छी तरह बहस कर सकें। उस के बाद उसको जितना अच्छा करवा सकें करवायें। इस तरह की बातों से कोई लाभ नहीं होता है।

Shri S. N. Chaturvedi (Firozabad): There is hardly any need for adjourning the debate. The Minister was piloting the Bill and explaining every provision. Circulation of the report can be no substitute for what he would say because not every recommendation of the Commission has been accepted. He was giving reasons why certain recommendations have not been accepted if we read the report only, we would not be able to know the reasons why particular recommendations were not accepted. That is why it is very essential that he should go on with his speech and conclude it.

Shrimati Subhadra Joshi (Balram-pur): After all, the Bill is going to

[Shrimati Subhadra Joshi]

a Joint Committee. There will be plenty of time to discuss it here and then in the Joint Committee. I do not think we would postpone discussion and waste time.

After all, it is a very important Bill and must be passed as soon as possible.

Shri Tyagi: Whenever any Bill is sent to a Joint Committee, the Committee themselves are anxious to know what the views of Members are on the Bill. Therefore the Bill must be discussed here first and then it should go to the Joint Committee. This has been customary.

As regards the Minister's speech, he was giving a good explanation and we were very receptive to it. He should continue so that we can have the full background, even though the report is not before us.

Shri G. S. Pathak: I only wanted to say that for every clause in the Bill there is a note at the end which explains why that clause was introduced in this amending Bill. I am sure hon. Members have read the notes on clauses and known the reasons why the clauses were introduced. I was merely giving an outline of certain matters. It is not necessary at this stage when the Bill is going to the Joint Committee, that I should give a clause-by clause explanation.

Shri Bakar Ali Mirza: No, the important ones.

Mr. Chairman: Three points have been made. The first is a proposal by Shri Kakkar that the debate be adjourned for the time being to be taken up a little later. I do not agree to that for the reason that the Bill has already been circulated. I have myself read it and find it is fully explanatory. The second point is that the hon. Minister should be permitted to speak further. As far as the main recommendations are concerned, he has almost completed all that he had to say. Certain information was sought by hon. Members

about some of which I find that he has not been fully posted at the moment. Keeping that in view I thought it would be better if he did not take much time for this discussion today. Meanwhile one or two speeches might be made. A demand has rightly been made by hon. Members that the subsequent report of the Election Commission be circulated. That will be done by tomorrow when every Member will be ready to speak on those points.

Shri Bakar Ali Mirza: When the Minister is not prepared, there is a case for adjournment.

Shri G. S. Pathak: I want to mention one thing about the report.

Shri Sezhiyan: On a point of order. Amendments are there.

Shri G. S. Pathak: I have been informed that reports have not been supplied to the Members so far in any of the general elections. Sufficient number of copies is not available with the Election Commission. I wanted to mention this to the Chair, because the Chair has asked me to furnish the copies of the reports tomorrow.

Shri Tyagi: Place them on the Table.

Shri G. S. Pathak: They have never been placed on the Table.

Shri Tyagi: The Minister says he has not got enough number of copies of the report. Whatever the number is, they might be placed in the library so that Members may have access to it.

Shri Bade: A dozen copies at least.

Shri Sezhiyan: I have given notice of an amendment, and it has also been circulated. I want to know whether I will be allowed to move it.

Mr. Chairman: I thought this had been dealt with. There are three amendments. These have already been met by the substitute motion of the Minister.

Shri Sezhiyan: No, Sir.

Mr. Chairman: Is Mr. Umanath moving his amendment?

Shri Umanath: I am not moving.

Mr. Chairman: Shri Sezhiyan.

Shri Sezhiyan: I beg to move:

That in the motion,—

(i) for “consisting of 30 members, 20 from this House, namely”, substitute—

“consisting of 36 members, 24 from the House, namely”;

(ii) in the list of names of members,—

(a) after serial number (2), insert—

“(3) Shri H. P. Chatterjee”

(b) after serial number (6), insert—

“(7) Shri A. K. Gopalan”

(c) after serial number (7), insert—

“(8) Shri C. H. Mohammad Koya”

(d) after serial number (15), insert—

“(16) Shri Era Sezhiyan”

(e) re-number the serial numbers accordingly.

(iii) for “and 10 from Rajya Sabha,” substitute—

“and 12 from Rajya Sabha;”

(iv) in the last para,—

for “names of 10 members to be appointed by Rajya Sabha”, substitute—

“names of 12 members to be appointed by Rajya Sabha”. (2)

The Minister has already accepted two names given there, Mr. Gopalan and myself, but I would request him in his generosity to accept name of Mr. Koya also, because the League is an important political party. Just now Shri Tyagi was saying that it is not a question of parties etc. On many occasions the Election Commission themselves have called a representative of the Muslim League to give their wishes. Therefore, when such an important Bill is going to the Joint Committee, it is but proper that representation is given to the Muslim League also. I would request the hon. Minister to consider this point and give representation to the Muslim League. That is the only point I want to make.

Mr. Chairman: I find that out of four names, two have already been accommodated by the hon. Minister. I do not think there is much force in that.

Shri Sezhiyan: There is one name given for the League. Though they may be very few in this House, they form a very good and important party in Kerala and there were occasions when the Congress itself aligned with them to form the ruling party. Therefore, it is all the more necessary to give a representation to the League, particularly when they are such a major party in Kerala. Justice demands that representation should be given to them also.

Shri G. S. Pathak: In place of whom?

Shri Alvares (Panjim): In addition.

Shri G. S. Pathak: 36 Members were proposed and I accepted the number, 24 from this House and 12 from the other House.

Mr. Chairman: Out of four names suggested in the amendment, you have included two. With regard to the other two, are you going to accept or not?

Shri G. S. Pathak: I am not accepting.

Shri Ranga: He has made a very important point. That is a very important party there in Kerala, and there are two representatives of that party in this House. One of them, Mr. Koya, was also the Speaker in the Kerala Legislative Assembly. It would be only fair that representation should be given to that group, because they do not have representatives in the other House to the same extent.

Shri Tyagi: The old practice has been that when a Bill of such importance goes to the Select Committee, Members' opinions are gathered in the House by means of a general discussion on this. If only amendments are taken, many Members who have not given notice of amendments might have suggestions which would be useful for the Joint Committee. Therefore, I request you to kindly allow a general debate on the Bill.

Shri Radhelal Vyas: There is a Member of that Party in the Rajya Sabha also and the hon. Minister can pass on that suggestion to the chief whip or his deputy so that that party can have representation from the other House.

Mr. Chairman: Will that satisfy you?

Shri Sezhiyan: I only want to know whether they are going to give representation to the league?

Mr. Chairman: That will be kept in view. A point has been made by Mr. Tyagi, also by Prof. Ranga and Mr. Vyas that it is an important group that has representation in both Houses and that it has not been given representation on the Select Committee. The hon. Minister will keep that in view while moving the motion in Rajya Sabha.

Shri Raghunath Singh (Varanasi): This Bill is going to apply to Jammu and Kashmir and is an important Bill, but I do not find a single Member from Kashmir.

Shri Surendranath Dwivedy: He had forgotten that you belong to Jammu and Kashmir.

Mr. Chairman: Has the hon. Member, Mr. Sezhiyan, leave of the House to withdraw his amendment?

The amendment was, by leave, withdrawn.

Shri G. S. Pathak: I have no objection to increasing the number, but if you have two more from here I have to have one more from the Rajya Sabha.

Shri Radhelal Vyas: I propose the names of Mr. Dixit and Mr. Koya to be included.

Mr. Chairman: Let us leave it to him now to take action. Shri P. K. Deo.

Shri P. K. Deo: Mr. Chairman, this is a very important Bill and after three general elections, we should be able to enact in this House a Bill which will be completely foolproof so that the will of the people could be ascertained and people would be able to express their wishes without any fear or favour and people's will would be represented in this House proportionately. I am anxious because democracy has toppled down from its pedestal from various countries around India.

16.44 hrs.

[MR. SPEAKER in the Chair]

Our country is the biggest democracy and all the eyes of the world are riveted on how we actually function. Especially in the post Nehru era after that Colossus had been removed from the political scene of this country, everybody in the world is anxious to know what shape this country is going to take, if democracy is going to make a firm stand, grow firm roots on the soil of this country or dictatorship or party dictatorship will grow in course of time. Government has given shape to some of the recommendations of the

Election Commission, but I am sorry to note that some of the more important recommendations have not been given effect to and some new provisions have sprung up all of a sudden, which I myself cannot find in the list of recommendations that have appeared in the report of the Election Commission on the third General Election. It is our misfortune. It is because of these defective election laws that in all the three elections this country has only got a minority government. The Congress which has secured less than 50 per cent of the votes has been guiding the destinies of this country against popular will.

An Hon. Member: Question.

Shri P. K. Deo: It is a fact. You cannot deny it.

Mr. Speaker: He may continue tomorrow. The Defence Minister.

Shri Surendranath Dwivedy: No time has been fixed for the discussion of this Bill as yet. I have suggested four hours.

Shri Bade: At least five hours must be allotted.

Mr. Speaker: We will see tomorrow.

16.46 hrs.

STATEMENT RE. SITUATION ON INDIA-PAKISTAN BORDER

The Minister of Defence (Shri Y. B. Chavan): Mr. Speaker, Sir, for the last one month or so, movements of Pakistani troops, on our borders of Jammu and the Punjab, have been coming to our notice. The movements and other measures taken by the Pakistan Government have caused us some concern. Even assuming that these troop movements are in the nature of exercises, closeness of troops to the border is something which is not expected normally, and certainly not in the context of the Tashkent Agreement and the agreements between the Chief of the Army Staff, India, and Commander-in-Chief, Pakistan Army,

under which the withdrawals took place on both sides.

On 23rd August 1966, Pakistani official sources in India—which could only mean the Pakistan High Commission, incorrectly briefed two foreign correspondents about so-called Indian troops movements on to the borders near Sialkot, Punjab and Kutch. That this kind of briefing was only a cover for Pakistan's own troop movements is obvious. We denied the Pakistani allegation and gave facilities to foreign and Indian journalists to visit our western border. They have seen for themselves that there are no troops on our side near the border and, what is more, they have obtained confirmation, locally, of the fact of the deployment of troops, including armour, etc., just across the border on the Pakistan side.

Troop movements by Pakistan on to our western borders, and their continued retention there, is something which we cannot look upon with equanimity, however restrained we may be in our approach. We must in the face of these continuing phenomena take precautionary steps. However, on assessment of the situation I do not anticipate any imminent threat. I would like to assure the House that we are keeping careful watch over the situation and have plans to meet any eventuality. We are also exploring various other methods to reduce the tensions on our borders.

I hope that this assurance which I have given will give confidence to our people who are living on our western borders and who have been perturbed by the Pakistani troop movements on the other side.

I have been giving to the House an idea of the expansion of Pakistan's armed forces and other steps like improvement and construction of roads and airfields in both West East Pakistan. While we are aware that Pakistan has been taking measures of military significance in East Pakistan as well, the reports that have been appearing in papers regarding concentration of Pakistani troops near our Eastern borders are highly exaggerated.

Several hon. Members rose—

Mr. Speaker: I shall allow one question for each party.

Shri Buta Singh (Moga): We gave the Calling Attention Notice but they were rejected.

Mr. Speaker: Now this statement has come voluntarily, of his own accord.

Shri Buta Singh: Please give us an opportunity to get some clarification.

Shri Ranga (Chittoor): That point is also important, Sir, and it should be considered, because Calling Attention Notices were given.

Shri Buta Singh: My constituency is directly affected.

Mr. Speaker: All right; let him put his question.

Shri Buta Singh: It has appeared in the press that all along the border, in Punjab, Pakistan has brought heavy armoury including tanks and other heavy armoury. May I know whether the Minister is in a position to assure the House that as on the previous occasion, the people who are on the borders of Punjab will be protected in time?

Shri Y. B. Chavan: The purpose of my making this statement today is to give that assurance.

Shri Ranga: I am rather taken aback by this statement. Such an important statement, which might be tantamount to sounding the death-knell to the Tashkent spirit as well as the agreement, should have come better, I think, from the Prime Minister, and that too after having exhausted all avenues—my hon. friend just now said that other avenues also are likely to be made use of—before we are obliged to take the necessary, not complementary but protective steps from our side, so that there would not be any excuse for Pakistan or any of those countries which are interested in Pakistan to turn the tables on us and begin to accuse us of ourselves forcing the issue. Unfortunately, we do not know; we have not been taken into confidence

by the Prime Minister or by my hon. friend now, whether Russia, which played such an important role at Tashkent, or the other friendly countries which also showed great interest in the Tashkent conference and its upshot have been consulted and made aware of all that is happening, and whether they have been told what steps we would be obliged to take, and we are now obliged to take, so that the world public opinion, especially so far as the friendly countries are concerned, cannot be exploited by Pakistan in the manner in which, as just now stated by my hon. friend, the High Commission here tried to brief the foreign correspondents.

Shri Y. B. Chavan: Really speaking, the question is contained in the last part of Prof. Ranga's statement, whether we have taken any steps to keep other friendly countries informed about what is happening. I would like to tell the House that immediately we noticed this, we kept both USA and USSR informed of these developments.

Shri U. M. Trivedi (Mandsour): We have been hearing this news—in the press for a long time and pressing in this House every now and then that some sort of clear statement may be made about the position that Pakistan is taking against us. I do not think today's statement has come as a bombshell. At the same time, would it not have been better if the method adopted by the late lamented Prime Minister, Shri Lal Bhadur Shastri, had been followed this time also, that the various party and group leaders were called, matters were disclosed to them in confidence and the preparations that were made by our Government were also brought to the notice of the various leaders? Why is it that this salutary method which was adopted when the last serious aggression against us took place, was not adopted on this particular occasion?

Mr. Speaker: Only a question may be put.

Shri U. M. Trivedi: I am framing the question.

Mr. Speaker: It is only elucidation of some facts that is allowed. If every hon. Member makes a speech...

Shri U. M. Trivedi: I do not want to make a speech. This was merely a preamble.

Mr. Speaker: If he wants some elucidation of facts, he may ask.

Shri U. M. Trivedi: If the developments are as they have been enumerated today, will the Defence Minister take steps to bring all the leaders of the various parties and disclose to them all that has been done up to date to meet the menace that has arisen?

Mr. Speaker: That is a suggestion.

Shri U. M. Trivedi: It is not a suggestion, Sir, I want to know whether the Government intends to do that.

Mr. Speaker: That is a suggestion. The Government may consider its advisability.

Some hon. Members rose—

Mr. Speaker: Shri Hem Barua—
मैं चन्द सदस्यों को बुलाऊंगा। मैं सब को मौका नहीं दे सकता हूँ।

श्री बड़ै : (खारगोन) : अध्यक्ष महोदय, हउने कालिंग एटैशन नोटिस दिया है।

श्री हुकम चन्द कछवाय (देवास) : अध्यक्ष महोदय मेरा भी नाम उस में है। मैं निवेदन करना चाहता हूँ कि जिन लोगों ने मंत्री महोदय का पूरा वक्तव्य सुना है, आप उन को प्रश्न पूछने का अवसर दें।

अध्यक्ष महोदय : माननीय सदस्य किसी को तो बोलने दें। यह तो ठीक नहीं है कि किसी को बोलने ही न दिया जाये।

Shri Hem Barua (Gauhati): Sir, it is reported that the Bell Mission appointed by the President of the World Bank to inquire or to make recommendations about giving financial aid to India for the Fourth Plan has made certain recommendations and amongst these recommendations two recommendations are very significant. The first recommendation is that India must devalue her currency. There are other recommendations and one of the recommendations towards the bottom is that India must cut down her defence expenditure. In this context, may I know whether because of the threat posed by Pakistan on our frontier—and I am afraid Pakistan may launch a full-scale attack on us to synchronise with her celebrations of Defence Day on 6th September—whatever that might be—the Government are aware of this particular recommendation made by the Bell Mission and whether our Government are going to tell the relevant authorities, the Bell Mission authorities, the fund giving authorities, that because of this threat posed by Pakistan India is not going to cut down a single paisa of her defence expenditure sanctioned by Parliament?

Shri Y. B. Chavan: Personally, I am not dealing with the Bell Report as such, but nobody has made any suggestions to the Defence Ministry about cutting down the expenditure on defence preparedness. I can assure the House that the policy is not to reduce any expenditure on defence.

Some hon. Members rose—

Mr. Speaker: Shri R. S. Pandey—

श्री राम सेवक यादव (बाराबांकी) :
अध्यक्ष महोदय, ये तो कांग्रेस के सदस्य हैं

अध्यक्ष महोदय : यह तो नहीं हो सकता है कि मैं कांग्रेस के मंत्रियों को न बुलाऊँ।

Mr. Speaker: I will call then one by one. I cannot call all of them together.

श्री राम सेवक यादव : या तो आप कॉलिग एटेंशन नोटिस के नामों के हिसाब से बुलायें और या आप केवल ग्रुप्स के लीडर्स को लायें, जिस का अर्थ विरोधी दल है ।

Shri Raghunath Singh (Varanasi): He is the first Member from the Congress side. So many Members have put questions from the other side.

अध्यक्ष महोदय : यह कॉलिग एटेंशन नोटिस नहीं है । मिनिस्टर साहब ने खुद व-खुद स्टेटमेंट किया है ।

श्री मौर्य (अलोगढ़) : अध्यक्ष महोदय, वह तो ठीक है, लेकिन श्री रघुनाथ सिंह क्यों चिल्ला रहे हैं ?

श्री रघुनाथ सिंह : मैं इस लिए चिल्ला रहा हूँ कि हमारी तरफ से एक सदस्य को ही बुलाया गया है और माननीय सदस्यों ने इस पर आवश्यकता करना शुरू कर दिया है ।

श्री इन्द्रजीत गुप्त (कलकत्ता-दक्षिण पूर्व) : उस को स्पीकर देखेंगे—माननीय सदस्य को उस को देखने की आवश्यकता नहीं है ।

श्री राम सहाय पांडेय (गुना) : अध्यक्ष महोदय, पश्चिमी, उत्तरी और पूर्वी सीमाओं के उस तरफ से युद्ध की जो कुछ भी ध्वनि आती है, उस से स्वाभाविक है कि हम सतर्क भी हों और चिन्तित भी हों । मंत्री महोदय ने जो बयान दिया है, उस के लिए मैं उन को धन्यवाद देते हुए, उन्होंने आक्रमण का मुकाबला करने के लिए जो तयारी की है, उस के लिए मैं उन्हें साधुवाद देता हूँ । लेकिन मैं उन का ध्यान इस ओर आकर्षित करते हुए कि हमारी पूर्वी, पश्चिमी और उत्तरी सीमाओं का क्षेत्र दस हजार मील का है और यह देखते हुए कि पूर्वी

पाकिस्तान में चीन ने गुरिल्ला बार का प्रशिक्षण दिया है, मैं यह जानना चाहता हूँ कि अगर कभी युद्ध हो, तो उत्तरी, पश्चिमी और पूर्वी सीमाओं के दस हजार मील के क्षेत्र में और उस के किनारे किनारे बसे हुए गांवों और उन गांवों में रहने वाले ग्रामीणों की रक्षा के लिए क्या उन को किसी प्रकार के युद्ध-कोशल और शस्त्रास्त्र आदि के प्रशिक्षण की कोई व्यवस्था की गई है या नहीं; अगर की गई है तो क्या क्योंकि यह बड़ा आवश्यक है । हमारी सेनाओं का प्रशिक्षण एक तरफ और स्वयं अपने आप की रक्षा करने का प्रश्न एक तरफ है ।

Shri Y. B. Chavan: This is a good suggestion. This suggestion has been made from time to time in the course of defence discussions also. We have taken some steps to train the population in the border areas.

श्री राम सेवक यादव : अध्यक्ष महोदय, हमारे रक्षा मंत्री जी ने स्थिति गम्भीर बतायी और अपनी सीमा पर पाकिस्तान सेना की हलचल की बात की । इस ओर आसाम के मुख्य मंत्री ने भी यह कहा कि वहां पर जो कुछ हो रहा है उस में विदेशी ताकतों का हाथ है । वैसे तो मंत्री जी ने एक बार कहा था कि उस में भी पाकिस्तान का हाथ है, लेकिन उन्होंने दूसरी विदेशी शक्ति का भी इशारा किया । इस सब का नतीजा यही निकलता है कि स्थिति गम्भीर है इसलिये मैं रक्षा मंत्री से जानना चाहूंगा कि हिन्दुस्तान पाकिस्तान के बीच जो ताशकंद समझौता हुआ, उस के पीछे रूस और अमरीका दोनों शक्तियां थीं, क्या उस स्थिति से उन को भी अवगत करा दिया गया है और क्या अब अगर यह स्थिति है तो मंत्री महोदय ताशकंद और कच्छ का जो समझौता है उस सब को हटाने के लिए तैयार हैं या नहीं ?

Shri Y. B. Chavan: As far as keeping these two countries informed is concerned, I have already answered it. There is no question of withdrawing from the Tashkent Declaration.

श्री रघुनाथ सिंह : मैं यह जानना चाहूंगा, आप ने पूर्व और पश्चिम की सीमा की बात की, क्या पाकिस्तान के द्वारा अपनी सामुद्रिक शक्ति की भी कुछ साज सज्जा हो रही है, उस तरफ से भी हमें कुछ भय है या नहीं ?

Shri Y. B. Chavan: Naturally, we will have always to be conscious of this threat. When we say that there is a threat from a country, we cannot say that it will be only from air or land and there is no threat from the sea. We have to keep this in mind and take a balanced view of what they are doing, what we should do and what we can do. I have already informed the House about what we are doing in the matter of naval preparations.

Shri S. Kandappan (Tiruchengode): In the course of his statement the Minister said that they have taken some foreign pressmen to the border to expose the canard fabricated by the Pakistan High Commission in India. It was fortunate that they were able to enquire of the local people and see that the actual position contradicts the information which Pakistan has given and that it is Pakistan which has got army movements in the border and not India. I would like to know whether the Government has tried to ascertain, or ascertained already, that the news which the foreign newsmen gathered on the spot was publicised in the respective countries.

Shri Y. B. Chavan: I think when we give information it has got to be published in some papers.

Shri S. Kandappan: I am asking this question precisely because some of these countries are not friendly to us.

Mr. Speaker: Is it within the knowledge of the Government as a matter of fact that they have sent those despatches and that they have been publicised?

Shri Y. B. Chavan: I have not personally seen any such published item. But we know it for certain that such information was given to them. The only thing that we can do is to educate the newspaperman and see that they publish the real news.

Mr. Speaker: Shri Tyagi.

Shri S. Kandappan: Let us try to find out whether those things have been correctly published in the foreign newspapers.

Mr. Speaker: Order, order. I have called Shri Tyagi.

Shri Tyagi: My main question has already been covered, but....

Mr. Speaker: Then, he need not ask any question.

Shri Tyagi: My fear is that the next time it will not be a mere border trouble; it will be full-fledged war. Is it in the knowledge of the Defence Minister that Pakistan has already obtained a few submarines from Indonesia and other countries? Are the Government aware of it? If so, are they taking suitable steps to meet this threat also?

Shri Y. B. Chavan: I think one time I have myself given the information here as to what we are doing. As far as building up of our submarine arm is concerned, I have already kept the House informed of what we are doing.

श्री हुकम चन्द कछवाय : मैं यह जानना चाहता हूं कि पाकिस्तान ने पूरी तैयारी के साथ पिछली मूलों को ध्यान में रखते हुए इस ढंग से तयारी की है कि वह अपनी पूरी

[श्री हुकम चन्द वछवाय]

ताकत के साथ और दूसरे देशों का गहारा ले कर लड़ने वाला है, क्या मंत्री महोदय यह बता सकते हैं कि यह जो ताशकंद समझौता है उसे वह अब खत्म करने के लिए तैयार है ? उसे पूरी तरह से मानने के लिए हम तैयार नहीं हैं, ऐसी घोषणा सरकार करेगी ?

श्री यशवंत राव चव्हाण : नहीं ।

Shri Bhagwat Jha Azad (Bhagalpur): About the first part of the statement, namely, the manoeuvring of the Pakistan Army on our frontiers we are not concerned because the Defence Minister might be taking precautions but about the second and the most important part I would like to know whether between the time he made the statement on the 8th August and today he has been able to persuade the western powers—as he says, he had drawn the attention of West Germany, the chief source of supply for Pakistan regarding Cobras and other things, Canada and the British—and whether he can say to this House that these western powers have realised that by aiding the build-up of Pakistan they are doing an unfriendly act to us.

Shri Y. B. Chavan: As far as I know, diplomatic efforts were intensified to make aware these countries that by giving this type of aid they are doing great disservice to both Pakistan and India because keeping this tension on is neither in the interest of India nor of Pakistan and according to their own professions this is not in their interest as well. Some of them have realised this thing. As to whether they have changed their mind or what they have done, I cannot say at this moment.

श्री कशी राम गुप्त (अलवर) :
प्रध्मस्य महोदय, माननीय मंत्री महोदय ने

बतलाया कि उन्होंने रूस और अमेरिका दोनों को इस की सूचना दी है तो मैं यह जानना चाहता हूँ कि क्या उन को उसकी प्रतिक्रिया मिल गई है ? और साथ में जो उन्होंने यह कहा कि अभी कोई इमोनेंट डेंजर नहीं मालूम होता तो इस के बारे में जो उन्होंने कहा है उस का ऐसा कोई विशेष आधार है या केवल कल्पना है ?

Shri Y. B. Chavan: I have said that we have certainly made a somewhat careful assessment of the situation. When one makes an assessment of the situation, it is not merely that of the military situation but it is an assessment of the political factors prevailing in Pakistan, in India and in this part of the world as also the assessment of the political attitudes of other Governments also.

Shri Ranga: That is why I suggested that it should be a political as well as defence-oriented statement and not necessarily a defence statement only.

Shri Y. B. Chavan: I quite agree. When we say this assessment has been made यह कुछ कल्पना नहीं, यह कुछ आधार पर है ।

Shri Kashi Ram Gupta: What about the reaction of Russia and USA? Have you got their reaction?

Shri Y. B. Chavan: They, naturally, were concerned about the situation. They wanted to know the facts and pass them on.

Shri S. N. Chaturvedi (Firozabad): How long are we going to abide by the Tashkent Agreement? Will this spirit be continued until the invasion actually takes place?

Shri Y. B. Chavan: I do not know why some of us are unnecessarily getting somewhat allergic about the

Tashkent theme. What is the principle of the Tashkent theme? It is to build up friendly relations with Pakistan. I do not think we have given up that objective; ultimately, we will have to aim at that.

Shri Indrajit Gupta: Before asking my question, I would request you to have this circulated because it has a vital bearing on the unfinished debate that is going on the same subject.

Mr. Speaker: That is all right.

Shri Indrajit Gupta: While taking note of two very significant news from the statement made by the Defence Minister in contrast to his previous statement, namely, that he does not consider the threat of military attack to be imminent and, secondly, that the reports of the Pakistani build-up on the eastern border are highly exaggerated, I would like to ask him whether the Government proposes officially to tell Pakistan that if they propose to violate that part of the Tashkent Agreement which stipulated the zones on both sides of the border where troops were not to be kept after withdrawal and bring up troops right into that zone again then we will be free in the interest of our own self-defence also to do the same. From his statement it seems that reporters went there and saw that our troops are nowhere near the border.

Shri Hem Barua: There is a complaint from Punjab also.

Shri Y. B. Chavan: The fact that against the letter of the Tashkent Agreement they have brought the troops near the border I have myself stated in the statement. There is no question of our not being free to do that. It is out of our own choice that we have not done that.

Shri Indrajit Gupta: Whether we have done it or not is certainly our own choice, but I want to know whether you propose to make this stand clear, Government to Government, that if they violate that part of the

agreement then we are not unilaterally bound by it.

Shri Y. B. Chavan: I understand, that position is made clear to Pakistan when these movements were brought to our notice. We not only brought this matter to the notice of USA and USSR but also of Pakistan. The position was made absolutely clear. But, at the same time, I think that it is wise for us not to act on provocation. We should act in confidence and from a sense of strength. Therefore we did not allow ourselves to be provoked that immediately they brought their troops to the border we took our troops to the border. That is not your intention, I know. But there is no question to our right of taking our troops to borders if we decide to do so.

Shri Basumatari (Goalpara): Compared to border population of the western zone, our border population of Assam is quite peculiar from where a number of persons from Khasi and Mizo Hills and other areas cross the border and get guerilla training in Pakistan. If that is so, may I know what special steps have been taken by the Government to stop it.

Shri Y. B. Chavan: That is not a military problem. But our effort must be to see that they do not become a military problem. It is a matter of civil nature, political nature, and we have to treat it at that level.

Shri Tridib Kumar Chaudhuri: I want the hon. Minister to make the position absolutely clear. Of course, we are convinced foreign correspondents and journalists who were taken to the border may have been convinced that our troops are nowhere within the prohibited area from which we withdrew under the Tashkent Agreement. But what is the position on the other side? Have they really transgressed that limit, have they brought in their troops in the prohibited area, and, if so, what are we going to do about it? I want to know the precise

[Shri Tridib Kumar Chaudhuri]

position so far as the other side of the border is concerned.

Shri Y. B. Chavan: As I said, it was the understanding of the Tashkent Agreement that we should not have formations or deployment of forces that will lead to tension. That they have done. It was also the understanding between our Chief of the Army Staff and their Commander-in-Chief to move the forces back to certain positions. They have not observed that and they have brought some forces. Even presuming that they have brought forces for the purpose of exercise, it is not right because that leads to tension.

Shri Tridib Kumar Chaudhuri: That means they have broken the Tashkent Agreement.

Shri Y. B. Chavan: They have.

Shri Hem Barua: They have violated the Tashkent Agreement.

Shri Surendranath Dwivedy: Now that the Tashkent Agreement has been violated already, you can take Mr. Tyagi in the Cabinet.

Shri Y. B. Chavan: It is between the Prime Minister and Mr. Tyagi.

श्री बागड़ी : आज सिर्फ एक ही रास्ता युद्ध का है कि जो हमला करे, तो उस का मुकाबला लाठी का जवाब लाठी से दे, लेकिन एक दूसरा रास्ता भी है कि नीति से दुश्मन को बगैर लड़े कमजोर किया जाय ताकि उस को मिटाया जा सके। पाकिस्तानी बंगाल के अन्दर पाकिस्तान के खिलाफ जो विद्रोह हो रहा है, या जैसे खान अब्दुल गफ्फार खां का विद्रोह चल रहा है, इस किस्म की जो नीतियां हैं, क्या उनकी तरफ भी सरकार कुछ ध्यान दे रही है, अगर दे रही है तो क्या दे रही है ?

Shri Y. B. Chavan: I have no comments to make on this question.

Mr. Speaker: That is all.

श्री बागड़ी : अध्यक्ष महोदय, एक लड़ाई तो लाठी ले कर लड़ी जाती है, जिसे बंगली लड़ाई कहते हैं, लेकिन एक दूसरी लड़ाई राजनीतिक लड़ाई होती है, जिस में बगैर लड़ाई के दुश्मन को कमजोर किया जाता है।

Some hon. Members rose—

Shri Himmatsinhji (Kutch): I may be allowed to put a question.

Mr. Speaker: That is all. I am sorry I cannot allow it. I have spent half an hour on this.

Shri Surendranath Dwivedy.

श्री श्रींकार लाल बरवा (कोटा) : अध्यक्ष महोदय, राजस्थान बोर्डर के बारे में तो कुछ नहीं कहा गया, सब से ज्यादा स्थिति राजस्थान बोर्डर की खराब है। ताशकन्द समझौता हुआ लेकिन राजस्थान बोर्डर पर तो उस के बाद भी लड़ाई चलती रही, मैं जानना चाहता हूं कि राजस्थान के लिए भी कुछ तैयारी की गई है या नहीं ?

अध्यक्ष महोदय : मैंने कहा है कि अब और ज्यादा इजाजत नहीं दे सकता हूं।

श्री श्रींकार लाल बरवा : अध्यक्ष महोदय, इतने सवाल हुए, लेकिन राजस्थान के बारे में एक भी सवाल नहीं हुआ, राजस्थान की तरफ से हर दफा चढ़ाई होती है।

अध्यक्ष महोदय : यहां पर किसी एक एरिया के बारे में विचार नहीं हो रहा है।

श्री श्रींकार लाल बरवा : जितना झगड़ा हुआ है, राजस्थान पर हुआ है। आज भी वहां पर जानवर उठाये जा रहे हैं, आदिमियों को उठाया जा रहा है। राजस्थान बार्डर पर गांव के गांव खाली हो रहे हैं।

17.14 hrs.

***SEIZURE OF HUNDIES IN
CALCUTTA**

Shri Surendranath Dwivedy (Kendrapara): For this Half-an-Hour Discussion, I had written to the Finance Minister to be present here. I am sorry I do not see him here.

Shri Hem Barua (Gauhati): Has he resigned?

An hon. Member: He is going to resign. (*Interruption*).

Shri Surendranath Dwivedy: The matters are such that I do not know whether Mr. Bhagat will be in a position to give me a satisfactory reply. Because my experience with Mr. Bhagat has been that whenever such questions are raised, either he does not have full information with him or he is not in a position to give the information.

Mr. Speaker: Let us see; he might have some information today.

Shri U. M. Trivedi (Mandsaur): Let us watch his performance today.

Shri Surendranath Dwivedy: I, therefore, wrote to the Finance Minister on this matter. Now, as you know, this is a question which has been raised in this House several times. This is about searches made in Calcutta in a house and several other houses after that, wherein Rs. 45 lakhs worth of hundies were recovered or seized and some incriminating papers implicating many persons were also seized. The first question that I put was on the 3rd March and the reply was that investigation was going on and they could not disclose the names of persons and places. In April another question was put and the same reply came. Again in July another question was put and it was said that so far as Customs were concerned, something had been done, but the

income-tax investigations were still going on. I do not know why there is so much of secrecy about it. They do not want to say what has been seized. Actually if you listen to what I am going to tell you—somebody had written a book 'Mystery of the Birla House'—this mystery of the house, 3 Lord Sinha Road, may be ultimately the mystery of Patnaik's house or something like that.

Before I put the question, I had written to the Finance Minister and to the Prime Minister. In the course of the search—the search was of 3, Lord Sinha Road—you will be surprised to know that in that house, inside the cemented wall, there were lockers and when the lockers were broken open, it was found that these hundies were there. This information was made available to the Customs in the course of another search of another house where they came to know that some such thing was hidden somewhere and they called the mason. The mason said that it was not in this house, but in that particular house. That was on 27th December, 1965. When it was searched, not only hundies were available but a letter was also seized, not in this house but in some other house which was searched immediately. This letter—I have a copy with me—is addressed to 'My dear Patnaik,' by S. L. Kapoor who seems to be the owner of this particular house. In that he clearly states what are the transactions with Mr. Patnaik and he also mentions about some money he has advanced and he wants that somebody should give a certificate . . .

Mr. Speaker: Has he satisfied himself about the authenticity of the letter?

Shri Surendranath Dwivedy: Yes.

Mr. Speaker: Does he certify?

Shri Surendranath Dwivedy: Yes; I will certify and I will place it on the

[Shri Surendranath Dwivedy]

Table of the House. I have already sent it to the Finance Minister and to the Prime Minister with my letter which I addressed on February 18. [The letter was laid on the Table—placed in Library. See No. LT-7017/66].

An hon. Member: He can read it.

Shri Surendranath Dwivedy: There is no necessity. I am concerned with facts. I would request the Minister to enlighten this House on this. It is not a pleasure to bring all these matters. They go on concealing this and we have to bring this matter too often. (Interruption).

I shall tell him what it is.

After these papers were seized, the Customs people were apprehensive that some gold, worth Rs. 75 lakhs, about which they had already information had been taken away from that place and immediately—it was on the 27th December—on the 28th December, the Customs telephoned here to the Secretary of the Board of Revenue and also to the Income-tax people to conduct raids. They also telephoned to Mr. J. P. Singh, who happens to be the Head of the Income-tax section here; they telephoned to them immediately to conduct some raids in Delhi—some house on Hailey Road or Keilling Road, I do not know the names of those places. They wanted that these places should be raided immediately. Because of the connection or complicity established on account of certain things, it was natural to expect that not only the Delhi houses but probably some houses in Cuttack and Bhubaneswar and other places also would have been searched and the persons who were involved in it might have been arrested, in any case or in any event like this when such facts came into the possession of Government. But Government hesitated and did not take up the follow-up actions as they should do, because they were probably afraid

that many other things would come out of it.

This was not done in spite of the fact that those officers on the very next day were asked to do it. Anyhow, I shall leave that alone. On good authority, it has been admitted by the Minister in reply to my unstarred question today that Mr. Biju Patnaik had also come and met the Finance Minister here. I have learnt it from very reliable sources, and I have talked to some of them, that after this, the officers have been threatened and they have been told 'If you follow up, if you arrest and if you search, then your whole service and life will be in danger.'

An hon. Member: Who threatened them?

Shri Surendranath Dwivedy: That is very obvious. From the way the Finance Minister was exposed today, it is very well known how he used to interfere even in raids. I want to ask a straight question. Is it not a fact that raids were being conducted in Calcutta and other places regularly before 1965, before the present Finance Minister took charge? I have figures here with me. From August to December, 1965, there were as many as 210 raids, and in about 85 per cent of those raids, they had been able to recover black money, unaccounted money etc. But after he had taken charge—and what he has done has been found out in the morning—only few raids have taken place and out of which only in 4 cases something has been found out; some minor raids have taken place but not in the manner they were being made before.

In this connection, I want to point out one thing. After whatever they have seized from those places, I want Shri B. R. Bhagat to tell us whether it is not a fact that out of these Rs. 45 lakhs worth of hundies Rs. 32 lakhs belongs to Shri S. L. Kapur, the owner of the House, or to be exact,

Rs. 32,42,500, and Rs. 3,61,000 to the United India Corporation and the Sudarshan Corporation of Shri Sikandarlal Kapur, and Rs. 6,25,000 to Biju Patnaik Mines (P) Limited, and Rs. 10,000 to Shri Hansraj Kapur, Partner, General Trading Co., 3 Amratala Street, Calcutta, and Rs. 3,40,000 to the United Commercial Corporation, 14, Upper Chitpur, Calcutta. This was how the hundis were distributed. And all these people were carrying on this business in various industries. Some of them were actively connected in the Kalinga Tubes and Kalinga Industries. Shri B. R. Bhagat may tell me whether it is not a fact that an agreement was signed between Shri S. L. Kapur and Shri Biju Patnaik in 1954; This agreement was signed in the letterhead of Shri Biju Patnaik between them for manganese and iron ore business for 20 years. That was the connection. This S. L. Kapur whose house was searched is the Sales Director of the Kalinga Tubes. He was carrying on these activities. And the income-tax people had gone . . .

The Minister of State in the Ministry of Finance (Shri B. R. Bhagat): Who was the Sales Director?

Shri Surendranath Dwivedy: This Shri S. L. Kapur, the owner of the house. He is the sales director of the Kalinga Tubes; he was connected with the Kalinga Tubes; he is the salesman or sales director or sales agent or something like that.

I would like to know from Shri B. R. Bhagat whether in the documents seized which involved Shri Biju Patnaik, the following have been found: (1) bogus hundis in the name of Biju Patnaik Mines (P) Limited;—I have already mentioned it; (2) promissory note dated the 29th March, 1954, issued by Shri Biju Patnaik to Shri S. L. Kapur worth Rs. 3 lakhs at 6 per cent interest. (3) promissory note dated 18th March, 1960 signed by Biju Patnaik for Rs. 45,000 for M. V. Subramanyam, Top Floor, Hindustan Building, Corporation Place, Calcutta.

All these documents were seized. Yet what has happened?

Again, the income-tax authorities have already come to certain conclusions. After investigation and scrutiny, they have stated that suspicious transactions in sales and purchases have taken place. It is also mentioned in their report that the assessee has suppressed profits by setting up firms with wife, sons, daughter, daughter-in-law and employees to act as intermediaries between manufacturers, Kalinga Tubes, and purchasers to reduce the incidence of taxation.

Besides the investigation have disclosed suppression of profits in hundi loans, which profits have been utilised by investments in new companies acquiring assets in the names of members of family and meeting personal expenses.

Again, there are in Calcutta—I think Shri Bhagat must be knowing about it—some name-lenders. Their main business is to lend their names. The money will be deposited in their names. Black money is disposed of like that. They will just get some commission. The money will be deposited in several other firms and other things. Black money is utilised like that.

I want to know from him whether it is not a fact that there are about 35 name-lenders who have been utilised by Shri Patnaik for these purposes. Not only this. Black money is to be made white; there is going to be some transaction now between a Calcutta daily and Shri Patnaik to start some paper in Cuttack. This is also a rumour—I do not know how far it is correct.

But about these name-lenders, I think the customs and income-tax officials must have told him. They are in possession of facts. There is a person by name Tarachand Surana, a name lender to Messrs. Kalinga Industries through a bogus name firm, that is, Messrs. Joint Finance Distributors

[Shri Surendranath Dwivedy]

Ltd. There are many others. For want of time, I do not mention them. But I have mentioned just one.

Having found all these things, why is that they do not take any action? If Shri Patnaik had not been a member of the Congress Working Committee, if he had been an ordinary person, would the Government have spared him? Where is his proper place? His proper place would have been behind bars. How are these people protecting and shielding him? I am surprised this morning how the Finance Minister interfered with the very normal functioning of officers. He wanted to demoralise them. Here the officers have been threatened. I have written to the Prime Minister saying that follow-up action has not taken place because this person always wants some certificate from Kamaraj or the Prime Minister. I have written to the Prime Minister and told her that he has threatened the officers; therefore, the investigation is not being completed, and it cannot be completed. He threatens them 'I am going to be the Chief Minister; I am a friend of the Prime Minister. The Finance Minister is my friend. Therefore, nothing can be done against me'. Because of this, the officers are in a great difficulty. After what has happened today, after what has been disclosed here this morning about how the Finance Minister is behaving, I do not think any honest officer in this country can unearth these things. After all, we want black money, unaccounted money to come out. This is a clear case where black money was seized and there is positive proof about the persons implicated in it. I charge this Government that because of political reasons they want to hide facts from Members of Parliament although all necessary evidence is with them after the searches were made.

Shri U. M. Trivedi: I want to put a very simple question, and it is not a long one. The dealings of Shri Biju

Patnaik, one time Chief Minister of Orissa, are a worse scandal than the scandal of the Mundras, and the Government having the knowledge of the fact that he got a contract of Rs. 4.71 crores with a capital only of Rs.20,000, has the investigation been made by the Special Police Establishment to find out whether any part of the money of the hundis was obtained by misappropriating the goods which Kalinga Airlines were commissioned to airlift, and in that commission crores and crores worth of things were carried and the charges were to the extent of Rs.4.71 crores.

Shri Hari Vishnu Kamath (Hoshangabad): The question I am presently asking flows directly from the answer given by the Minister to a question of mine tabled by me and my colleague Shri Surendranath Dwivedy on the 11th August. On the 11th August, Mr. Bhagat said—what was the advice given by the Minister to the officials who conduct searches, that was the question asked; this is significant and I crave your indulgence for a minute and a half—as follows:

"What he advised them was that while all proper cases should be pursued vigorously with all the rigours of the law....

—now comes the important part—

"...before undertaking searches the Departments concerned should give a proper consideration to the reliability of the information on the basis of which the searches were made so that harassment of innocent persons and consequent embarrassment of Government and unnecessary spending of Government funds....

—he meant public money—".... might be minimised."

Later on he said in the same answer that under the law authorisation for the search is issued by superior officers, the authorisation of the Minister is not necessary under the law.

Therefore, when the officers concerned are conducting searches under the law, I like to know in this particular case, just as the cat was out of the bag this morning when the letter was read out, a big cat was out of the bag and we came to know that not merely were the officials concerned asked to go slow but they were asked to express regret in that case, here also I would like to know whether after the....

Mr. Speaker: I have given so much time.

Shri Hari Vishnu Kamath: That is why I craved your indulgence to read the relevant part.

Mr. Speaker: That is all right, but what about the question?

Shri Hari Vishnu Kamath: After the search was conducted on the 27th December, I think I am right about the date, is it not a fact that Shri Bijoyanand Patnaik met the Minister early in January,—he was inducted into office I think on 30th December after Mr. T. T. Krishnamachari quit that post—and just as he did in the case which came up in the morning, did he advise the officials concerned in that also to go slow or express regret and not to take follow-up action? Will the CBI take up the matter?

Shri Sezhiyan (Perambalur): May I know whether from the documents seized in the course of the search, it has been found that through some namelenders, as Shri Dwivedy said,—I will give a specific name, it is Satyanarain Prahladka—moneys have been deposited by Mr. Patnaik, whether he has deposited black money in some concern, and whether Government have taken any steps to uncover these namelenders and the money deposited by Mr. Patnaik through these persons in many concerns?

Shri B. R. Bhagat: He or his company?

Shri Sezhiyan: I want to know whether this name has come out in their investigations.

Shri Jena (Bhadrak): Shri Dwivedy has just now mentioned that at the time of investigation threats were given to the income-tax officer. It has also been mentioned by the Finance Minister this morning in reply to question No.4015 by Mr. Dwivedy that some vague threats reached the income-tax officer. If that was a vague threat, what kind of threat was it and from whom that threat came to the income-tax officer?

Shri B. R. Bhagat: Mr. Speaker, Sir, at the very outset, I would like to assure the hon. Members of the House that however highly placed a person may be and whatever political influence he would be treated in the same manner as any other citizen.

Shri Surendranath Dwivedy: Why has he not been arrested?

Shri B. R. Bhagat: This morning replying to an unstarred question of the hon. Member it was stated that he met the Finance Minister. I do not know the exact date; the hon. Member gave that date; may be that date or a different date. It is said that he generally discussed these tax cases and the Finance Minister also recalled that it will be dealt with as in the law; that is there in the answer. So far as the question of his meeting the Prime Minister was concerned because it is also part of the question, the reply says that that he met the Prime Minister in meetings and he never discussed these questions with her. The reply is very clear. There is no influence from the top about these cases. Then also he said if there was a telephone call to the board here to search his premises or some particular premises, etc. There was no trunk call.

Shri Surendranath Dwivedy: No letter, no intimation to the effect that....

Shri B. R. Bhagat: He mentioned about the trunk call and I say there

[Shri B. R. Bhagat]

was no trunk call. About the other things, I will have to check that up.

Shri U. M. Trivedi: Any other method of communication was used.

Shri B. R. Bhagat: I will have to check up. He has tried to create the impression that Government is unduly delaying in this matter and not proceeding with the investigations. It is also not borne out by facts because I will give the chronology of the events and it will bear out how we have tried to take every step to pursue these matters vigorously and finish it as speedily as possible. The search took place on the 27th December, 1965. Finding some clue, two other premises were searched the next day, in Calcutta. Then, this was a search from the customs department. They went into this matter and found that the customs offences were relatively minor, under-invoicing or over-invoicing, whatever it may be and it was more of income-tax matter. The case was transferred to the income-tax department on 22nd February; it took a month and a half because they had been compiled and there are 22 assessees. He has given a large number. All these may be true. There are 22 assessees. In many cases these cases opened for seven years; in some cases, Kapur Brothers, for 12 years. A large number of documents and cases have been examined. A central circle was created with the income-tax officer there and a deputy director, a fairly senior officer here, so as to proceed with these assessments speedily. Hon. Member knows the complexity of these cases.

Shri Surendranath Dwivedy: You have not seized the papers.

Shri B. R. Bhagat: So, the whole thing was centralised on 11th April, 1966. Now, there are two cases, one relating to Kapur, a large number of asseses and another relating to Mr. Patnaik. Obviously because of his position, the case relating to Mr. Patnaik got greater prominence. There-

fore, all efforts are concentrated to look into these cases and finalise assessments. Because the same circle of the income-tax officer is looking into these two groups of cases, I can assure the House that prompt action will be taken and the case in which the Patnaik group is involved is being looked into; they will finalise it as quickly as possible, say, within a matter of two or three months. More than that, I cannot say. *(Interruption).*

Shri Surendranath Dwivedy: Will he tell me why no searches were conducted to find out papers in Patnaik's houses in Delhi or Calcutta or in Orissa?

Shri B. R. Bhagat: I can tell the House that the officers were free to search anybody, to search any premises; they found some clues and they went to other premises on the second day. If they thought that some more premises should be searched, they were not prohibited from doing that.

Now, about the answer that the hon. Member Shri Kamath has read—the background to this question—let me clarify. *(Interruption).*

Shri Surendranath Dwivedy: Just one minute. I want to correct him. The reference of Shri Kamath has nothing to do with this. That is regarding the assessment of income-tax and his tax liability. That has nothing to do with this question. I am concerned with the papers that were seized in the course of the search and why other searches, the follow-up searches, were not made.

Shri B. R. Bhagat: It is larger issue and its has nothing to do with this. But the hon. Member's point has a direct bearing upon this, because he said that these cases do not come to the Minister. The rules are that the Commissioners of Income-tax or the Director of Investigation are empowered under the law to search any premises; they need not refer it to the Minister.

Shri Hari Vishnu Kamath: What happened this morning? That gave the lie direct. (*Interruption*).

Shri B. R. Bhagat: Please do not confuse the two. I am only saying that the officers were free to search any premises; if they had searched they obviously would have thought that there was other evidence. (*Interruption*). So, there was no prohibition from Centre; they need not come to the Minister for orders. Under the Act, they have the powers and they can do it, and they were not prohibited from doing it. I am emphasising this. (*Interruption*).

Then, it was said that the Finance Minister after meeting Patnaik, had given advice to go slow in this matter. The Finance Minister has given no advice orally or in writing; no direction. Actually, the matter is being pursued, and so far as the Patnaik group of cases are concerned, it is being pursued very vigorously and very soon the assessment will be finalised. Then the hon. Member mentioned about certain hundies and said we have seized the hundies in the name of B. Patnaik Mines (Private) Limited to the tune of Rs. 6.25 lakhs. That is a matter for investigation, how far they are genuine; how far are they bogus, how far they are money-lenders in this and so on. That would be another matter. I am not aware of it.

Shri Surendranath Dwivedy: That is also connected with this. (*Interruption*).

Shri B. R. Bhagat: Then he asked whether they are dealers in business and why. That is true. Mr. Patnaik and Mr. Kapur have been business associates. That is there. Then, he mentioned that there is the question of three lakhs of hundies in the name of Patnaik. That matter is also there and that is also being investigated. So, all these questions are at present under investigation. The hon. Member is free to make any remark or he can even prejudice the issue. I am not in a position to say anything more unless the investigation is complete. I can only assure him that this will not continue for ever. Mr. Kapur's case has been held over and we are trying to finalise the case in which Patnaik's name has been entered and we shall finalise it with all speed. There is no question of political importance or any political advantage being taken. There is no instruction from above, from the Finance Minister or from anybody. (*Interruption*).

Shri Surendranath Dwivedy: Only do not protect them as you have done.

Shri B. R. Bhagat: All these groups of cases will be judged on the same basis as any other citizen is judged. More than that, I think the hon. Member should not expect.

17.45 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, September 2, 1966|Bhadra 11, 1888 (Saka).