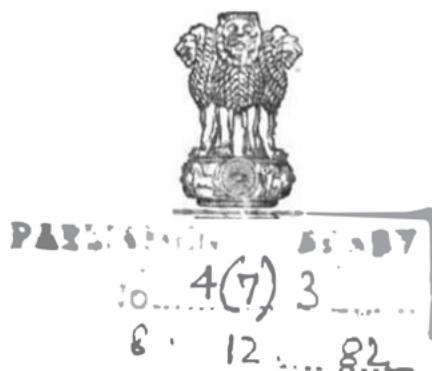


Sixth Series, Vol. VII No. 5

Friday, November 18, 1977  
Kartika 27, 1899 (Saka)

# LOK SABHA DEBATES

(Third Session)



(Vol. VII contains Nos. 1 to 10)

LOK SABHA SECRETARIAT  
NEW DELHI

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## LOK SABHA DEBATES

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### LOK SABHA

Friday, November 18, 1977/Kartika  
27, 1899 (Saka)

The Lok Sabha met at Eleven of the  
Clock

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

Proposal to scrap sales tax

+

\*81. SHRI SHANKARSINHJI  
VAGHELA:

SHRI KACHARULAL HEM-  
RAJ JAIN:

Will the Minister of FINANCE be  
pleased to state:

(a) whether the Janata Party had  
at the time of Parliamentary elec-  
tions, promised in it manifesto that  
it would scrap the sales tax and in-  
stead provide some other tax system;

(b) whether the Finance Minister  
has since had any talks with the State  
Ministers about this issue; and

(c) the outcome of these talks and  
when it is proposed to scrap the sales  
tax and instead impose further excise  
duty?

THE MINISTER OF FINANCE  
(SHRI H. M. PATEL): (a) to (c). The  
election manifesto of the Janata Party  
stated that the Janata Party  
considers it desirable to replace sales  
tax with appropriate excise duties  
coupled with a formula which would  
ensure that the States derive steadily  
increasing shares from the total

collections, thus maintaining the ele-  
ment of elasticity that is today being  
provided by sales tax. Sales tax is  
primarily a State levy under the Con-  
stitution and it is necessary, therefore,  
to persuade all State Governments to  
agree to the proposal to allow sales  
tax to be replaced by excise duties.  
This task has been undertaken and  
I have already had a brief preliminary  
exchange of views with Chief Finance  
Ministers of 14 States. All the Chief/  
Finance Ministers have stressed the  
fact that sales tax constitutes a large  
proportion of the total state tax re-  
venue and is an expanding and elastic  
source of income and it has to be en-  
sured that the State does not lose  
financially now as well as in future.  
Chief Ministers indicated that they  
would send their detailed and formal  
reaction to the proposal in due course  
of time. Their reactions are await-  
ed.

श्री शंकर सिंह जी वधेला : अध्यक्ष  
महोदय, जनता पार्टी न अपने घोषणा पत्र  
में सेल्म टेक्स को हटाने की बात कही है  
नेकिन अफसोस है कि अब तक वह हम नहीं  
कर पाए है। वित्त मंत्री ने बताया कि  
राज्यों के मुख्य मंत्रियों और वित्त मंत्रियों  
की जुलाई में बैठक बृनाई गई थी।  
क्या सरकार ने ऐसी कांडी तारीख निश्चित  
की है कि कब तक वह सेल्म टेक्स को हटा  
देंगी और कब तक जनता पार्टी ने जो जनता से  
बायदा किया है उसको पूरा कर देंगी।

SHRI H. M. PATEL: As I have  
already indicated, sales tax is a State  
subject. I can only endeavour to  
persuade the State Governments to ac-  
cept the proposition of replacing sales  
tax by excise duties in a suitable

manner, and my efforts to persuade them will continue. Where persuasion is involved, to fix a date is difficult.

श्री शंकर सिंह जी बदला अध्यक्ष महोदय फिल्मी की एक टीम बैस्टन कन्फ्रीड में गयी थी और उसने इसके बारे में स्टडी की थी और सुझाव दिया था कि इसके स्थान पर बैल्य एंड डिस्ट्रीब्यूटर लगाया जा सकता है। क्या सरकार ने राज्यों को यह सुझाव दिया है और उसके जवाब में क्या भारत सरकार को राज्यों की प्रतिक्रिया प्राप्त हुई है?

**SHRI H. M. PATEL:** It is easy for us to indicate and for the State Governments to accept the possible way in which they can be assured of the incomes they today derive from sales tax, but what they want to know is whether the incremental rate which varies from State to State will also be maintained in future and whether they can trust the Central Government to do so. These are the two points. It is something which will take time. Maybe we can persuade them to accept it. Unfortunately, there has been a previous experience which has led them to distrust the good faith of the Central Government because there were four commodities in regard to which sales tax has been replaced by excise duties, and in regard to them also they were given an assurance, but they have felt that they have not received as much income from this arrangement as they had a right to expect.

श्री कलकत्ताल हेमराज जन : मैं जनता पार्टी के चुनाव घोषणा पत्र 1977 के पृष्ठ 25 की ओर वित्त मंत्री महोदय का ध्यान दिलाना चाहता हूँ जोकि टैक्स नीति के बारे में है। उसमें कहा गया है -

कई प्रकार के उत्पादन शुल्क और बिकी का लागू होने के कलस्वरूप आजकल टैक्सों का बुलेह भार साधारण जनता को ढोना पड़ता है। आजादी के बाद यह भार बढ़ता ही गया

है। बिकी कर की उगाही में बहुत आधिकारी और भ्रष्टाचार देखा जाता है। जनता पार्टी बिकी कर हटा कर उसके स्थान में यशोचित उत्पादन शुल्क लगाएगी। साथ ही यह ध्यान रखा जाएगा कि समूची बसूली में राज्यों को उत्तरोत्तर अधिक हिस्सा मिले। इस तरह इसमें लचीलापन रहेगा जिसे आजकल बिकी कर की सहायता से साधा जाता है। जनता पार्टी ऐसी टैक्स नीति लागू करेगी जिसके द्वारा आय का पुनर्वितरण हो सके और बचत को प्रोत्साहन मिले।

इस संदर्भ में मैं पूछना चाहता हूँ कि आज भी हमारे देश में तीस साल की आजादी के बाद अनाज, मिर्च, नेल, नमक आदि जनोपयोगी वस्तुओं पर भी यह टैक्स लागू है तो क्या वित्त मंत्री महोदय जनता पार्टी की नई सरकार बनने के बाद इस साठ करोड़ की आबादी वाले देश में इस कर का हटाने के लिए वाई ठोस बदम उठाने जा रहे हैं।

अध्यक्ष महोदय मैं चाहता हूँ कि मैंने पश्चात् जा उत्तर भी हिन्दी में ही किया जाए।

**SHRI H. M. PATEL:** I regret I will not be able to reply to the hon. Member in Hindi. But I would like to assure him that every effort will be made by the Government to honour the assurance given in the Janata Party Manifesto A. I said, there are many difficulties. This is a State subject and we can only achieve our objective by persuasion and that persuasion is continuing.

श्री कलकत्ताल हेमराज जैन : मेरा व्यवस्था का प्रश्न है। आठ महीने में पहली बार मुझे मोका मिला है। मैं एक स्पष्टीकरण चाहता हूँ...

अध्यक्ष महोदय : श्री व्यासी।

श्री व्यास प्रकाश स्थानी : क्या मंत्री महोदय को जानकारी है कि सेल्स टैक्स के

देश में काले ब्राह्मणों में इतनी भारी वृद्धि ही रही है उससे भारत सरकार को ही हानि नहीं हो रही है बल्कि देश का जातिक दौका भी ब्राह्मणों में पह सकता है ? इसको व्यापार में लाते हुए आप क्या इस विषय को केन्द्रीय विषय घोषित हुए सभी राज्यों को वह आवासन देने कि उनको इस विषय में कोई हानि नहीं होती भी र वर्तमान समय में उनको जो आप ही रही है वह उनकी व्यवस्था बनी रहेगी ? क्या आप ऐसा आवासन देने के लिए तैयार हैं ?

SHRI H. M. PATEL: Of course, that will be the basis of our discussion. I will give them the assurance that as closely as possible the incremental rate that is expected to arise out of the sales tax will be maintained. But it is a State subject and, therefore, until I persuade them, I can do nothing.

श्री ओम प्रकाश त्यागी : आप इसको सेन्ट्रल मर्केट बनाने के लिये तैयार हैं कि नहीं ?

MR. SPEAKER: That requires a constitutional amendment.

SHRI DHIRENDRANATH BASU: May I know from the hon. Minister whether it is a fact that he is contemplating, as an alternative, to fix up a uniform rate of sales tax in all the States as different rates of sales tax are creating difficulties both to the buyer and the trader?

MR. SPEAKER: That also requires a constitutional amendment.

श्री लक्ष्मण लाल कर्मनुर : क्या मंत्रीजी बतायेंगे कि जो स्टेट सेल्स टैक्स है, जो इसमें कर बहुली होती है, उसमें कितना परसेंट बहुल हो पाता है और कितना परसेंट चोरी होता है ? दूसरी बात यह जानना चाहता हूँ कि स्टेट मर्केटेंट्स को कितना सेल्स टैक्स मिलना चाहिये वह तमाम, जहाँ पर आप ऐक्साइज

हैयूटी लगायेंगे प्रोडक्शन पीइंट पर, उसके बाद क्या आप प्रातीय सरकारों को पैशमोर देंगे कि जो अभी उनको मिल रहा है और जो टैक्स की जोरी हो रही है उसकी पूर्ति केन्द्र करेगा ।

SHRI H. M. PATEL: I think, the hon. Member is wanting me to give an assurance to the State Government, assuming that they agree, that I could also give them the amount that is not being paid as sales tax by people who should have paid it. In what way is it possible for me to give that assurance?

SHRI KRISHAN KANT: This question has two aspects. One is the acceptance of the principle that sales tax must be converted into excise duty and the second is dealing with the modus operandi as to how that has to be abolished. May I know from the hon. Minister as to when he was discussing the matter with the State Governments what has been the attitude of the State Governments where the Janata Party is ruling now in the States, like, Gujarat, Himachal Pradesh, Punjab, Haryana, Delhi, U.P. and Madhya Pradesh, and whether they have accepted in principle the abolition of sales tax and, secondly, may I know whether he will be able to come to some conclusion by the time of the next Budget sessions?

SHRI H. M. PATEL: So far as the attitude towards the proposal about the replacement of sales tax by excise duty is concerned, I may tell him that all the State Governments with whom I have had consultations in regard to this matter have been both the Janata Party Governments as well as others and the difference is only that the non-Janata Party Governments have been very firm in their refusal to agree whereas the others have been softer. I would request the hon. Member not to press me for any time-limit because, as I said before, we

can only succeed by persuasion. Time is the only way in which we can wear them down.

**SHRI DWARIKADAS PATEL:** The hon. Minister has said that sales tax is a State subject. Inter-State sales tax is a Central subject. Will the Finance Minister drop it?

**SHRI H. M. PATEL:** He is referring to the Central Sales Tax. The Central Sales Tax has to be there so long as the structure of sales tax remains. But the money collected from the Central Sales Tax also goes to the States.

**श्री हुक्म चन्द्र कल्याणः** मैं इस बात का स्वागत करता हूँ कि माननीय मंत्री महोदय ने विशेष-कर लगान की बात कही है और इससे राज्य सरकार भी सहभत हो गई है। क्या आपने उत्पादन-शुल्क का हिसाब लगाया है कि इससे कितनी आय केन्द्रीय सरकार को होती है। केन्द्रीय उत्पादन-शुल्क क्या होता है? क्या इस प्रकार की छूट, जो उद्योग राज्य सरकार के अन्तर्गत आते हैं, उनको भी देंगे कि वह भी अपना उत्पादन-शुल्क लगाये?

यदि हा, तो राज्य सरकारों को इससे कितनी छूट होती और उसे लागू करने में कितना समय लगेगा?

**SHRI H. M. PATEL:** I am afraid, I have not clearly understood the question.

**श्री हुक्म चन्द्र कल्याणः** मैं मंत्री में प्रायंना रखता हूँ कि वह अच्छी हिन्दी जानते हैं, मेरा जनर टिन्डी में देने की कुपा करे।

**SHRI H. M. PATEL:** I have not understood your point.

**MR SPEAKER:** He has not even understood your question. How can he answer it?

**श्री हुक्म चन्द्र कल्याणः** उत्पादन-शुल्क की जो बात आपने कही है, उसका मैं स्वागत करता हूँ। इससे कितनी आय केन्द्रीय सरकार को होती? क्या इसी प्रकार की छूट राज्य सरकारों के अन्तर्गत जो उद्योग आते हैं, उनको भी देंगे जिससे वह भी अपना उत्पादन-शुल्क लगायें? यह प्रधा कब तक आप प्रारम्भ कर देंगे, जिससे आज जो सेल्स-टैक्स में ब्रैंटाचार हो रहा है, वह गीध समाप्त हो सके?

**SHRI H. M. PATEL:** I take it that the reference is to the sales tax and production tax, whether tax on industry. Again it is a question of replacing something (Interruptions). Therefore, so long as it remains a subject which belongs to the State Government, until they agree I cannot suggest any change.

**श्री हुक्म चन्द्र कल्याणः** 'उत्पादन-शुल्क में कितनी आय केन्द्रीय सरकार को होती, यह मैंने पूछा है?

**MR. SPEAKER:** Does the Minister have any further answer to give?

**SHRI H. M. PATEL:** He has asked what would be the income from production tax. I am afraid, that is not the position for me to work out like this.

**SHRI R. VENKATARAMAN:** The Finance Minister is aware that the States have expanding items of expenditure and receding revenue and that they have only one elastic source of revenue, namely, sales tax. They manipulate it either by levying at a single point or a multi point to suit the local, industrial and commercial needs of the States. If the Government replaces sales tax, by central excise or any additional tax, it will deprive the States of the elbow room which they have in manipulating their revenue and their ability to meet

their increasing expenditure. As the Jha Committee recommended against such a proposal, I would like to know whether the Government would give a serious consideration to the resources of the States and their ability to meet their needs by a manipulation of their tax system. I would like to know whether the Government has committed itself to this proposition.

**SHRI H. M. PATEL:** If the hon. Member has seen the Janata Party's manifesto, it is clearly stated there that the sales-tax will be replaced. We want to persuade them to accept the replacement of sales-tax by excise duty. But then it will be done in such a manner that the State Government do not lose their expectation of incremental increase in the sales-tax. It is not beyond the realm of possibility to organize some such arrangement because some States have a faster incremental rate and others have a slower one and that could be taken care of in the way in which we can work this out, provided the principle is accepted by the State Governments that they would be willing to accept it if we can satisfy them that they will not lose on this and that the elasticity aspect would be taken care of. But, as I said, the principle has to be accepted by them, and they must have complete confidence in our good faith.

**Rate of interest charged by R.B.I. for Agricultural Finance**

\*82. **SHRI DARUR PULLAIAH:** Will the Minister of FINANCE be pleased to state the rate of interest charged by the Reserve Bank of India for the agricultural finance and the rate of interest in turn charged by the Cooperative Banks?

**THE MINISTER OF FINANCE (SHRI H. M. PATEL):** For short-term agricultural loans the Reserve Bank of India charges interest at 2% below the bank rate (at present 9%) on borrowings of the State Co-operative Banks on behalf of the Central Cooperative Banks. For

medium-term agricultural loans the rate of interest charged is 1½% below the bank rate.

The rates of interest charged to the ultimate borrowers by cooperative societies for short-term agricultural purposes generally range between 11 and 14½ per cent per annum except that in the States of Gujarat, Maharashtra and Madhya Pradesh the upper limit extends to 14.75 per cent, 15 per cent and 16.25 per cent per annum respectively.

**SHRI DARUR PULLAIAH:** May I ask the hon. Minister to state what steps Government propose to take to reduce the rate of interest, which gets increased in the transit and which is normally charged by the apex bank and Central Cooperative Banks—it gets increased by the time it reached the society or farmer level.

**SHRI H.M. PATEL:** The gap does not appear to be excessive if you take into account the fact that the cooperative bank's funds are not only derived from the Reserve Bank but they are also raised by themselves from deposits and other methods, and they have to pay a larger interest, larger than seven per cent at which they get from the Reserve Bank, for 45 per cent, and 55 per cent of their resources come from deposits on which they pay eight per cent and sometimes even upto nine per cent. That being so, the rate at which they would actually give to the farmer is bound to be higher. As I have said, so far as my information goes, for short-term agricultural purposes the rate ranges from 11 to 14½ per cent except in three States, and even in those three States also it is not much: in Gujarat it is only 14.75 per cent, that is, 0.5 per cent higher; in Maharashtra it is 15 per cent; and in Madhya Pradesh it is a little more, namely, 16; 25 per cent.

**SHRI DARUR PULLAIAH:** May I know what steps Government propose to take in view of the fact that many of the societies have become defunct

and there is a credit gap in the villages. Even the credit given by the nationalised banks is not going beyond ten kms. and even within that, they are not giving to marginal and small farmers. There is a lot of gap in the agricultural sector. May I know what Government propose to do to extend credit to small and marginal farmers, so that agriculture can be carried on effectively and we may have more production in the country?

**SHRI H. M. PATEL:** This is undoubtedly, a point which is a matter of serious concern with the Government. But your question was with regard to cooperative banks. In addition to the cooperative banks, the nationalised banks and commercial banks are also going now in a big way to extend credit to meet the agricultural requirements. There are also regional rural banks.

But I think the hon. Members should realise that it takes time to develop this thing. In the Rural Credit Survey Report which appeared sometime in 1953 or 1954 they said that the agricultural credit requirements which cooperative societies are meeting comes to about 3 per cent. The cooperative structure had been in existence for a number of years by then. But now the cooperative banks are meeting agricultural requirements to the extent of 25 per cent. So, there has been a considerable increase. (Interruptions).

But so far as nationalised banks are concerned, they have reached up to 10 per cent of their total advances in meeting the agricultural requirements but they have been told to go on extending their operations so that they reach up to 33 per cent of their advance for meeting the total credit requirements of Priority Areas. As soon as they succeed in doing so, a very substantial percentage of the agricultural credit requirements will have been met institutionally. But I must say that it will take time.

**PROF. R. K. AMIN:** The hon. Minister has stated that in some States a higher rate of interest is charged than what is charged in other States. May I know from the Minister why different rates are charged in Gujarat, Maharashtra and Madhya Pradesh?

Secondly, may I know what is the actual cost of the credit to the farmer after meeting the legitimate and illegitimate charges and whether, at this cost, it is economical for the farmers to get credit. If it is not would he reduce the rate of interest?

**SHRI H. M. PATEL:** I think the Hon. Member has answered the question himself. As I said, so far as institutional credit is concerned, over 35 per cent is being met by the institutions. So, the farmer has to rely for a much larger percentage of his requirements on other sources like money-lenders etc. whom they have to pay a much higher rate of interest. So, if is not the rate of interest he has to pay to the cooperative bank which should worry the farmer but the rate of interest he has to pay to the other sources.

The hon. Member asked me what rate of interest he really has to pay after the legitimate and illegitimate charges have been met. For that, I would rely upon him to furnish me that information as to what he has to pay. I can only say this that it will be the endeavour of the Government to try to see that the requirements of agricultural credit by farmers are met to an increasing extent through commercial banks and cooperative banks.

**PROF. R. K. AMIN:** You have not answered why this difference in rates is there in the three States mentioned.

**SHRI H. M. PATEL:** As I have already explained, the cooperative banks draw up to 55 per cent of the money available to them for disburs-

sal, and for the rest they draw on the Reserve Bank. That is why there will be some difference in rates. But I must say again that the Reserve Bank does not regulate the rates on these advances so far as cooperative banks are concerned.

**श्री मुखराज :** क्या मानसीय दर्थ मंत्री बताने की हुआ करेंगे कि जब आप छोटे किसानों को छह देरे हैं तो उनमें साथे 14 परसेन्ट सूद लेते हैं और जब उद्योगपतियों को छह देरे हैं तो उनसे मात्र 14 परसेन्ट सूद लेते हैं?

**SHRI H. M. PATEL:** If the hon. Member means to say that the farmer should get loans at a lower rate of interest than the traders and industries, I would say that it is a suggestion which can certainly be considered. But as I said, today efforts are made to reduce the burden of interest on the farmers, and the real point should be and which should concern them, is that whatever the farmer has to pay should be taken into account when he is paid for what he produces. That is why, the pressure of the farmers is that they are given adequate price for their products.

**SHRI ANNASAHEB GOTKHINDE:** Taking into consideration the fact that the World Bank assistance through International Development Agency to the Government of India for agricultural development purposes has been made available at the nominal service charge below one percent and having a long repayment period of thirty to forty years, at what rate is this aid passed on by the Government to Agricultural Refinance Development Corporation? Then, at which rate this Corporation passes on this loan to the land Development Banks? If the Government is going to charge lesser interest from the Agricultural Refinance Development Corporation, then this would alone

help the farmers to take loan at lesser rate of interest. What is the reaction of the Government?

**SHRI H. M. PATEL:** There is a certain amount of misunderstanding about the World Bank assistance to the Government of India for agricultural purposes. This aid is for general agricultural development and not for the purposes of giving to Agricultural Refinance Development Corporation. I think, perhaps the hon. Member is unaware and I should have mentioned it earlier that the nationalised banks have been asked to give to small and marginal farmers loans upto the extent of half per cent of their total advances at 4 per cent rate of interest.

**SHRI ANNASAHEB GOTKHINDE:** Sir, my question has not been answered.

**MR. SPEAKER:** In fact, your question does not arise from the main Question.

**SHRI YASHWANT BOROLE:** The method of charging interest from the farmers has been changed by the Reserve Bank. Formerly, it was calculated on six-monthly basis; now it has been converted to monthly basis. I would like to know if the Government is aware of this fact and if any representation has been received by them in this respect on behalf of the small farmers.

**SHRI H. M. PATEL:** The Government is aware of the fact that these instructions have been issued. The Government has also received representations and the same are being considered.

**कासरगोड (केरल) में तस्करी की गतिविधियाँ**

\* 83. श्री यादवनन दत्त: क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या तस्करों ने पुनः तस्करी का काम चालू कर दिया है और इनका केन्द्र अब केरल के उत्तरी हिस्से में एक छोटा सा बन्दरगाह, कासरगोड हो गया है और यदि हाँ, तो तस्करों की गतिविधियों को रोकने के लिए सरकार क्या अवस्था कर रही है ;

(ख) क्या ये तस्कर विदेशों से तीन सौ ग्रामा चार सौ करोड़ रुपये तक के सामान विशेषकर उपभोक्ता सामान की तस्करी कर रहे हैं और यह सारा सामान मुद्यतः कर्नाटक और महाराष्ट्र में विकला है ; और

(ग) यदि हाँ, तो इम मंबंध में सरकार क्या कार्यवाही कर रही है ?

THE MINISTER OF FINANCE (SHRI H. M. PATEL): (a) and (b). No, Sir. Reports received by the Government do not indicate that the smugglers have started indulging in smuggling activities in a big way. These reports further do not show that Kasargod (in the northern part of Kerala) has become the centre of such activities. On the other hand the reports indicate that there is no increase in the smuggling activities as evidenced by such indicators as the decreasing quantum of seizures of contraband goods by the Customs authorities and the increase in inward remittances (non-trade) from abroad. Regarding the sale of smuggled goods in Karnataka and Maharashtra, reports indicate that these goods are not freely available in these places. On verification, it was found that some of the items which were exhibited for sale were in fact spurious.

(c) Although smuggling continues to be effectively contained Government have launched a three-pronged

attack to check smuggling by strengthening the preventive and enforcement machinery, resorting to selective use of the provisions of COFEPOSA Act, 1974 and by taking appropriate economic measures to increase the availability of sensitive items at reasonable prices.

SHRI YADVENDRA DUTT: The hon. Minister has said that smuggling is still going on in a small way if not in a big way. Is it a fact that small things which can be smuggled very easily and are expensive are smuggled into Kasargod and then sold at Bombay and other towns of Maharashtra?

SHRI H. M. PATEL: As I said, smuggling is still continuing but we have to my mind succeeded in containing it effectively. Only in regard to diamonds, it might be interesting to my hon. friend to know that only within the last 48 hours diamonds worth Rs. 50 lakhs were seized from a foreigner who was coming in. So, it is not as if these matters are outside the knowledge of the Government. But, as I said, every effort is being made and further stringent measures are being taken in spite of the fact that our information and assessment is that smuggling is very considerably contained.

SOME HON. MEMBERS rose.

MR. SPEAKER: You are all old Members. The hon. Member is still to put his second supplementary.

SHRI YADVENDRA DUTT: They are too impatient.

As the hon. Minister himself said that within the last 48 hours, contraband diamonds worth Rs. 50 lakhs were seized. Rs. 50 lakhs is not a small thing. I want to know how much worth of diamonds were smuggled into the country before this 50 lakhs catch. Has the Government any information? After all it is only the tip of the ice-berg and the ice-berg is still below and Kasargod has

become a centre for these small but very precious things which are smuggled regularly from there. Has the Government any information on this point?

SHRI H. M. PATEL: I do not know what the hon. Member wants me to say. It is a matter of opinion whether it is the tip of the ice-berg or the bottom of the ice-berg....

SHRI YADVENDRA DUTT: It is only a matter of evasion. It is not a matter of opinion.

SHRI H. M. PATEL: I think you are aware that the diamonds which are being smuggled in are for the purposes of re-export. In this country diamonds are not like gold, etc. These are imported in order to be cut and re-exported and re-exports are going on in a substantial quantity and one can check whatever comes in legitimately and whatever is being re-exported, and, therefore, the country is earning and it is possible to check these things. Therefore, I say... (Interruptions).

SHRI S. R. DAMANI: Smuggling is going on. The question is whether it is going on in a small scale or in a big scale. But it is going on. Gold is one of the most important items which are being smuggled into the country. In this connection may I ask the hon. Minister whether he will consider import of gold in order to reduce gold smuggling at least to the extent of the value of silver which the government is allowing to be exported through STC and also the value of the gold ornaments which are being exported. Will the government allow the import of gold to reduce smuggling ultimately?

MR. SPEAKER: The question does not arise.

SOME HON. MEMBERS: It is connected to checking of smuggling.

SHRI H. M. PATEL: The hon. Member has made some suggestions which will be taken note of.

जी किरंबी प्रश्न : माननीय मंत्री जी ने इस प्रश्न के उत्तर में बताया है कि 48 घंटे में पचास लाख रुपये की तस्करी का सामान प्राप्त हुआ है। मैं उनसे यह जानना चाहता हूँ कि जो तस्करी करने वाले लोग हैं इनका हमारे देश में किन लोगों का संरक्षण प्राप्त है और किन दोगों के द्वारा उनको प्रश्न दिया जाता है ?

SHRI H. M. PATEL: The smugglers belong to a number of nationalities—including Indians and foreigners.

SHRI HARIKESH BAHADUR: In spite of the efforts of the Government to check smuggling, we are finding that smuggling activities are going on the border of Nepal—especially on the area adjacent to Western Bihar and Eastern U.P. I would like to know what steps are now being taken especially in that area?

SHRI H. M. PATEL: Hon. member should realise also the difficulties in a country which has such a long land frontier, with a long sea coast also. The areas are patrolled as they should be.

As I have already said in my original reply that steps are being taken to strengthen the preventive machinery. Whatever information my hon. friend has, he may pass on to me to enable me to deal with it.

SHRI L. K. DOLEY: May I know the number of persons arrested so far and the nature of offence committed by those smugglers during the Janata regime?

MR. SPEAKER: He will require notice.

Strike by employees of Indian Airlines

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\*84. SHRI D. B. CHANDRE GOWDA:

SHRI SIVAJI PATNAIK:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether there has been strike by Indian Airlines employees which resulted in the disruption of many internal flights in the country;

(b) if so, the loss Government had to bear; and

(c) the reasons therefor and the reaction of Government thereto?

**पर्यटन और नागर विमानव बन्दी (शो तुल्योत्तम कौशिक) :** (क) बम्बई में 29-9-77 में 5-10-77 तक एयर कारपोरेशन्स एम्स्लाईज यूनियन तथा इंडियन एयरकाफ्ट टैक्नीशियन्स एसोसिएशन द्वारा एकदम अकस्मात् 'काम रोक कर बैठे हो' हड्डताल (Lightning sit-in strike) शुरू कर दी गयी थी जिसके परिणामस्वरूप 30-9-77 को 8 उड़ानें तथा 1-10-77 में 6-10-77 तक प्रतिविन 16 उड़ाने रह करनी पड़ी।

(ख) मोटे तौर पर अनुमान नगाया गया है कि इन उड़ानों के रह किये जाने के कारण इंडियन एयरलाइन्स को 28 लाख रुपए के राजस्व की हानि हुई।

(ग) एयर कारपोरेशन्स एम्स्लाईज यूनियन तथा इंडियन एयरकाफ्ट टैक्नीशियन एसोसिएशन ने सोनियर सिक्योरिटी अफिसर को जिसने एक चपराई को कारपोरेशन की कुछ खान-पान की चीजें बाहर के जाते हुए पकड़ा था, यह आरोप लगाते हुए मूश्वतल करने की मांग की थी कि उस अफसर ने चपराई को मारा था। इंडियन एयरलाइन्स ने फीरन ही इस घटना की जाच के आदेश दे दिये हैं।

**SHRI D. B. CHANDRE GOWDA:** The staff of the Indian Airlines resorted to work-to-rule method. It is worse than strike. It resulted in stoppage of so many flights. The reason attached to this is that which Air India has been giving bonus of 20 per cent when the profit made by the Indian Airline's was much more than Air India and they gave 8.13 per cent

bonus only. That was one demand for work-to-rule method which the Indian Airlines adopted. As a result of it, Indian Airlines had to stop 16 flights in the month of October.

**श्री पुद्दीपेशम कौशिक :** प्रध्यक्ष महोदय, माननीय सदस्य ने जो प्रश्न किया है वह बहुत स्पष्ट नहीं है। उन्होंने स्ट्राइक के बारे में सवाल किया कि किस मुद्दे पर स्ट्राइक की गयी थी। उन्होंने अपने सवाल में यह नहीं पूछा था कि किसी चपराई को मुश्वतल किया गया था नहीं लेकिन इसकर जबाब दिया गया। अब मैं माननीय सदस्य की जानकारी के लिए बता दूँ कि बोनस के इस्यु को ले कर वक्त टू रूल, काम रोको स्ट्राइक चल रही है। इस पर लगातार बात हुई है। इस सम्बन्ध में स्थिति बोनस करने हैं। मैं बता दूँ कि बन्मान बोनस जां है उसके तहत एस योगिया 8.33 है, इससे ज्यादा नहीं दे सकते हैं। इसके बावजूद वे लोग लगातार थीमे काम चलाते रहे। अभी तीन नवम्बर को उनके साथ बातचीत हुई थी। प्रोडक्टिविटि के साथ बोनस को निक करने के प्रस्ताव पर मैनेजमेंट के माय उनकी बातचीत हो रही है। वक्त टू रूल स्ट्राइक का जो नोटिस उन्होंने दिया था, निर्णय उन्होंने किया था उम्को उन्होंन बापिस ले लिया है और फार दी प्रेवेंट 8.33 बोनस नेना ग्रीकार कर लिया है। बातचीत के फलस्वरूप जो नीरजा निकलेगा कानून के नहत मैनेजमेंट देने को तैयार होगा।

**SHRI D. B. CHANDRE GOWDA:** May I know from the hon. Minister whether the strikes which are resorted to are for want of certain facilities? Bonus is one; promotion is another. The management is indulging in creating division among the unions, as against one union in one industry. More so, the matters regarding promotion have not been looked into for the last so many years. Would the Minister propose to have a thorough

enquiry into all promotions and appointments both in Indian Airlines and Air India for the last 10 year?

श्री पुरुषोत्तम कौशिक : प्रानियमितताये क्षमर हुई है तो उनको मैं देखूंगा, इतना ही आवश्यकता मैं भाननीय सदस्य को दे सकता हूँ। प्रश्न में उन्होंने स्पष्ट नहीं किया था कि किस क्षेत्र के बारे में वह सवाल कर रहे हैं। इसलिए तमाम बातों का जवाब देना इस समय सम्भव नहीं है। अगर आप प्रश्न वेजने का काट करेंगे तो उसमें स्पष्ट नहीं है कि किस स्ट्राइक की बात वह कर रहे हैं। मुझे आवश्यक हुआ कि इस तरह का सवाल एडमिट कीसे हो गया, बिना स्पेसेफिक क्षेत्रका के ग्नीर बिना बताए हुए कि किस की बाबत वह जानकारी चाहते हैं। तब मैं उस स्ट्राइक के बारे में पूरी जानकारी आपके सामने रख सकता था। अगर भाननीय सदस्य इस साल पहले तक जो कुछ हुआ है उसके बारे में मुझे से पूछे तो मैं कैसे उनका उत्तर दे सकता हूँ।

SHRI D. B. CHANDRE GOWDA: I am putting a question. The reasons for the strike are these things. These are the demands made by the Indian Airlines. If this is not concerned, what else is concerned with the question?

श्री पुरुषोत्तम कौशिक : अध्ययन महोदय आप सवाल को देखें। इसके क भाग में इन्होंने पूछा है कि क्या इंडियन एयरलाइंस के कर्मचारियों ने हटाताल की थी जिम के कारण देश में अनेक आंतरिक विमान सेवाएं अस्त व्यस्त हो गई थीं?

ब भाग में इन्होंने पूछा है यदि हां नो सरकार को कितनी हानि उठानी पड़ी?

अध्ययन महोदय : सी को देखिये।

श्री पुरुषोत्तम कौशिक : इसके क्या क्षय है और इस पर सरकार की क्या प्रतिक्रिया है।

केवल एक स्ट्राइक की बात है।

MR. SPEAKER: Part (c) says: Reasons therefor and the reaction of the Government thereto. He wants to know the reasons. They may include promotions. Other things may also come it.

श्री पुरुषोत्तम कौशिक : He asked about 'strike' not 'strikes'. जिस स्ट्राइक के बारे में मैंने उत्तर दिया है वह एक चपरासी ने जो बोरी की थी उसको ले कर हुई थी, उसको पकड़ने के सम्बन्ध में थी। कितनी हानि हुई और सरकार ने क्या कार्रवाई की इसका स्पष्ट रूप से मैंने जवाब दे दिया है। मैं कहना चाहता हूँ कि किसी भी सवाल को अगर भाननीय मदस्य इस समय उठाना चाहेंगे तो मेरे लिए उसका जवाब देना सम्भव नहीं है।

SHRI EDUARDO FALEIRO: Mr. Speaker, Sir, during the period mentioned by the hon. Minister going upto 5th October, there have been strikes not only in Bombay but there have been strikes elsewhere in the country. These are equally important. I therefore fail to understand why he mentioned about Bombaw only. I will give you an instance. Let him say if he has the information about this. The Airlines staff in Delhi struck work for four hours on 4th October, 1977 in protest against the manhandling of staff by the security men on the issue of identity cards and badges. Let us not blame the staff like the peons etc. This is one instance. There is another instance in Calcutta where the air-services were disrupted on the eastern region. And on the 9th October, an announcement was made about the cancellation of Folkker services in the eastern region by Indian Airlines.

I would like to know from him why this information was withheld from the House. The question is about strikes. The minister is giving his reply for Bombay alone. Apart from this, I want to know what are the reasons for

the unrest throughout the country in the Indian Airlines. Let us not restrict that only to Bombay.

MR. SPEAKER. The question is so broad enough that it should not merely be restricted to Bombay but it should cover Delhi and Calcutta as well.

श्री पुरुषोत्तम कौशिक : मैंने कहा कि जिस तरह का प्रश्न गुणा गया था उसके जवाब में मैंने कहा कि बिल्कुल काम नहीं करते थे, स्ट्राइक डाउन स्ट्राइक थी और उसमें कम्पनीट स्ट्राइक हुई। अभी जो कहा नो बोच बोच में छोटे मोटे सवालों को ले कर भी विवाद चढ़ा कर देते हैं और उसके बारे में मैंनेजमेंट के साथ बैठकर समझौता हुआ आंग नोंगो ने काम किया, इसनिये मैंने जवाब दिया नहीं।

MR. SPEAKER: He could have elicited information by way of a supplementary.

श्री पुरुषोत्तम कौशिक : किनी नरेंक से मदन से जानकारी छिपाने का सवाल नहीं है। स्ट्राइक अगर होता कि कलकत्ता, मद्रास, हैदराबाद या बम्बई में क्या तुम्हा उसकी जानकारी मुझको दीजिये, मैं मदन को जानकारी दूँगा। लेकिन जिस तरह मैं उन्होंने सवाल किया था . . . (व्यवधान)

MR. SPEAKER: I am on my legs. The question is broad enough. And Mr. Chandre Gowda in his supplementary asked for information for the other places as well. Your answer was limited to Bombay. The question is so broad enough that it includes strikes in the whole of the country and not merely in Bombay.

PROF. P. G. MAVALANKAR: Mr. Speaker, while I agree with my esteemed friend, the Minister, that the question put originally did not mention any specific strike at a particular place, therefore, the Minister assumed that the question may have been only in relation to Bombay. But as you

have rightly pointed out that the question is broad enough to cover all the strikes, my supplementary, is, Sir, in view of the fact that in the last couple of months Indian Airlines have been experiencing lightning strikes, few hours duration strikes and in Bombay even a few days' strike disrupting a number of air services causing loss of revenue to the government and lot of harassment and inconvenience to the passengers, in view of all this, may I request the Minister to answer whether Government of India have any machinery to go into the question of grievances and demands of employees of all categories and at all levels in the Indian Airlines so that those grievances can be met in time averting thereby the possibility of all such strikes?

श्री पुरुषोत्तम कौशिक : यहाँ तक मजदूरों की शिकायतों और उनकी आंगों का मवाल है, निपिच्चत रूप से इसके लिये बराबर हर लेवल पर व्यवस्था है कि आपस में मिलकर उनकी समस्याओं का समाधान किया जाये। मध्यीनरी है। मजदूरों के नेता बराबर मुझ से मिलते रहते हैं और मैं बराबर उनको आवधान देता हूँ कि इस संबंध में जाच होगी। दुर्भाग्य है कि बात करने के बाद भी कुछ मजदूर यूनियनों में आपस में फूट होने के कारण एक बात पर सहमति नहीं हो पाती। इस कारण भी इस तरह की स्ट्राइक चलती है।

इस सम्बन्ध में मैं यह भी कहना चाहता हूँ कि जिस स्ट्राइक के बारे में मैंने निवेदन किया था, मैं बम्बई में ही था, स्ट्राइक नहीं हुई थी। इनके नेता आये, उन्होंने कहा कि सिक्योरिटी आप्लिकेशन को सस्पैंड किया जाये। मैंने कहा कि 2 दिन का समय दीजिये, जांच के बाद प्राइमारेसी केस होगा तो जिस अफसर ने मार्टीट की है, उसको सस्पैंड किया जायेगा। लेकिन 12 बजे रात को एकदम लाइट्टनिंग स्ट्राइक पर ये लोग चले गये। 6 अक्टूबर को यहाँ पर मेरे पास आये।

इस तरीके से इस संबंध में और बोनस के संबंध में भी, मेरी और मैनेजमेंट की ऐस्मलाईज व्यविधि के सीडसं के साथ बराबर बातचीत हुई। मैनेजमेंट की तरफ से यह स्पष्ट किया गया है कि वर्तमान कानून के प्रन्तर्गत 20 परसेंट बोनस देने के संबंध में क्या भ्रस्मर्वतायें हैं। हमारी हर तरह से यह कोशिश होती है कि इंडस्ट्रियल रिलेशन्ज नार्मल और कार्डियन रहे।

मूलपूर्व सरकार द्वारा जारी किये गये वारंट

1. श्री हुकम चन्द कल्याण : क्या वित्त मंत्री यह बताने की कृपा करें कि :

(क) क्या मूलपूर्व सरकार ने 2500 व्यक्तियों के विरुद्ध वारंट जारी किये थे और क्या उनमें से दो हजार व्यक्तियों के विरुद्ध वारंट अब भी प्रभावशील हैं;

(ब) यदि हां, तो क्या सरकार का विचार इन व्यक्तियों को गिरफ्तार करने का है;

(ग) यदि नहीं, तो इन वारंटों को अभी तक निरस्त न करने के क्या कारण हैं; और

(घ) इस बारे में सरकार की क्या नीति है?

THE MINISTER OF FINANCE (SHRI H. M. PATEL): (a) Prior to 21st March, 1977, 322 detention orders were issued by the former Central Government and 3026 detention orders were issued by the various State Governments. At present 118 persons are in detention against these orders; while 202 detention orders have not yet been executed as the concerned persons are absconding.

(b) to (d). All detention orders issued prior to 21st March, 1977 are being reviewed by the concerned detaining authority and revoked on merit of each case.

श्री हुकम चन्द कल्याण : मंत्री महोदय ने बताया है कि केन्द्रीय सरकार द्वारा 322 और राज्य सरकारों द्वारा 3026 वारंट जारी किये गये थे। क्या यह सही है कि भूतपूर्व सरकार ने इन लोगों को पहले मोसा में बन्द किया और उस के बाद उन पर काफ़ेरेसा लगाया; यदि हां, तो जो व्यक्ति इस सम्बन्ध में नहीं है? क्या यह सही नहीं है कि उन लोगों पर दुष्पत्री या ब्रदले की भावना से प्रेरित हो कर आरोप लगाये गये थे? क्या जनता पार्टी के सरकार उन सब नजरबंदी के आदेशों को वापस नहीं दिया तो उन अभियुक्तों पर मुकदमा लगाने का इरादा रहता है?

SHRI H. M. PATEL: Sir, there may have been some cases in which persons may be arrested and detained under MISA and later converted under COFEPOSA. But that was not so in all cases or in most cases. I think the hon. Member would like to know about the rest. Out of the Central Government orders the number of persons who remained under actual detention after 21st March, 1977 was 28. The detention orders in respect of 47 persons had not been executed as the concerned persons were absconding. During this period from 21st March, 1977 to 11th November, 1977, out of these 47 persons 3 persons have been detained, 29 detainees have been released and only 2 persons are in actual detention at present. The cases of absconders were reviewed and for 13 absconders orders have been revoked. One absconder has died and we are now left with 30 absconders on 11th November, 1977.

श्री हुकम चन्द कल्याण : मंत्री महोदय ने नजरबंद व्यक्तियों की संख्या 28 बताई है, जब कि मूल उत्तर में इहा गया है कि 118 व्यक्ति नजरबंद हैं। इस में पक्ष लगाता है कि मंत्री महोदय गत तिथि तक उत्तर नहीं है। क्या यह सही नहीं है कि जिन लोगों के विलाफ़ ये अभियोग लगाये गये हैं, उन में से काफ़ी लोग फरार हैं और काफ़ी मर चुके हैं? क्या

सरकार की नीति उन्हें इसी प्रकार रख कर मारने की है? क्या सरकार ऐसी नीति अपनायेगी कि जिन व्यक्तियों के खिलाफ अभियोग लगाये गये हैं, उन सब के विरुद्ध ये आदेश वापस ले कर उन पर मुकदमा चलाया जाये? ये आदेश पहली सरकार द्वारा लगाये गये थे, वर्तमान सरकार द्वारा नहीं। पिछली सरकार ने यह एक गलत काम किया था। उस ने यहां बैठे हुए काफी लोगों को बिना कारण नजरबद किया था। क्या सरकार ऐसे सब व्यक्तियों के विरुद्ध लगाये गये अभियोगों को वापस ले कर उन पर नये सिरे में मुकदमा चलाने के लिए तैयार है?

**SHRI JYOTIRMOY BOSU:** Sir, how is it that the Finance Minister is replying to this question?

**MR. SPEAKER:** He can reply on behalf of the Government.

**SHRI JYOTIRMOY BOSU:** He can reply to the question regarding detentions under COFEPOSA only.

**MR. SPEAKER:** It is for him to say.

**SHRI JYOTIRMOY BOSU:** You kindly read out the question... You kindly read this. How is the Finance Minister to reply?

**MR. SPEAKER:** It has been addressed to the Finance Minister and the Finance Minister is in a position to reply, he can reply on behalf of the government.

**SHRI KANWAR LAL GUPTA:** It should be about persons arrested under COFEPOSA; otherwise detention come, under the Ministry of Home Affairs. He must have clearly stated people arrested under COFEPOSA, and only then the Finance Minister could reply. We must accept that it is an omission.

**MR. SPEAKER** Probably it concerns partly the Finance Ministry and partly the Home Ministry. The

Finance Minister has undertaken to answer it. It is for him to say.

**SHRI JYOTIRMOY BOSU:** Those who do a little home work will find that the question does not mention COFEPOSA....(Interruptions).

**MR. SPEAKER:** It is for him to say.

**PROF. P. G. MAVALANKAR:** Kindly hold over the question till next week.

**MR. SPEAKER:** I am not holding it over.

**SHRI H. M. PATEL:** What is the need to hold over this question. I am answering this question. Two persons are in detention under the Central Government Orders 116 are in detention under the state governments orders. He wanted an explanation for 118.

**श्री हुकम चंद कठवायः** मेरे प्रश्न के दूसरे भाग का उत्तर ही नहीं प्राप्त। मैंने पूछा है कि यह जिन लोगों पर प्रभियोग लगाया गया है, ये प्रभियोग पिछली सरकार ने लगाए हैं जिस सरकार ने यहां पर बैठे हुए, लाखों लोगों को अरेस्ट कर रखा था तो क्या उस सरकार के द्वारा लगाए गए प्रभियोग को विद्वान् कर के दौँथी लागो पर यह सरकार मुकदमा चलाने का विचार रखती है? दूसरे, यह जो प्रभियोग लगाए गए, यह किसलिए लगाए गए? मेरा जनीतिक अपराध के लिए है या सामाजिक अपराध के लिए है?

**SHRI H. M. PATEL:** They are all brought before the advisory board that has been constituted and we are only detaining those whom the advisory board advises us to detain as there is sufficient evidence, etc. against them to detain them for a further period. We will go strictly according to the law. There is no question of anybody being detained after the period is over. They will be proceeded against in the court as soon as enquiries are over....(Interruptions).

श्री हुकम बहादुर काल्याणी : मूँहे जाना कीजिए, मैं ने साफ पूछा है कि इधर बैठे हुए लालों लोगों को उस सरकार ने भरेस्ट कर रखा था...

MR. SPEAKER: I am on my legs; please sit down. He has answered the question: "Will you release all of them because the orders for detention were issued by the former government"? He says: No; we are going to send everything to the advisory board and we go by the advice of the advisory board. The answer is complete.

श्री हुकम बहादुर काल्याणी : मेरा मतलब है कि वह बहुत धीमी गति से काम कर रहे हैं, गति जरा निज होनी चाहिए।

श्री उपरेन : जसा कि मंत्री जी ने अपनी बताया है काफी लोग जो आर्थिक अपराधों में गिरफ्तार थे उनको छोड़ दिया गया, मैं उनमें स्पष्ट जानना चाहूँगा कि इस समय जो कुछ लोग आर्थिक अपराध कर रहे हैं या करने वाले हैं उनके विरुद्ध क्या प्रक्रिया उन्होंने अपनाई है जिसमें कि देश में आगे जनता पार्टी के राज में आर्थिक अपराध न हो सकें? यह उम्रकी स्पष्ट स्परेक्षा मंत्री जी सदन को बतायेंगे?

SHRI H. M. PATEL: There is a little mix up in this matter. These are all economic offenders. As I was saying, we are strictly proceeding according to law and we are seeing to it that all those who should be released are released. Everybody who is detained is being brought before the Advisory Board and the number of releases, as you can see, is very large. What is now left will be settled very soon.

श्री उपरेन : मेरा यह सवाल नहीं है। आगे जो एकोनामिक अपराध करेंगे।

How do you propose to punish them? This is my question.

SHRI H. M. PATEL: That is not a question which arises from this.

SHRI UGRASEN: No. How can you say so?

SHRI H. M. PATEL: Hereafter, the detention will be under COFE-POSA and not under MISA or any other Act.

SHRI JYOTIRMOY BOSU: The country loses about Rs. 1000 crores through invoice manipulation in foreign exchange. Can the hon. Minister tell the House if it is not a fact that the erstwhile Government headed by Shrimathi Indira Gandhi, in their circular No. 671/46/76-Cus. VIII dated 24th of November, 1976, had circulated that persons engaged openly in normal and legitimate trade, in the course of which some infractions of the economic laws might occur should normally be dealt with for specific Contraventions of the laws concerned....For instance, in the normal course of imports or exports, there may be infractions of the Import trade control or Export trade control or Foreign Exchange Regulations or Customs Act involving importation of goods in excess of licenced capacity or difference in the quality or specification of the goods or wrong declaration of value, etc. which constitutes offences under these Acts? Is it a fact that the previous Government on the strength of the order had completely kept out the invoice manipulators and only went after the small smugglers under COFEPOSA?

MR. SPEAKER: This is information. The question is not allowed. You can lay it on the Table of the House.

SHRI JYOTIRMOY BOSU: Sir, I will lay\* it on the Table of the House. I will certify it.

\*Laid on the Table of the House. [Placed in Library. See No. LT-1134/77].

MR. SPEAKER: You place it on the Table. It will be examined.

श्री कंबर लाल गुप्त : मंत्रीजी ने अभी कहा कि बहुत सारे लोगों को काकेपोसा में छोड़ दिया गया है केवल दो बाकी बचे हैं और कुछ स्टेट गवर्नरेंट के बाकी बचे हैं। मेरा कहना यह है कि उसके बाद काफी लोगों ने फिर स्मगलिंग एक्सिलिटीज करनी शुरू कर दी है और आपके मिनिस्टर आफ स्टेट ने यह बयान दिया था, जो अभी अखबारों में उपर कि कई स्मगलर्स पोलिटिकल लीडर्स के साथ मिलकर स्मगलिंग करते हैं और उसकी टेप-रिकॉर्डिंग आपके मंत्रालय में है। अगर यह सब कुछ है तो मैं मंत्री जी से जानना चाहता हूँ क्या यह इकारेशन ठीक है कि पोलिटिकल लीडर्स के साथ मिलकर स्मगलर्स आज भी स्मगलिंग कर रहे हैं। दूसरी बात यह है कि आपके मंत्री बनने से बाद कितने स्मगलर्स को पकड़ा गया है?

SHRI H. M. PATEL: We have today under detention, I think, somewhere about 90 persons, who were detained under COFEPOSA during the present Government.

SHRI KANWAR LAL GUPTA: My question is different. Perhaps, the Minister does not understand Hindi. There are two parts in my question. The first part is, is it a fact that the Minister of State for Finance stated openly in the press that there are some smugglers who are in league with some politicians and there is a tape-recording of this too, as to how to smuggle the things? Is it a fact or not? Secondly, how many persons have you arrested after taking over this ministry?

MR. SPEAKER: For the second part, he will require notice.

SHRI KANWAR LAL GUPTA: I protest against you, Sir. You cannot become a minister. Let the minister say whatever he wants to say.

SHRI H. M. PATEL: I do not know on what basis the Minister of State made that statement. I have no information about it. But no doubt he must have had very definite information. If the hon. member or the House wishes to know, I shall ask him to inform the hon. member or the House. About the number of persons detained under COFEPOSA since this government came into power, I cannot give him the exact figure, but is round about 90.

श्री मनी राम बागड़ी : मंत्री जी ने जो कहा है उम पर मुझे आपत्ति है। मुझे कोई सवाल नहीं करना है। मेरा पाइन्ट आफ आई है। क्या मंत्री जी और स्टेट मिनिस्टर के बयानों में कर्क हो सकता है? ये जिम्मेदारियां अलग अलग नहीं होती हैं। मंत्री महादय ने अभी यह कहा नि-स्टेट मिनिस्टर साहब ने क्या बयान दिया, यह मुझे पता नहीं। मैं पूछता चाहता हूँ कि ऐसा कहना क्या रही है? ग्रेट मिनिस्टर हा-या कैबिनेट मिनिस्टर, दानों की ज्वाइन्ट रेस्पॉन्सिविलिटीज होती है। उमलिये मंत्री जी का ऐसा कहना गलत है अगर आर्म बात नहीं होनी चाहिए।

MR. SPEAKER: That is correct

श्री राधवर्णी : मंत्री जी ने यह जताया है कि 116 बंदी राज्य सरकारों ने बनाए हैं। मैं यह जानना चाहूँगा कि किन विन राज्य मरकारों ने कितने कितने बंदी बनाए हैं और कितने बंदी आपात स्थिति के दौरान बनाए गये और कितने आपात स्थिति के बाद बनाए गये?

MR. SPEAKER: He says he cannot answer that.

श्री द्वाक्षर चन्द्र कल्याण : 116 पकड़े गये हैं, यह मंत्री जी ने बताया है। मंत्री जी यह बता सकते हैं कि किन किन राज्यों में कितने कितने पकड़े गये?

SHRI H. M. PATEL: The number of persons in actual detention out of orders issued prior to the revocation of emergency is Goa, Daman and Diu 11, Gujarat 81, Jammu and Kashmir 1, Karnataka 1, Maharashtra 6, Punjab 3, Tamil Nadu 10, West Bengal 3, Central Government 2—total 118.

SHRI SOMNATH CHATTERJEE: We are all one that the economic offenders should be very strictly dealt with. May I know from the Minister about the policy of this Government? We are told that there have been recently reviews in respect of cases of persons who had been detained by the previous Government. Upon fresh review, if there are materials to justify their continued detention, why can't this Government take adequate steps under the laws under which they can be sentenced to imprisonment upon trial, which will mean the public will come to know the method of the activities indulged in by them and there will be public exposure of those persons, and also, they will be given much more deterrent punishment than this COFEPOSA detention? I want to know why the Government does not go into prosecutions against those persons in respect of whom they are satisfied that there is material upon first review and whether preventive detention laws will be a substitute for prosecution under the ordinary law and whether this Government considers that the economic laws which are there in this country are sufficient or not.

SHRI H. M. PATEL: Wherever there is evidence enough we will certainly go before the court.

MR. SPEAKER: You have not answered his question: Why then do you go in for detention?

SHRI H. M. PATEL: There are only two in detention out of orders issued by the Central Government. That is the position. Wherever there is enough evidence, we will go to the court and prosecute them.

SHRI SOMNATH CHATTERJEE: One more point I want to know is whether this Government considers that the provisions contained in the present laws in the country like the FERA, Customs Act etc. are sufficient to catch hold of these persons and launch prosecutions against them. I would like to know whether these laws are sufficient.

SHRI H. M. PATEL: So far as FERA etc. which he mentioned are concerned, they are sufficient for the purpose for which they were constituted. Where there is any weakness, we are examining to strengthen those things. The examination is continuing. The only general law that we have considered necessary to continue for some time is the COFEPOSA.

SHRI SAUGATA ROY: In reply to a Starred Question asked by Mr. Manoranjan Bhakta which did not come up because of the delay in the proceedings, the Minister has said that reports received by Government indicate that there has been no spurt in smuggling activities after the release of smugglers and revocation of Emergency and the top smugglers are lying low. In another part of the statement he said that there is no proposal at present to amend the COFEPOSA. The question Mr. Chatterjee was asking is whether there is any scope for reviewing this Act for smugglers. But Mr. Kanwar Lal Gupta said that the Minister of State for Finance, Mr. Satish Agrawal, made an open statement in the press that smuggling has increased. Not only that. He has addressed a

letter to all M.Ps. asking their help to check smuggling. In view of this and in view of the fact that many of the detention orders have not been executed, may I ask what is the value of smugglers' properties that have been confiscated by this Government ever since Mr. Patel took over charge of the Finance Ministry.

**SHRI H. M. PATEL:** First of all, I think none of these arises out of this. But I can tell you that about 41 people's properties have been confiscated. The value is somewhere round about Rs. 10 crores. I cannot give you the exact figures because you are asking off hand.

WRITTEN ANSWERS TO  
QUESTIONS

Study regarding impact of release of  
detenus under COFEPOSA

\*85. **SHRI MANORANJAN BHAKTA:** Will the Minister of FINANCE be pleased to state:

(a) whether Government have made a fresh study of the impact of the release of detenus under COFEPOSA after the emergency was lifted and if so, the details thereof;

(b) whether those persons are being prosecuted for their economic offences and if so, the action taken against them; and

(c) whether it is proposed to amend the COFEPOSA in order to deal with the economic offenders effectively and if so, the broad outlines thereof?

**THE MINISTER OF FINANCE (SHRI H. M. PATEL):** (a) Reports received by Government indicate that there has not been any spurt in smuggling activities after the release of the smugglers on revocation of emergency and that the top smugglers are lying low. Although there were reports of re-grouping and attempts at revival of smuggling, those are not confirmed by any actual

seizures, in spite of exercising greater vigilance and taking intensive preventive steps.

(b) Yes Sir, necessary action under the law (including prosecution) is also taken in appropriate cases.

(c) No Sir, there is no proposal at present to amend the COFEPOSA Act.

Price, availability and distribution of  
mustard and rapeseed oil

\*86. **SHRI L. L. KAPOOR:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether in spite of the import of edible oil for the Vegetable Oil Industry to the extent of about 6 lakh tonnes and also the production at the previous year's level, the price of vegetable oil in the market ruled high;

(b) if so reasons therefor and the steps taken to remove such situation;

(c) whether a huge quantity of rapeseed oil has been imported and if so, the total value and quantity since April, 1977 month-wise along with figures for its distribution State-wise;

(d) whether in spite of the fixation of price of mustard oil at Rs. 10 per Kg. no mustard oil is available in the States of U.P., Bihar and West Bengal at this price;

(e) have there been any complaints for the adulteration of mustard oil by rapeseed oil; and

(f) action taken or proposed to be taken to check such malpractices?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI K. K. GOTAL):** (a) and (b). The price of vanaspati of 16.5 kg. tin (inclusive of excise duty but exclusive of local taxes) was

ranging around Rs. 170/- early in May 1977. Through voluntary efforts the price was reduced to Rs. 158/- or below. This was further reduced to Rs. 140/- from 1st November, 1977. These prices are broadly derived from the prices at which imported oils were supplied and the ruling prices of the indigenous oils used.

(c) Statement showing the quantities of rapeseed oil imported since April 1977, the State-wise allocation and lifting are given in Annexures I and II laid on the Table of the House. [Placed in Library. See No. LT-1119/77].

(d) Complaints of non-availability of mustard oil in these States have been received.

(e) and (f). There have been no specific complaints about adulteration of mustard oil with rapeseed oil, though reports to this effect have appeared in some sections of the Press. The State Governments have been asked to take action against such malpractices, if any, under the provisions contained in the Prevention of Food Adulteration Act.

#### Steps to bring down price of tea

\*87. SHRI C. R. MAHATA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Government contemplate to take effective steps to further bring down the price of tea in addition to those already taken; and

(b) if so, the details of such steps?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI K. K. GOYAL): (a) and (b). The price of tea is constantly kept under watch by the Government. The Government have already initiated several measures to bring down the prices of tea and further measures may be taken if and

when required. As a result of the steps taken by the Government the price of tea has come down considerably.

हाथ से छी साड़ियों पर उत्पाद-गुलक को समाप्त करना

\*88. श्री अमरसिंह भाई पटेल : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गुजरात राज्य में राजकोट जिला के जैतपुर नगर के एक प्रतिनिधि-मंडल ने सरकार को इस घटना का कोई घटनावेदन पेश किया है घटना सरकार से ऐसी कोई भौमिक चर्चा की है कि हाथ से छी साड़ियों पर से उत्पाद-गुलक समाप्त कर दिया जाये घटना उसे छाटा दिया जाये ; और यदि हा, तो वह प्रतिनिधि-मंडल सरकार से कब मिला था ;

(ख) इस संबंध में सरकार ने घट तक क्या कार्यवाही की है घटना करने का विचार है ; और

(ग) हाथ से छी साड़ियों पर से उत्पाद-गुलक को कब समाप्त करने का सरकार का विचार है ?

वित्त मंत्री (श्री एच. एच. पटेल) : (क) जी, हाँ। अगस्त, 1977 में कुछ प्रतिनिधि-मंडलों ने सरकार से मेंट की थी।

(ख) और (ग). समस्या का घटनावेदन किया गया है। हाथ से छी साड़ियों पर उसी रूप में कोई उत्पादन-गुलक नहीं है। परन्तु, हाथ से छी साड़ियों के लिए आवारी बस्तों पर उत्पादन-गुलक के संबंध में, सरकार हारा जल्दी ही निर्णय किये जाने की संभावना है।

### Utilisation of foreign exchange reserves

\*89. SHRI AMAR ROY PRADHAN: Will the Minister of FINANCE be pleased to state:

(a) whether Government have so far taken any firm decision on the strategy of effective utilisation of foreign exchange reserves;

(b) if so, the details thereof; and

(c) if not, when a decision is likely to be taken?

THE MINISTER OF FINANCE (SHRI H. M. PATEL): (a) to (c). India has to maintain a reasonable level of foreign exchange reserves as a cushion against unforeseen import demand, keeping in view particularly the possibilities of a sudden increase in demand which may arise from fluctuations in agricultural output. However, taking into account the present size of foreign exchange reserves, Government have decided to take necessary steps to utilise a part of the reserves in a productive and non-inflationary manner. The important steps taken in this connection are:—

(i) making available the full requirements of the economy for imported raw materials, components, spares and equipment, consistent with utilisation of indigenous productive capacity,

(ii) arranging imports of critical items of mass consumption in short-supply in the interest of domestic price stability, and

(iii) stimulating the growth process of the economy by accelerating investment in identified projects and programmes in priority areas requiring large foreign exchange.

### Utilisation of foreign exchange for development of rural economy

\*90. SHRI NIHAR LASKAR: Will the Minister of FINANCE be pleased to state:

(a) the amount of foreign exchange accumulated as on date;

(b) whether Government intend to utilise the same in a big way to boost the domestic production, so as to develop the rural economy; and

(c) the steps taken by Government in this direction?

THE MINISTER OF FINANCE (SHRI H. M. PATEL): (a) India's foreign exchange reserves (excluding gold and SDRs) on 11th November, 1977 amounted to Rs. 3856.1 crores.

(b) The Government intends to utilise the foreign exchange reserves to fully meet the import requirements of the economy, consistent with utilisation of indigenous productive capacity, with a view to providing the necessary stimulus to domestic production. While the programmes for the development of rural economy have generally a low import content, the use of reserves to import mass consumption goods and agricultural inputs in short supply can help sustain accelerated development of the rural economy in a non-inflationary manner.

(c) Besides arranging large scale imports of mass consumption items such as edible oils, raw cotton etc., the Government has also liberalised import policy so as to meet the full requirements of the economy for imported raw materials, components, spares and equipment, consistent with utilisation of indigenous productive capacity.

**Appointment of Shri A. N. Haksar as Director of R.B.I.**

\*91. SHRI JYOTIRMOY BOSU: Will the Minister of FINANCE be pleased to state:

(a) whether Shri A. N. Haksar, Chairman, Imperial Tobacco Company, a British controlled concern, now named as Indian Tobacco Company Ltd., has been made a Director of Reserve Bank of India;

(b) whether this company was caught doing invoice manipulation and was penalised for the same on account of export of shrimps;

(c) whether in the last session serious charges were levelled against him for various manipulations and mal-practices; and

(d) whether it is also a fact that against this Company, Custom's demand of Rs. 90 lakhs was pending and which through corrupt means they were able to evade the order granted by erstwhile Minister of State in the Ministry of Finance and Banking against whom now CBI enquiry is proceeding?

THE MINISTER OF FINANCE (SHRI H. M. PATEL): (a) Shri A. N. Haksar was initially appointed on 23rd February, 1973 as a Member of the Local Board of the Reserve Bank of India for the Eastern Area and simultaneously nominated as a Director on the Central Board of the Bank with effect from the same date. He has been re-nominated for a second term in both these capacities on 22nd July, 1977.

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

(c) Yes, Sir.

(d) The Madras Custom House had raised a claim for about Rs. 90 lakhs against the Indian Leaf Tobacco Development Company. The com-

pany's representation against this claim was examined in the Department of Revenue and was disposed of on 19th March, 1977 by issue of an exemption order after examination and after obtaining the orders of the then Minister for Revenue and Banking. Presently, all the records relating to this case are with the Shah Commission. The Hon'ble Member's attention is also invited to replies given by me to the Lok Sabha Un-Starred Questions Nos. 882 and 780 answered on June 17, 1977.

**Imported edible oil lying uncleared at Madras Port**

\*92. SHRI ANANT DAVE:

SHRI SAMAR MUKHERJEE:

Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether attention of Government has been drawn to the news-item published in the 'Times of India' dated 14th October, 1977 that 9000 tonnes of edible oils imported from Malaysia and Singapore is lying uncleared at Madras Port as it is said to be sub-standard;

(b) the actions Government propose to take against the supplier; and

(c) what is the Report of King Institute on the material?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI K. K. GOYAL):

(a) Yes, Sir.

(b) The entire consignments referred to were imported by private parties and the question of Government taking action against the suppliers does not arise.

(c) Samples of these oils were sent for testing to King Institute, Public Analyst, Municipal Corporation, Madras and Agmark Laboratory,

Madras. Some of the samples failed on account of high peroxide value. These were sent for further testing at Central Food Laboratory, Calcutta. Of the total 13300 tonnes, 6800 tonnes have been released so far.

दालों, सरसों का तेल तथा बनस्पति भी के व्यापार के सरकारीकरण का प्रस्ताव

\* 93. श्री उपरेक्ष : क्या वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्री यह बताने की कृपा करेंगे कि .

(क) क्या दालों, सरसों के तेल, बनस्पति वा. आदि की मारे देश में कमी है और उनके मूल्यों में वृद्धि होने के क्या कारण हैं ;

(ब) क्या सरकार का विचार दालों, सरसों के तेल और बनस्पति भी के व्यापार का सरकारीकरण करने का है , प्रौढ़ ?

(ग) इस बात को मुनिष्चिन करने के लिए क्या उपाय किए गए हैं कि रिकाईन्ड आयल और सरसों का शुद्ध तेल धलग धलग से बिके ?

वाणिज्य तथा नागरिक पूर्ति और सहकारिता वंशालय में राज्य मंत्री (भी कृष्ण कुमार गोयल) : (क) कमी का कारण यह है कि देश में दालों, सरसों के तेल और दूसरे खाने योग्य तेलों का उत्पादन मांग से कम हुआ है और सीधी खपत के लिए रेपोर्ट तेल तथा बनस्पति भी बनाने के लिए सोमारीन और ताढ़ के तेल के विवाद इस कमी को आवात द्वारा पूरा करना संभव नहीं हो सका है ।

(ब) चीज़हीं ।

(ग) राज्य सरकारों से कहा या है कि वे खाने योग्य तेलों में विलावट करने के मामलों के बारे में खाद्य अपरिवर्तन निवारण अधिनियम के उपबंधों के अनुसार कारंबाई करे ।

**Cases registered against smugglers under COFEPOSA**

\* 94. SHRI S. R. REDDY: Will the Minister of FINANCE be pleased to state :

(a) how many cases have been registered against smugglers under COFEPOSA during this year; and

(b) what is the amount of foreign exchange involved in those cases?

THE MINISTER OF FINANCE (SHRI H. M. PATEL): (a) The total number of detention orders issued under the provisions of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 during the current year (January to 5th November, 1977) by the Central Government and the various State Governments is 266.

(b) The total amount of foreign exchange involved in the above cases was worth Rs. 45.85 lakhs. In addition to this, contraband goods valued at Rs. 439 lakhs were seized in these cases.

बम्बई से डाका जा रहे जापानी एवरलाइम्स के विमान का अपहरण

\* 95. श्री एस० एस० सोमारी :

‘बी बी० बी० आलमेश्वन :

क्या पर्सिन और नामर विमान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जापानी अपहरणकर्ता बम्बई से एक जापानी विमान का अपहरण करके डाका ले गए थे ;

(क) यदि हाँ, तो क्या ऐसा प्रमाण है कि बम्बई हवाई घटे पर भारतीय सुरक्षा अधिकारियों ने विमान के यात्रियों की तलाशी लेने में असाबधानी दिखाई ; और

(ग) भविष्य में ऐसी घटनाओं को रोकने के लिए सरकार क्या उपाय कर रही है ?

पर्याप्त और भागर विमान मंत्री (धी पुष्पबोत्सम कौशिक) : (क) जी हाँ । 28 सितम्बर, 1977 को भारत एयरलाइंस के एक विमान (उडान सं० जे०एल०-472) का बम्बई के सांताकूज हवाई घटे से रखाना होने के तुरंत बाद अपहरण कर लिया गया था ।

(ब) मामले को अभी जांच की जा रही है ।

(ग) ऐसी घटनाओं को रोकने के लिए जाने वाले विशिष्ट उपायों को प्रकट करना लोकहित में नहीं होता । तथापि, अपहरण से सुरक्षा संबंधी ऐसे वर्तमान उपायों को पहले ही कहा कर दिया गया है, जैसे पर्यावरण लेवों के प्रबोधन स्थलों का नियंत्रण, यात्रियों की शारीरिक तलाशी तथा उनके हाथ के सामान की छानबीन, बोरिंग कारों पर स्टैम्प लगाने में अधिक सावधानी एवं चैगिर्डी परिसीमा (perimeters) की पर्याप्त सुरक्षा आदि ।

बुद्धाई स्थित तस्करों हारा आत्म-समर्पण करने का प्रस्ताव

\* 96. धी औन प्रकाश त्यागी : क्या विल मंत्री यह बताने की हुपा करेंगे कि :

(क) बुद्धाई में कुछ बड़े तस्करों ने भारत सरकार के समक्ष कुछ शर्तों के साथ आत्मसमर्पण करने और भविष्य में तस्करी न करने का प्रस्ताव किया है ;

(ख) यदि हाँ, तो उन तस्करों की क्या शर्तें हैं ; और

(ग) उन शर्तों के बारे में सरकार की क्या प्रतिक्रिया है ?

विल मंत्री (धी एच० एम० पटेल) : (क) और (ख) बुद्धाई में वसे कुछ तस्करों ने, विदेशी मुद्रा संरक्षण तथा तस्करी क्रियाकलाप निवारण अधिनियम, 1974 के अन्तर्गत उनके विशद जारी किये गये नजरबदी के आदेशों को उनके इस बचन के आधार पर वापस लेने का निवेदन किया है कि वे भविष्य में प्रतिकूल कार्यकलापों में भाग नहीं लेंगे और अदालत में चलायी गयी इस्तगाहों की कार्यवाही का सामना करेंगे ।

(ग) सरकार मामले की जांच कर रही है ।

#### Hijacking of Indian tea shipments

\*97. SHRI D. G. GAWAI: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Indian tea shipments worth an estimate of Rs. 1.50 crores have been virtually 'hijacked' at Aden and diverted to South Asia;

(b) whether this tea consignment has since been recovered by Singapore Police from warehouses in suburban areas of Singapore;

(c) the facts thereof and the names of the parties which have been put to loss due to hijacked tea; and

(d) the assistance being provided by Government to the interested parties to get their claims settled soon?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI K. K. GOYAL): (a) and (b). 632 tonnes of Indian tea worth about Rs. 1.28 crores were shipped in steamer 'Twilight' in early July 77 for Sudan Tea Company, a Government organisation in Sudan. The steamer after leaving the Indian shore was heading for Aden on its way to Sudan, but subsequently changed its course and reached Singapore sometime in the end of July 77. It is not known whether the steamer was orally 'hijacked' but according to the reports available, the owners of the steamer had purchased the ship on instalment basis and because of their non-payment of instalments, the ship was "arrested" on arrival at Singapore under an order of the Singapore High Court. According to the reports available from the shippers, out of 632 tonnes of tea shipped, about 420 tonnes have been recovered by the Singapore Police. Part of this was recovered from Private Warehouses and the balance from the ship.

(c) The following exporters had shipped their teas in the said steamer:

1. M/s. Madhu Jayanti Pvt. Ltd.

2. M/s. Tea Land.

3. M/s. Associated Tea Enterprises.

4 M/s. Steward and Dholakia Pvt. Ltd.

5. M/s. Tura Agencies.

6. M/s Mahavir Plantations Pvt. Ltd.

7. M/s. Tata Flaxy Ltd.

(d) The exporters and their bankers are in direct contact with the buyer and the Sudanese Insurance Co., who had insured the tea, and they are trying to resolve their problems. Tea Board and the Indian Embassy, Khartoum are also in touch with the Sudanese authorities including Sudan Tea Company to resolve the matter.

उत्तर प्रदेश के मुख्य मंत्री द्वारा भी यही तहायती है

\* 99. जी राजप्रदेश कुराक्का : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर प्रदेश के मुख्य मंत्री ने पूर्ण उत्तर प्रदेश के विकास के लिए सहायता मार्गी है;

(ख) यदि हाँ, तो कितनी भौतिक क्या ; भौतिक

(ग) उत्तर प्रदेश सरकार की यांग पर केन्द्रीय सरकार क्या कार्यवाही कर रही है ?

वित्त मंत्री (जी एच० एम० पर्देश) :

(क) से (ग). उत्तर प्रदेश के मुख्य मंत्री ने पूर्ण उत्तर प्रदेश के विकास में तेजी से लगाने की आवश्यकता की भौतिक संकेत करते हुए योजना भायोग से मन्त्रीष्ठ किया कि योजना भायोग के मार्ग-शर्णून में एक विशेषता समिति की स्थापना की जाए जिससे कि राज्य सरकार को योजना के संबंध में उपलब्ध उच्चकोटी की जानकारी प्रिय सके भौतिक एक सही नीति तथा विभिन्न व्यवहारिक कार्य-क्रम तैयार किए जा सकें भौतिक पूर्ण उत्तर प्रदेश के लोगों की सामाजिक धार्थिक दशा में सुधारें लाने के काम की शुल्कात को जा सके ?

मेरामत कामोद के साथ के साथ अंगी और अंगिली है किसके अंतर्मिंदें राज्य सरकार की सहायता करने का सबसे अच्छी तरीका यह है कि एक उपचार कार्यपद्धति का विकास किया जाए, जिसके लिए बहुमात्र में योग्यता आवंग इतरा प्रयोग किया ही जा रहा है, और यह कि आवोग सूचना वितरण केन्द्र के द्वारा में भी काम करें। इसके अतिरिक्त योग्यता आवंग ने भला है कि यह तृतीय राज्यों के बारे में ऐसी सूचना भी उपलब्ध करा सकेगा जो कि राज्य सरकार के लिए लाभदायक हो सकती है। मेरामत आवंग ने यह भी सुझाव दिया है कि कृषि वित्त नियम, समरियिक विज्ञान ग्रन्संधान की भारतीय परिवद के अन्तर्गत प्रादेशिक संस्थान, भारतीय कृषि उद्योग संस्था जैसी ग्रनेक संस्थाओं और विद्यालयों के विदेशी भी सहायता को भी सार्थक तरीके से काम करने के लिए प्रयोग में लाया जा सकता है।

**Percentage of increase in Consumer Price Index**

\*100. SHRI VAYALAR RAVI:  
SHRI S. D. SOMASUNDARAM:

Will the Minister of FINANCE be pleased to state:

(a) the average percentage of increase in the consumer price index during the first six months of 1977-78 and how does it compare with the corresponding figures of 1975-76 and 1976-77; and

(b) what are the reasons for the failure of the Government measures to arrest the price rise so far and the details of further steps Government propose to take in this direction?

THE MINISTER OF FINANCE (SHRI H. M. PATEL): (a) During the first six months of 1977-78, the All India Industrial Workers Consumer Price Index (1960-100) rose by an average of 1 per cent per month. This compares with an increase of 0.9 per cent per month in the corresponding

period of 1976-77. In the first six months of 1975-76, there was first a rise and then a fall, the net decline averaging 0.1 per cent per month.

(b) The increase in the Consumer Price Index this year does not compare unfavourably with that in the previous year; and the relative stability of the wholesale price index in the current fiscal year will make itself felt, with a time lag, in the Consumer Price Index. The rise in the Consumer Price Index reflects the effects of the large increase in money supply and of short-falls in the production of certain commodities, last year. Government have tried to mitigate the same by increased public distribution of foodgrains, sugar and rapeseed oil, supply of imported oils to the vanaspati industry, liberal imports of cotton, viscose and polyester, taking steps to raise the production of cotton, oilseeds and pulses, and slowing down the expansion of money supply through a restrictive credit and monetary policy. These efforts will continue.

**Procurement prices of Essential Commodities procured from Maharashtra for Delhi**

801. SHRI U. S. PATIL: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the names and the quantity of essential items of consumption like onions and pulses which Government have procured from Maharashtra State for distribution in Union Territory of Delhi;

(b) the rate at which these items have been procured and the rate at which they were sold in Delhi at Fair Price Shops, Consumer Cooperative Stores and other agencies;

(c) whether it is a fact that Government have earned huge profits by paying less to State Government and selling these items at higher rate to the consumers in Delhi; and

(d) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL): (a) Government have not procured any essential consumer item from Maharashtra State for distribution in the Union Territory of Delhi. The National Agricultural Cooperative Marketing Federation, New Delhi and the National Cooperative Consumers Federation, New Delhi made commercial purchases of onions and some pulses from Maharashtra and supplied these to Cooperative Societies in Delhi.

(b) These purchases were on commercial terms and the prices were settled between the cooperatives by negotiation from time to time.

(c) No, Sir.

(d) Does not arise.

**Leave due to Government Employees at Retirement**

802. SHRI NANUBHAI N. PATEL: Will the Minister of FINANCE be pleased to state:

(a) whether Government are examining a proposal to permit all Government employees to avail themselves of leave due to them after the date of retirement;

(b) if so, the details thereof; and

(c) when a decision in the matter is likely to be taken?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) to (c). Government have decided to pay cash equivalent for unutilised earned leave at the time of retirement on superannuation. The Scheme as per orders issued in this connection on 29-10-1977, is applicable to Government servants retiring on or after 30-9-1977. The details of the Scheme are, in brief, as follows:

(a) The payment of cash equivalent of leave salary shall be limited to a maximum of 180 days earned leave.

(b) The cash equivalent of leave salary thus admissible will become payable on retirement and will be paid in one lump-sum as a one-time settlement.

(c) Cash payment under this order will, subject to (d) below, be equal to leave salary as admissible for earned leave and dearness allowance admissible on that leave salary at the rates in force on the date of retirement. No city compensatory allowance and/or house rent allowance shall be payable.

(d) From the cash amount worked out in accordance with (c) above will be deducted the pension and pensionary equivalent of other retirement benefits for the period for which cash equivalent is payable.

(e) The authority competent to grant leave shall *suo motu* issue order granting cash equivalent of earned leave at credit on the date of retirement.

**Project allowance to P&T Employees Serving in Koyana Project Area, Maharashtra**

803. SHRI BAPUSAHEB PARULEKAR: Will the Minister of FINANCE be pleased to refer to the reply given to Unstarred Question No. 3656 on 15th July, 1977 regarding payment of project allowance to P & T employees in Koyana Project area and state:

(a) whether P. & T. employees serving in Koyana Project area in Maharashtra were paid project allowance on the same rates as applicable to State Government employees from 1955 and that the State Government employees serving in project area are still being paid the said project allowance;

(b) if so, why the facility which is still available to the State employees is not being made available to the employees of P. & T.;

(c) is there any rule or other stating that the project allowance was to be paid for lack of certain amenities such as housing and schools etc.; and

(d) whether the project allowance is paid to all those who serve in project area irrespective of the availability or non-availability of the amenities?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Yes, Sir.

(b) Project allowance is primarily intended to compensate the staff for lack of certain amenities such as housing, schools, markets, and dispensaries etc. Since these amenities have become available at the project site, project allowance is not being paid to the P. & T. employees.

(c) Yes Sir. In the light of the recommendations of the Third Pay Commission, Government have issued orders laying down the general principles for the grant of project allowance to Central Government employees serving in project areas

(d) No. Sir. Where reasonable amenities already exist, there would be no justification for the grant of project allowance. Similarly, where project allowance had been sanctioned but reasonable amenities were provided subsequently, the continuance of

the project allowance would not be justified.

#### Advance Plan Aid to States

805. SHRI YASHWANT BORLE: Will the Minister of FINANCE be pleased to state:

(a) whether the Central Government have offered advance plan aid to certain States; and

(b) if so, the reasons for the same and the names of these States?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Yes Sir.

(b) Advance Plan assistance has been allocated to certain States for stepping up the outlay on major and medium irrigation works and for meeting the expenditure in connection with natural calamities. Further, to enable the States to keep up the tempo of development and finance the approved Plan outlays for the current year, additional advance Plan assistance is also being given. The names of the States to which advance Plan assistance is being given for the abovementioned purposes are given in the enclosed statement.

#### Statement

##### States to which Advance Plan assistance has been allocated

For accelerating work on Major and Medium Irrigation projects	For meeting expenditure necessitated by natural calamities	For filling gap in resources
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Andhra Pradesh	Assam	Assam
Bihar	Gujarat	Bihar
Gujarat	Haryana	Gujarat
Harvana	Himachal Pradesh	Haryana
Karnataka	Karnataka	Himachal Pradesh
Kerala	Orissa	Karnataka
Madhya Pradesh	Rajasthan	Kerala
Maharashtra	Uttar Pradesh	Madhya Pradesh
Orissa	West Bengal	Maharashtra
Punjab		Manipur
Rajasthan		Meghalaya
Tamil Nadu		Nagaland
Uttar Pradesh		Orissa
West Bengal		Punjab
		Rajasthan
		Sikkim
		Tamil Nadu
		Tripura
		Uttar Pradesh
		West Bengal

**Orissa Government Proposal for Tourism in Orissa**

**806. SHRI GANANATH PRADHAN:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have received any proposal for the development of Tourism from the Government of Orissa for the period 1977-78; and

(b) if so, the details of such proposal and the funds allotted for these?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) No, Sir.

(b) Does not arise.

**Priority to Sports of Tourist Interest in Hilly Areas in Rolling Plan**

**808. SHRI DURGA CHAND:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Government are giving priority to the cultural tours, pleasure tours, winter sports and water sports of tourist interest in hilly areas in the rolling plan; and

(b) if so, what are the details thereof?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) and (b). The development of cultural tourism, resort development (pleasure tourism), winter sports and water sports development have been undertaken by the Central Department of Tourism during the various Plan periods. As a result accommodation and other facilities have come up at several tourist centres of archaeological importance, for winter sports at Gulmarg and for water sports at Srinagar and Kovalam.

\*The same pattern of development will

continue in the Five Year Plan (1978-83) including areas in the Himalayan region.

**Construction of Janata Hotel at Kovalam**

**809. SHRI VAYALAR RAVI:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether there is any proposal to construct a Janata Hotel at Kovalam; and

(b) if so, the details of the proposal and the action taken thereon?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) and (b): Since the State Government has a proposal under consideration for the construction of a medium priced hotel at Kovalam, no Janata hotel is contemplated there in the Central Sector for the present.

**Quantity and Value of Tobacco Exported**

**811. SHRI R. KOLANTHAIVELU:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) quantity and value of tobacco exported during the last three years and its classification as raw or cured;

(b) the countries to which exported; and

(c) the names of exporters in various States including Tamil Nadu and the volume of export trade handled by each?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) and (b). A statement giving the desired information is attached.

(c) The information is being collected. A statement will be placed later on the Table of the House.

## Statement:

Quantity: in Metric Tonne.

Value: in Lakh of Rupees

Types of tobacco exported Tobacco exported	Exports During						Main Importing Countries	
	1973-74		1974-75		1975-76			
	Quantity	Value	Quantity	Value	Quantity	Value		
FCV (Flue Cured Virginia)	70,887	6,557	68,051	7,677	54,502	8,620	U.K., U.S.S.R., Japan, Bangladesh, Irish Republic, Italy, Netherlands, Belgium, France, Bulgaria, Hungary, Somalia, Yemen's Arab Republic, South Yemen People Republic, Iraq, Saudi Arabia, Nepal etc.	
SCV (Sun Cured Virginia)	2,413	107	2,638	168	3,410	234		
SCC (Sun Cured Country —NATU)	702	35	548	43	760	74		
Burley	..	..	2	0.09	145	12		
For manufacture of Bidies	171	10	1,435	59	4,582	318		
For manufacture of Chewing tobacco	2,470	90	1,376	58	492	33		
For manufacture of Cigar & Cheroot	..	0.05	7	0.47	..	..		
For manufacture of Hookah tobacco	210	7	20	0.32	32	2		
Others	1,362	35	905	30	341	17		
<b>TOTAL</b>	<b>78,215</b>	<b>6,841</b>	<b>74,982</b>	<b>8,036</b>	<b>74,276</b>	<b>9,310</b>		

\*Less than 500 Kgs

## Third level Feeder Air Service

812 SHRI RAJ KESHAR SINGH.  
Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:  
(a) whether his Ministry has sent its report to the Planning Commission on the proposal to start a third level feeder air service;

(b) whether the special committee appointed to study the feasibility report submitted by Indian Airlines and to make its recommendations has completed its work; and

(c) the capital outlay involved in operation and the time by which the service is likely to be started up?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) No. Sir

(b) Not yet, Sir.

(c) Does not arise.

## Hoarding of Essential Goods by Wholesalers

813. SHRI VASANT SATHE: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether there is a large scale hoarding of essential goods by the wholesalers which has accentuated shortages and pushed up the prices of these commodities;

(b) if so, whether Government have taken up dehoarding drive on a massive scale to unearth the hoarded stocks of essential commodities;

(c) if so, total number of raids carried out for dehoarding of stocks and the results of such operation; and

(d) names of the top ten hoarders and the value and quantities of essential goods dehoarded from them and action taken against these hoarders?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) and (b). There have been shortages of and a rising trend in the prices of pulses and mustard oil. Hoarding by traders of these commodities could be a contributory cause. With a view to arresting this tendency, two orders, viz. the Pulses and Edible Oils (Storage Control) Order 1977 and the Mustard Oil (Price Control) Order, 1977 were issued on 30th September, 1977 with a view to bringing out the stocks into the open market and to enable mustard oil being available to consumers at a retail price not exceeding Rs. 10/- per kg.

(c) and (d). The State Governments have been advised to take action against hoarding, black marketing and other malpractices in terms of the powers available with them under the Essential Commodities Act and the orders framed thereunder. The State Governments, who are the executing agencies, take appropriate action as necessary. Full details of every raid conducted are not being reported to this Ministry.

#### Purchase of AIR Buses by AIC

**814. SHRI MADHAVRAO SCINDIA:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to State:

(a) whether the Air Buses were primarily bought by the Indian Airlines to cope up with heavy domestic traffic within the country;

(b) if so, what were the reasons that, instead of using these Air Buses by Indian Airlines, the management loaned them to the Air-Indis; and

(c) the total investment made by the Indian Airlines in purchasing these Air Buses?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) Yes. Sir.

(b) The Airbus A300B2 aircraft has been fully utilised by Indian Airlines towards meeting the domestic demand. Only very marginal capacity (two flights per week) which Indian Airlines could not fruitfully utilise, was offered to Air-Indis to assist them in meeting their needs on the Gulf routes.

(c) The total investment on the Airbus project including the cost of three Airbus A300B2 aircraft, spare engines, spares and equipment amounted to Rs. 112.46 crores.

बिहार में पर्यटन आकर्षण के ऐतिहासिक और धार्मिक स्थान

815. श्री ज्ञानेश्वर प्रमाण याचिक : क्या पर्यटन और नगर विकास मन्त्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1975-76, 1976-77 के दौरान और 1977 में अब तक कितने विदेशी पर्यटकों ने बिहार के ऐतिहासिक और धार्मिक स्थानों की यात्रा की तथा उसके परिणामस्वरूप कितनी विदेशी मुद्रा की आय हुई; और

(ख) क्या सरकार का विचार बिहार के विभिन्न स्थानों को पर्यटकों के आकर्षण के स्थान बनाने का है और यदि हाँ, तो इस बारे में क्या कार्यवाही की जायेगी ?

पर्यटन और नगर विकास मंत्री (श्री पुष्करसम कौशिक) : (क) क्योंकि

भारत वाले वाले पर्यटकों के घोकड़े अखिल-भारतीय आधार पर एकलित किये जाते हैं न कि राज्य-बार या स्थान-बार आधार पर, इसलिए केन्द्र विदेशों पर जाने वाले पर्यटकों के घोकड़े उपलब्ध नहीं हैं। इसी प्रकार से पर्यटकों के किसी केन्द्र विदेश पर जाने के फलस्वरूप अंजित विदेशी मुद्रा की मात्रा भी उपलब्ध नहीं है।

(ब) विदेशों से बौद्ध तीर्थ यात्री यात्रायात को भी अधिक मात्रा में आकर्षित करने के विचार से फिलहाल केन्द्रीय पर्यटन विभाग बिहार में बोध गया, राजपिर तथा नालंदा के ही बौद्ध केन्द्रों के विकास पर ध्यान केन्द्रित कर रहा है। इस उद्देश्य के लिए राजपिर तथा नालंदा के मास्टर प्लान (लैंड-यूस-प्लान) तैयार कर लिये गये हैं जिसके आधार पर अपेक्षित सुविधाएं मुहैया करायी जाएंगी। बोध गया की मास्टर प्लान तैयार करने का काम भी शीघ्र ही प्रारंभ कर दिया जाएगा। तथापी इन केन्द्रों पर सुविधाओं का विकास करना इस पर निर्भर करेगा कि कितनी जन्मी भूमि अधिग्रहीत करके पर्यटन विभाग को सौप दी जाती है।

भारत पर्यटन विकास निगम ने पटना में एक 56 कमरों वाले होटल का निर्माण किया है जिससे भ्रष्टे भावास व्यवस्था होने से उस क्षेत्र के लिए अधिक पर्यटकों को आकर्षित करने में सहायता मिली है।

#### Assessment of Wealth Tax and Income Tax of Indira Congress

816. SHRI SASANKASEKHAR SANYAL: Will the Minister of FINANCE be pleased to state whether Government have assessed or will consider assessing the assets and liabilities of what has passed as Indira Congress or Ruling Congress for the purpose of ascertaining Wealth-tax and Income-tax?

THE MINISTER OF FINANCE AND REVENUE AND BANKING

(SHRI H. M. PATEL): This party had filed its return of income declaring its status as an association of persons. This status has been accepted by the Income-tax Officer. Under the Wealth-Tax Act, 1957 an association of persons is not a recognised entity assessable to wealth-tax.

The party had filed its first return of income for the assessment year 1971-72. The assessments upto the year 1974-75 have been completed and the assessments of the subsequent years are pending.

#### Concealed valuables recovered during Raids

817. SHRI M. RAM GOPAL REDDY: Will the Minister of FINANCE be pleased to state:

(a) how much ill-gotten money and concealed valuables were recovered during raids this year (upto date); and

(b) whether the informers were paid any money by way of reward and if so, the details thereof?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) As per information presently available assets worth Rs. 5.12 crores have been seized following search and seizure operations conducted by the Income-tax authorities during January to October, 1977.

(b) During financial years 1974-75 to 1976-77, Rs. 24.82 lakhs has been paid as reward to informers as follows:

Year	Amount of reward paid (Rs. in lakhs)
1974-75 . . . . .	4.42
1975-76 . . . . .	8.27
1976-77 . . . . .	12.13
	24.82

भारत में आते वाले विदेशी पर्यटकों के बारिए तुर्द शाय

818. वी. त्रिवेदी विज्ञान : यदा वर्षांत और यात्रा विभाग यद्यों यह बताने की हुया करते हैं कि :

(क) 1 अप्रैल, 1977 से 30 सितम्बर 1977 तक कितने विदेशी पर्यटक भारत आए;

(ख) इससे भारत सरकार ने कितना राजस्व कमाया; और

(ग) सबसे अधिक पर्यटक भारत में किस स्थान पर गये?

पर्यटन और नागर विभाग यद्यों (वी. पुष्पीतम यौविक) : (क) और (ख) . पहली अप्रैल, से 30 सितम्बर, 1977 तक की भारत की यात्रा करने वाले विदेशी पर्यटकों की संख्या 278,142 थी। पहली अप्रैल से 30 सितम्बर, 1977 तक की अवधि के दौरान पर्यटन से अंजित विवेशी मुद्रा का अनुमान 117 करोड़ रुपए लगाया गया है।

(ग) जहाँ प्रतराष्ट्रीय पर्यटक सामान्यतः जाते हैं उन स्थानों का और संलग्न विवरण में दिया गया है।

#### विवरण

विदेशी पर्यटकों द्वारा सामान्यतः यात्रा किए जाने वाले स्थान

1. दिल्ली
2. बम्बई
3. आगरा
4. भूबास
5. कलकत्ता
6. बनारस
7. अमृतसर
8. अय्यपुर
9. श्रीगंगार

10. बंगलौर
11. बाफ्फुएड़ी
12. तिर्थपुरापल्ली
13. पटना
14. रसोल
15. मदुरै
16. गोदा
17. मैसूर
18. श्रीरामगढ़
19. कोलीबी
20. उदयपुर
21. नानपत्तमन्त्र
22. विवेन्द्रगम
23. चण्डीगढ़
24. पूना
25. दर्जिलिंग
26. रामेश्वरम्
27. पाइचैरी
28. अहमदाबाद
29. हैदराबाद
30. महाबलिपुरम्
31. लखनऊ
32. पूरी
33. जम्म
34. चैप कोमोरिन
35. पठानकोट
36. झट्टी/नीलगिरीज
37. भोपाल/ग्वालियर
38. गिरमला/कसीली
39. हरिद्वार/काशीकेश
40. याद

#### Smuggled Articles Unearthed during Last Six Months

819. SHRI D. AMAT: Will the Minister of FINANCE be pleased to state:

(a) the value of smuggled articles that have been unearthed during the last six months; and

(b) the steps Government propose to take to curb smuggling?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Smuggled goods worth about Rs. 14 crores have been seized during last six months. (April-September, 1977).

(b) Government have launched a three-pronged attack to check smuggling by strengthening the preventive and enforcement machinery, resorting to selective use of the provision of the COFEPOSA Act and by taking appropriate economic measures.

विमान सेवाओं तथा हवाई भूमि की सुरक्षा के लिए को गई कार्यवाही

820. श्री नटवरलाल बो० परमार : विमान पर्वटन और नामर विमान मंत्री यह बताने की कृपा करें कि विमान सेवाओं और हवाई अड्डों की सुरक्षा सुनिश्चित करने के लिए क्या विशेष कार्यवाही की जा रही है।

पर्वटन और नामर विमान मंत्री (श्री पुलबोत्तम फौसिंक) : विमान सेवाओं की सुरक्षा को सुनिश्चित करने के लिए किए जा रहे विशिष्ट उपायों को प्रकट करना लोकहित में नहीं होता। तथापि, इस संबंध में बहुमान ऐसे उपायों को पहले ही कड़ा कर दिया गया है, जैसे परिचालन थेलों के प्रवेश स्थलों का नियन्त्रण, यात्रियों की सारीरिक तलाशी तथा उनके हाथ के सामान की छानबीन, वेडिंग काड़ों पर स्टैप लगाने में अधिक सावधानी एवं चौरिलों परिमीटर (perimeters) की पर्याप्त सुरक्षा इत्यादि।

2451 LS-3.

Permission to Coca Cola Export Corporation to remit Head Office Expenses

821. PROF R. K. AMIN: Will the Minister of FINANCE be pleased to state:

(a) what are the terms and conditions under which Coca Cola Export Corporation has given permission to remit head office expenses; and

(b) in which year first remittance of head office expenses took place?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Attention of the Hon'ble Member is invited to the details supplied in reply to Unstarred Question No. 1726 dated the 24th June, 1977.

(b) 1961.

राज्य व्यापार निगम और खनिज तथा धातु व्यापार निगम में प्रतिनियुक्ति पर भेजे गये अधिकारियों को वापिस भेजा जाना

822. श्री नवाब सिंह जौहान : क्या वार्षिक तथा नागरिक पूर्ति और सहकारिता मंत्री राज्य व्यापार निगम और खनिज तथा धातु व्यापार निगम में प्रतिनियुक्ति पर भेजे गये अधिकारियों के बारे में 22 जुलाई, 1977 के अतारिक्त प्रण संख्या 4447 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) श्रापातस्थिते के दौरान प्रतिनियुक्ति पर लिये गये अधिकारियों को कब तक वापिस भेजे जाने का विचार है

(ख) क्या यह सच है कि ये सब नियुक्तियां सिराजिय या आधार पर की गई थीं;

(ग) ऐसा प्रत्यंक अधिकारों पहिले क्या कार्य कर रहा था तथा प्रत्यंक ने सरकारी नेवा किस पद से आरम्भ की; और

(b) उनको नियुक्त करने का आधार क्या था ?

बाणिज्य तथा नामांकित पूर्ति और सह-कारिता भंडालय में राज्य मंत्री (श्री कुमार गोपल) :

(क) मेरे (b) जनकारी प्रकार की जारी है, और मध्य पट्टन पर रखा दी जाएगी।

**Repayment of Amount Deposited under Compulsory Deposit Scheme**

823. SHRI K. LAKKAPPA. Will the Minister of FINANCE be pleased to state:

(a) whether the Government recently issued orders to different Ministries and Departments of the Government of India to release the entire amounts, with interest, deposited by the Government servants under the Compulsory Deposit Scheme, upto 1977;

(b) if so, whether a copy thereof will be laid on the Table of the House;

(c) whether it has come to the notice of Government that the administrative authorities are making refund/refusing payment of the amounts deposited under Compulsory Deposit Scheme to the employees arbitrarily;

(d) if so, the number of Government servants who have been repaid and those refused payment of Compulsory Deposit Scheme amounts so far and reasons for refusing refund; and

(e) whether Government propose to issue revised orders to allow repayment of the Compulsory Deposit Scheme amounts to all Government employees who opt for it and if not the reasons therefor?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI K. M. PATEL): (a) No.

(b) Does not arise.

(c) Repayments are being made strictly in accordance with the provisions of the Additional Emoluments (Compulsory Deposit) Act, 1974.

(d) Does not arise.

(e) No. The question of issuing revised orders does not arise in view of the answer to parts (a) and (c) of the question.

भत्तपूर्व भंडिमडल के मंत्रियों के आय कर कर निर्धारण

824. श्री राधवजी क्या वित्त मंत्री यह बताने की शुरा करेंगे कि :

(क) भूतपूर्व प्रधान मंत्री श्रीमनी एविरा गांधी के मंत्रिमंडल में ऐसे मंत्रियों की संख्या किननी है जिन्होंने 1977-78 के कर निर्धारण वर्ष के लिए अव तक अपनी आय कर बिवरणी नहीं मेंजी है;

(ख) उपराज्यकाल मंत्रिमंडल के लिनने मंत्रियों की सम्पत्ति पर वर्ष 1975-76 के लिए कर निर्धारित नहीं किया गया, और

(ग) उनमें में से मंत्री किनन हैं जिनके ग्राह कर ग्राहा सम्पत्ति-कर निर्धारण मन्त्रन्धी मामने । अप्रैल 1977 में 30 अक्टूबर, 1977 के दोरान पुनः कर निर्धारण के लिए पुनः खाले गये हैं योग्य वे किन वर्षों के कर निर्धारण में मन्त्रन्धी हैं।

वित्त तथा राजस्व और अंकित मंत्री (श्री एच० एम० पटेल) : (क) मेरे (ग) : सूचना एकत्रित की जा रही है और यथासम्भव शीघ्र सदन-पट्टल रख दी जायगी।

**Stoppage of export of Sugar**

826. DR HENRY AUSTIN:  
SHRI K. LAKKAPPA:

Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether Government have stopped the export of sugar; and

(b) if so, the total loss suffered?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) and (b): Sugar exports was never totally stopped and hence no loss can be ascribed to stoppage of exports. In July, 1977, the Government decided that during 1977-78 sugar should be exported as to the extent of the existing commitments.

### "Ocean to Sky" Expedition

827. SHRIMATI PARVATHI KRISHNAN: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have spent a huge amount in making the and "Ocean to Sky" expedition a success;

(b) if so, the details and reasons therefor?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURSHOTAM KAUSHIK): (a) and (b) The "Ocean to Sky" expedition led by Sir Edmund Hillary was co-sponsored by the Central Department of Tourism and Air-India. While the Air-India gave complimentary return tickets to the team from Sydney to India, as well as lifted all the baggage free of cost, the Department of Tourism provided accommodation in Delhi and Calcutta, and transport facilities in Calcutta. The expenditure incurred on this by the Department of Tourism is not likely to be more than Rs. 25000/-.

The expenditure incurred on the "Ocean to Sky" expedition by Air-India and the Department of Tourism will be more than compensated for by the publicity that the expedition has already received through newspapers, radio and TV in India and abroad, and is likely to receive through the publication of the proposed book of the expedition by Sir Edmond Hillary

and the jointly made film on the expedition that will be shown on worldwide TV networks. Such publicity will generate tremendous interest in India, attracting a larger flow of tourists to the country.

### Supply of Edible Oils and Kerosene to Weaker Sections of the Community

828. PROF P. G. MAVALANKAR: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the supply of essential consumers' goods, particularly edible oils and kerosene to the weaker sections of the community is maintained through effective public distribution system throughout the country; and

(b) if so, how and with what concrete measures?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION SHRI KRISHNA KUMAR GOYAL: (a) Apart from wheat, rice, levy sugar, kerosene is also distributed through the agency of Public Distribution System throughout the country. In some selected areas, rapeseed Oil is also being distributed.

(b) There are about 2,45,000 outlets for distribution of kerosene of which 1,82,000 are in the rural areas. The retail outlets of kerosene are licensed by the State Governments who are expected to sell kerosene to the individual consumers at prices prescribed by the Government.

### Export of Sugar

830. SHRI BALASAHEB VIKHE PATIL: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state the quantity of sugar exported to various countries during the last three years and the total Foreign Exchange earned?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL) Details of quantity of Sugar exported and foreign exchange earned during the last three years are—

Year	Qty. exported (Lakh MT)	Foreign exchange (Rs. crores)
1974-75	6.21	312.78
1975-76	11.88	464.13
1976-77	5.80	151.66
1977-78 (April-November)	0.45	10.43

**विरला परिवार द्वारा सचालित उद्योग पर बकाया कर**

831. श्री हकम देव नारायण यादव : क्या विल मवी यह बताने की कृपा करेंगे कि

(क) विडला परिवार द्वारा सचालित सभी उद्योगों पर आब तक कुल कितना कर बाकी है और यह किस किम मद का है,

(ब) विडला परिवार के उन मदस्या के नाम क्या हैं जिन पर आय कर की गण बकाया है तथा प्रत्येक मामले में यह राशि कितनी है तथा सरकार का उनसे बकाया राशि बसूल करने के लिए क्या कार्यवाही करने का विचार है ; और

(ग) क्या सरकार का विचार देणे के कानून के अन्तर्गत उनके विभिन्न कार्यवाही करने का है ?

विस तथा राजस्व और बेंकिंग मंत्री (श्री एच० एम० पटेल) : (क) और (ख). मूल्यना एकत्र की जा रही है और सदन-पटल पर रख दी जायगी ।

(ग) बकाया रकमों की बमूली के लिए, जहां कहा आवश्यक होगा, कानून में की गई व्यवस्था के प्रनुभार कार्यवाही की जायगी ।

फूलपुर, इलाहाबाद स्थित आई०एफ०एफ० सी०ओ० फैक्टरी में उर्वरकों का उत्पादन

832. श्री तेज प्रताप विहृ : क्या वाणिज्य तथा नामरक पूर्ति और सहकारिता मंत्री यह बताने को कृपा करेंगे कि

(क) फूलपुर स्थित आई०एफ०एफ० सी०ओ० फैक्टरी में किस-किस किस्म के उर्वरक का उत्पादन करने का विचार है और उनका प्रतिदिन कितना उत्पादन होगा ; और

(ब) उसमें कुल कितनी प्री लगायी जाएगी तथा कौन-कौन से देश उम फैक्टरी में धन लगायेंगे तथा प्रत्येक देश द्वारा कितना धन लगाया जाएगा ?

वाणिज्य तथा नामरक पूर्ति और सहकारिता मंत्रालय ने राज्य मंत्री (श्री कृष्ण कुमार शोधल) : (क) यूरिया के विनिर्माण के लिये 1500 मीटरी टन की प्रतिदिन की उत्पादन क्षमता का संयन्त्र लगाया जा रहा है ।

(ब) इस परियोजना की अनुमानीत लागत 167.77 करोड़ रुपये है, इस धनराशि से मे विदेशी मुद्रा की सम्पूर्ण आवश्यकता अर्थात् 98.10 करोड़ रुपये इन्टर-नेशनल बैंक फार रिक्स्ट्रेक्शन एण्ड डिवेल्पमेंट (विश्व बैंक) द्वारा पूरी की जाएगी, जो 69.67 करोड़ रुपये महकारी समितियों तथा भारत सरकार द्वारा प्रशंसपूजी में भाग लेकर और इफको के अपने आन्तरिक स्रोतों से जुटाई जायेंगे ।

चीनी उद्योग में घोटाला

834. डा० सर्वेनारायण पांडेय :

श्री एन० के० शेजवलकर :

श्री रमेश्वर पाटीवार :

क्या वाणिज्य तथा नागरिक पूर्ति और व्यक्तिगति मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या नरकार का ध्यान 24 अगस्त, 1977 के 'हिन्दुस्तान' में प्रकाशित "चीनी उद्योग में करोड़ी रुपयों का घोटाला" गीर्यांक में प्रकाशित समाचार की ओर दिलाया गया है, ग्राम

(ख) यदि हा, तो उस सम्बन्ध में तथ्य क्या है ?

वाणिज्य तथा नागरिक पूर्ति और सहकारिता भंडारण में राज्य मंत्री (श्री हर्ष कुमार गोयल) (क) आगे (ख). जी हाँ। भारतीय चीनी उद्योग नियंत्रित निगम पूर्ण रूप से एक गैर-नरकारी कम्पनी है जिसे चीनी उद्योग ने मूलतः नियंत्रित के लिये चीनी प्राप्त करन का वार्ष मध्यालय, के लिये स्थापित किया था। बाद मे जब अप्रैल, 1974 मे चीनी का नियंत्रित राज्य व्यापार निगम की मार्फत मार्गीकृत किया गया तो भी यह कम्पनी राज्य व्यापार निगम के लिये हैंडलिंग एजेंट के रूप में कार्य करती रही। यह एक स्व इंत्र कम्पनी है तथा इसके बोर्ड मे भारतीय चीनी मिलस एसोसिएशन तथा नहकारी चीनी फैक्टरी संघ के प्रतिनिधि हैं। राज्य व्यापार निगम का कम्पनी के भान्तरिक मामलों में कोई नियंत्रण अधिका हस्तक्षेप नहीं है।

### Export of tea to Foreign Countries

838. SHRI JENA BAIRAGI: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the total quantity of tea that is being exported by India;

(b) how much of it is being exported to USSR, the Middle East and EEC;

(c) whether a bulk of the export is made to USSR at a cheaper rate;

(d) whether the tea exported to the above mentioned countries is being re-exported at a higher rate to the European Economic Community; and

(e) if so, the reasons for not exporting it directly and earning more foreign exchange?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) The total quantity of tea exported from India during the last three years is given below.

Year	Quantity (In m.kgs.)
1974-75	223.06
1975-76	211.40
1976-77	242.42

(b) The total amount of tea exported to USSR, Middle East and EEC countries as a percentage of the total quantity of tea exported from India during the year 1974-75 to 1976-77 is as follows:

U.S.S.R.	21.36%
Mid. East (WANA countries)	19.70%
EEC	40.09%

(c) No. Sir.

(d) About 28 per cent of the tea imported by USSR is re-exported mainly to the Socialist countries in Europe. The names of the countries of origin of these teas and the prices at which these teas are re-exported are not available. Re-export of tea by importing countries is a feature of this trade. Other countries which also re-export tea on a sizeable scale are U.K., Netherlands, Canada and on a smaller scale Ireland, France and West Germany. Government is, however, not aware of any sizeable re-export of Indian tea by USSR to EEC or to other free market countries.

(e) We are already exporting tea to about 80 countries of the world including the convertible currency countries like the USA, Canada, UK and some European countries. A continuous effort is also being made to further increase our exports to these countries. Export of tea to USSR is subject to a ceiling fixed every year, having regard to the total availability of tea for export. This does not, therefore, affect our anticipated earnings of free foreign exchange from tea exports.

तस्करी रोकने के लिये सीमावर्ती खेतों में  
एक नए उपकरण लगाना।

839. श्री हरगांधीविं वर्ष : १९८०  
वित्त मंत्री यह नवाने ने क्या करेंगे कि

(क) क्या मरका. ने मामावर्ती खेतों  
में तस्करी रोकने हेतु आर्म्सक उपकरण  
लगाने का निर्णय किया है; और  
(ख) यदि हा. ना कव ने ?

वित्त नवा. राज्य: और बैंकिंग मंत्री  
(श्री एच० एम० पटेन्ट) : (क) और (ख).  
जी हा, तस्करी यी रोकथाम के उद्देश्य में,  
1976 में पंजाब गज्ज में भारत-पाक सीमा  
के साथ-साथ, लगभग 160 किलोमीटर  
खेत को कवर करते हुए अमृतसर सीमाशुल्क

प्रभाग में एक बेतार संचार का जाल बिछा  
दिया गया है। इसी प्रकार का बेतार संचार  
जाल भारत-नेपाल सीमा के लिए भी बंजूर  
किया गया है और इस जलदी ही स्थापित  
किया जायगा। तस्करी के गुप्त क्रियाकलापों  
का पता लगाने को गुविधाजनक यनानों की  
दृष्टि से, महत्वपूर्ण क्षेत्रीय कार्यालयों को  
"नाटट साइट" यंत्र वितरित किया गया था।  
प्रमुख हवाई अड्डों में छोटे पर्सनलों की जिनमें  
निश्चिन्द्र माल हांत का सन्देह हो, जाच करने  
के लिए फलूरेस्कोपी यंत्र और स्वरं की  
तस्करी का पता लगाने के लिए "फिस्कर"  
यंत्र लगाये गये हैं। दिल्ली, बंबई और मद्रासा  
हवाई अड्डों के लिए बन्द परियथ (फ्लोड  
मार्कट) टलिविजन सेटों की मंजूरी दी गई है।  
एग्ज हवाई अड्डों पर इलेक्ट्रानिक दरवाज़  
की मरम्मत के धानु-संसूचक (मैटल डिटेक्टर)  
लगाने के लिए भी कदम उठाये जा रहे हैं।

#### Public Sector Industries established in Marathwada District (Maharashtra)

840. SHRI GANGADHIER APPA  
BURANDE: Will the Minister of  
FINANCIAL be pleased to state:

(a) the number of public sector  
industries established in Marathwada  
District of Maharashtra;

(b) the number of employed per-  
sons in those industries; and

(c) if there is no public sector  
industry in Marathwada District  
(Maharashtra), the reasons therefor?

THE MINISTER OF FINANCE AND  
REVENUE AND BANKING (SHRI IL.  
M PATEL): (a) and (b). The follow-  
ing two Central Public Sector Units are  
located in Marathwada District of  
Maharashtra:

(i) Aurangabad Textile Mills and

(ii) Nanded Textile Mills.

According to information available these mills employed about 5500 persons.

(c) Does not arise.

**Recommendations of Committee on Prices of Essential Commodities**

**841. SHRI M. N. GOVINDAN NAIR:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether a watchdog Committee headed by the Defence Minister was set up to recommend steps to be taken by Government to check prices of essential commodities;

(b) if so, whether this Committee was told to make recommendations by the end of September; and

(c) if so, the recommendations of the Committee and what follow up action was taken accordingly?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) No formal Cabinet Committee on prices has been constituted.

(b) and (c) Does not arise.

**Appointment of Vigilance Officers in Public Sector Undertakings**

**842. DR MURLI MANOHAR JOSHI:** Will the Minister of FINANCE be pleased to state:

(a) whether Government are aware that a large number of public sector undertakings have not appointed Vigilance Officers as recommended by the Vigilance Commission;

(b) the names of public sector undertakings where vigilance machinery has not been set up so far and the reasons for not doing so; and

(c) the steps being taken to appoint Vigilance Officers in all those undertakings where such officers have not been appointed?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) to (c). Instructions have been issued to the Central Government enterprises to constitute necessary vigilance organisations in consultation with the Central Vigilance Commission to protect the interests of these enterprises. In pursuance of these instructions, most of the enterprises have already set up appropriate vigilance organisations to meet their requirements. According to information available the post of Chief Vigilance Officer has been vacant for varying periods in four major enterprises viz. Indian Airlines, Oil and Natural Gas Commission, Hindustan Antibiotics and India Tourism Development Corporation. Arrangements have, however, been made to look after vigilance work in these enterprises.

**रेपसीड आयल का खरीद और विक्री मूल्य**

**843. श्री रमजी लल सुमन : क्या वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्री यह बताने की कृपा करेंगे कि :**

(क) सरकार ने रेपसीड आयल किस मूल्य पर आयात किया तथा उसे उपभोक्ताओं को किस मूल्य पर बेचा जाता है; और

(ख) रेपसीड आयल के घोटाले के बारे म सरकार क्या कार्यवाही कर रही है ?

**वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्रालय में राज्य मंत्री : (श्री कृष्ण कुमार गोपल):** (क) रेपसीड नेल प्रबन्धित अन्तर्राष्ट्रीय बाजार मूल्यों पर राज्य व्यापार नियम की एजेंसी के माध्यम से खरीदा जाता

है। रेप्सीड तेल परिष्करण के बाद राज्य सार्वजनिक वितरण प्रणाली के माध्यम से अधिक से अधिक 7.50 रुपये प्रति किलोग्राम के कुट्टर मूल्य पर उपभोक्ताओं को बेचा जाता है।

(ब) राज्य सरकारों को मनाह दी गई है कि वे कदाचार भी शिकायनों के बारे में आवश्यक बस्तु अधिनियम आर उसके अन्तर्गत जारी किए गए आदेशों तथा खाली अपमिथण निवारण अधिनियम आर ऐसे ही दूसरे अधिनियमों के उपबंधों के अनुसार समृच्छित कार्यवाई करें।

#### Restrictions on Passengers Returning from India

844. SHRI G. Y. KRISHNAN: Will the Minister of FINANCE be pleased to state:

(a) whether some restrictions have been imposed on the passengers returning from India on overland route that they cannot take out goods of Indian origin fixing certain limits;

(b) if so, whether Government of India have made efforts to curb malpractices by individuals who travel to India for pilgrimage and return by overland route; and

(c) if so, the details thereof?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Bonafide personal baggage, except wildlife and products thereof, of outgoing passengers proceeding to places other than Nepal and Pakistan is allowed as per the limits and conditions prescribed under the Export Baggage Rules. Baggage of passengers proceeding to Pakistan is, however, regulated by the Indo-Pakistan Baggage Rules 1955. Both these Baggage Rules apply irrespective of the mode of travel. There is no restriction on goods of India origin being carried to Nepal as Baggage except in respect of goods restricted under Export Trade (Control) Order 1977.

(b) and (c). Government have not come across any such malpractices on the part of the passengers visiting India for pilgrimage and returning by overland route.

#### Disappearance of Edible oils

847 SHRI SAMAR GUHA:

SHRI N. K. SHEJWALKAR:

SHRI SUKHDEO PRASAD VERMA:

SHRI D. D. DESAI:

SHRI AHMED M. PATEL:

SHRI S. N. CHATURVEDI:

Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether after introduction of new regulation for controlling the sale price of edible oils, mustard oil, and some other oils of similar variety have vanished from the market;

(b) whether the consumers are facing acute difficulty for disappearance of many edible oils from the market;

(c) if so, the reasons for their sudden disappearance;

(d) whether stringent measures have been taken against unscrupulous traders who caused the sudden crisis in the market of edible oils; and

(e) if so, the facts thereabout and steps taken, or proposed to be taken by the Government for controlling the prices of edible oils?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) to (c). There is no statutory price control on edible oils except on Mustard Oil. Some reports about non-availability of mustard oil at a retail price not exceeding Rs. 10/- per

kg. have been received. The Mustard Oil (Price Control) Order has been challenged before the Supreme Court, whose decision is awaited.

(d) and (e). The State Governments have been advised to take action, as necessary, in terms of the powers available to them under the Essential Commodities Act. Arrangements had already been made to supply refined imported rapeseed oil to the States, as required by them, which is a good substitute for mustard oil. This is made available to the consumers through the State Public Distribution System, at an end price of Rs 7.50 a kg. By supplying a bulk of the requirements of the vanaspati industry through imported oils, the production level of vanaspati has remained steady and its price has been brought down Rs 170/- per 16.5 kg. tin (inclusive of excise duty but exclusive of local taxes) in mid-May to Rs. 140/- from 1st November, 1977.

#### Rise in Cost of Living Index

848. SHRI P. THIAGARAJAN:  
SHRI S. D. SOMASUNDARAM:  
SHRI K. MAYATHÈVAR:

Will the Minister of FINANCE be pleased to state:

(a) the analysis of the rise in the cost of living index from 1975 to date, indicating the period when it was curbed and the period from which it again shot up;

(b) whether Government are confident of arresting the unrestricted rise without taking emergent and stringent action against the parasites of society; and

(c) whether Government have arrived at any firm direction for containing this inflation, considering that all efforts have failed so far?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) The decline in the All-India Industrial Workers' Consumer

Price Index (1960=100) which commenced in the last quarter of 1974 continued in the first quarter of 1975. The Index, thus, fell from 335 in October 1974 to 321 in March 1975. In the next quarter the Index rose by 7 points to 328 in June 1975. This was followed by a declining tendency which lasted till March 1976, the Index touching a low of 286. Thereafter it has steadily risen to 331 for September 1977 (the latest available).

(b) and (c). Government do not subscribe to the view that inflation has not been contained. Despite the continuing effects of the shortfall in production of certain commodities, and of substantial expansion in money supply, last year, the increase in the Consumer Price Index in the first six months of 1977-78 has been of the same order as in the corresponding period of 1976-77. With the decline in wholesale prices in the past few weeks, the Consumer Price Index is also expected to register a fall with the usual time-lag. Nevertheless, Government will not hesitate to take stringent action against anti-social elements who may try to take advantage of temporary or local shortages in order to force up prices.

#### Amounts Advanced by National Co-operative Development Corporation Limited

849. SHRI K. SURYA NARAYANA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the amounts advanced by the National Cooperative Development Corporation Limited through the State Governments in various States for the construction of cooperative sugar mills, rice mills and other processing units during the last three years; and

(b) the units which have completed construction and the working results with profits and losses?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-

**OPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) A total assistance of Rs. 26.36 crores has been provided by the National Cooperative Development Corporation through the State Government in various States for establishment of cooperative sugar factories, rice mills and other agro-based processing units during the last three years ended with 1976-77.

(b) Out of 175 units assisted, 86 have been installed, 16 in the year 1974-75, 25 in 1975-76, 37 in 1976-77 and 8 so far in 1977-78. Financial results are available only in respect of 18 units out of which 5 have been in profits and 13 in losses.

#### Prices of dry fruits

**850. SHRI EBRAHIM SULAIMAN SAIT:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the prices of dry fruits have not been brought down in spite of the liberalised import policy of Government;

(b) if so, the steps Government propose to take to ensure that the dry fruits are sold in the market at reasonable prices; and

(c) whether Government propose to allow import of dry fruits from Pakistan and if so, in what manner?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) and (b). The prices of almones have gone down since the imports of dry fruits were liberalised. As regards other items, the dry fruits season has recently begun and it is expected that their prices will also fall as more and more imports come in.

(c) The import of dry fruits from Pakistan is already allowed, under the free licensing policy.

#### Inclusion of Sewagram in tourism map

**851. SHRI SANTOSHRAO GODE:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Sewagram in Maharashtra has been included in the map of Indian Tourism;

(b) if so, what are the facilities provided for the tourists; and

(c) whether foreign tourists visit Sewagram and if so, the number of tourists?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOT-TAM KAUSHIKH):** (a) and (b). The importance of Sewagram to visitors both Indian and foreign is recognised, and accommodation for tourists at Sewagram as well as Wardha is provided both by the Ashram Authorities and the Maharashtra Government. In addition, the Central Department of Tourism is undertaking the construction of a Tourist Bungalow (Yatri Niwas) at Sewagram, at an estimated cost of Rs. 14.77 lakhs with a capacity of 92 beds.

(c) No precise number of foreign tourists visiting Sewagram is available with the Department of Tourism as tourist statistics are maintained on an all-India basis and not on State-wise or place-wise basis.

#### Affairs of National Council of applied Economic Research

**852. SHRI DILIP CHAKRAVARTY:** Will the Minister of FINANCE be pleased to state:

(a) whether the bulk of the funds available to the National Council of Applied Economic Research (NCAER), New Delhi come in form of grants and project fees from public sources including Central Government, State Governments, Public Sector Undertakings and International agencies, with routing through the Government;

(b) if so, what control Government have been exercising to ensure that the expertise available from the N.C.A.E.R. is commensurate with the public money spent; and

(c) in view of the recent lockout at the NCAER and the deteriorating management-employee relations, whether Government consider the need for a public enquiry into the affairs of the NCAER and its takeover if need be?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) to (c). The National Council of Applied Economic Research is an autonomous independent body registered under the Societies Registration Act of 1860 and its affairs are managed by the Director General under the over-all guidance of a governing body in accordance with its Memorandum of Association. The bulk of the income of the Council is derived from the research projects which it undertakes mostly on behalf of the Central Government, State Governments, Public Undertakings and international agencies. The remuneration payable to the Council in respect of these projects is directly settled between the project sponsors and the Council. The Central Government also gives a small general purpose grant of about Rs. 2 lakhs per annum. The need for the continuance of this grant is being periodically reviewed. The Government is not considering the institution of any public enquiry into the affairs of the Council.

**Offer of sale of Canadian "Twin Otter" aircraft**

853. SHRI K. MALLANNA:

SHRI ISHWAR CHAUDHRY:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether it is a fact that the Canadian Public Sector Aircraft Manufacturing Company has offered its interest to the Government of India

in the sale of its 20-seater "Twin Otter" aircraft suitable for its proposed third level airline;

(b) whether Indian Government has requested the Canadian Government and sought its co-operation for the production of aircraft within India; and

(c) if so, the reaction of the Canadian Government thereto?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSIJK): (a) No, Sir. No formal approach has been made by the Company.

(b) No, Sir.

(c) Does not arise.

**Mustard oil lying unclaimed in Patna Railway Godowns**

854. SHRI DINEN BHATTACHARYYA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether attention of Government has been drawn about the fact that 60,000 Kg. of mustard oil was lying unclaimed in Patna railway godowns in second week of October, 1977; and

(b) whether the oil stocks were handed over to the State Food and Civil Supplies Corporation for distribution through fair price shops?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) and (b). No such report has been received by the Central Government. The facts are being ascertained from the Bihar State Government.

**Raids conducted by Income-tax Department during emergency**

**855. SHRI KANWAR LAL GUPTA:** Will the Minister of FINANCE be pleased to state:

(a) whether Income-tax Department conducted raids in the offices and residences of many political leaders and their relatives during Emergency including Shri Rajni Patel and Mr. Shah of Bombay;

(b) if so, the names of such persons and their addresses along with the details of unaccounted assets recovered from each person, or his company or firm;

(c) the cases out of the aforesaid list which were not pursued by the erstwhile Government;

(d) whether some of the important papers out of these cases are missing; and

(e) if so, what action has been taken by Government thereon?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) to (e). A search and seizure operation is authorised by the Commissioner of Income-tax/Director of Inspection if in consequence of information in his possession, he has reason to believe that the person concerned is in possession of any money bullion or other valuable article or thing which has not been or would not be disclosed, or has omitted or failed to produce such books of account or other documents as required by a summons or a statutory notice or would not produce any books of account or other documents in response thereto. During the years 1975-76 and 1976-77, Income-tax Authorities conducted search and seizure operations in 6206 cases. Information in respect of the political activities, if any, of all the persons whose premises were searched, is not available. If the Hon'ble Member desires to have information in

respect of any particular case or cases, the same will be collected and furnished.

2. Income-tax Authorities did not conduct any search in the case of Shri Rajni Patel.

As regards Shri Shah of Bombay: It is presumed that the Hon'ble Member is referring to Late Shri Vinay K. Shah of M/s. Baroda Rayon Corporation Ltd. No search was conducted in the case of Shri Shah. However, during the course of the operations in the case of M/s. Baroda Rayon Corporation Ltd., of which Shri Shah was the Managing Director, his cabin in the premises of the company was searched and some papers were seized from his possession. Besides books of account etc., spinnerettes of the value of about Rs. 20,000 were seized from the premises of the said Company. The spinnerettes have since been released. The assessment proceedings in the Company's case are in progress.

The matter relating to seizure of some of the papers from the possession of Shri Shah is before the Shah Commission of Inquiry. Action as may be called for, will be taken after the Commission gives its findings.

महाराष्ट्र सरकार को मप्पाई किया गया  
खात्र तेल

**856. श्री लक्ष्मण राव मनकर :** वया वाणिज्य तथा नागरिक पूर्ति और महाराष्ट्रा मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्र सरकार ने महाराष्ट्र सरकार को किनना खात्र तेल देने का आश्वासन दिया था;

(ख) केन्द्र सरकार के आश्वासन के बावजूद राज्य सरकार द्वारा खात्र तेल की पूरी मप्पाई स्वीकार न करने के बया बारण हैं;

(ग) महाराष्ट्र सरकार ने खाद्य तेल की कितनी मात्रा स्वीकार की; और

(घ) क्या महाराष्ट्र सरकार ने केन्द्र सरकार से प्राप्त इस तेल का उपयोग केवल नवारीय क्षेत्रों में वितरण के लिये किया और आमीण क्षेत्रों में वितरण के लिये नहीं?

वाणिज्य तथा नागरिक पूर्ति और सहकारिता भवालय में राज्य मंडो (बी.क्यू.डी.एस.) : (क) केन्द्रीय सरकार ने महाराष्ट्र सरकार की खाद्य तेलों-आयातित अपमाइड तेल और आयातित मूगफली के तेल की पूरी मात्रा की पूर्ति करने का आशावान दिया था।

(ख) राज्य सरकार ने 5000 मीटरी टन मूगफली का तेल नहीं उठाया जो उन्हे उनकी मात्रा के अनुसार आवंटित किया गया था। क्योंकि गज्ज राज्य सरकार का कहना यह है कि वाहर से माल की आमद उस समय हुई जबकि उनके पास इम तेल को परिष्कृत करने नथा इसे त्यौहार के भौसम तक वितरित करने के लिए पर्याप्त गमय नहीं रह गया था।

(ग) दिसम्बर, 1976 और जून, 1977 के दौरान राज्य सरकार को 2,250 मीटरी टन आयातित कच्चा रेपसीड तेल आवंटित किया गया, जिसमें से उन्होंने 1,625 मीटरी टन तेल उठा लिया है। उन्होंने 1,870 मीटरी टन आयातित सोयाबीन का तेल भी उठा लिया है। राज्य सरकार ने जून से प्रक्तुबर, 1977 तक वितरण के लिए गणेश पल्लोर मिल्स, बम्बई से कुल 3000 मीटरी टन परिष्कृत रेपसीड तेल के आवंटन के लिये अनुरोध किया था, जिसमें से उन्होंने केवल 862 मीटरी टन तेल उठाया है।

(घ) राज्य सरकारों को यह सलाह दी गयी थी कि वे परिष्कृत रेपसीड तेल का वितरण छाटै-लोटै कर्त्तव्यों और गावों में भी करें, किन्तु यह महीने है कि नेल का वितरण केवल लाइसेंसुदा उचित दर की दुकानों के माध्यम से 7.50 रुपये प्रति किलोग्राम के अधिकतम फुटकर भूल्य पर किया जाय। प्रतीत होता है कि महाराष्ट्र सरकार ने केन्द्र सरकार द्वारा स्मरण कराये जाने के बावजूद इस अवसर का पूरा-पूरा लाभ नहीं उठाया।

#### Furnishing of residences of executives by nationalised banks

857. SHRI SHIV SAMPATI RAM: Will the Minister of FINANCE be pleased to state:

(a) the guidelines in respect of furnishing the residence of their executives by the nationalised banks

(b) the amount so far spent by each nationalised bank on the furnishing of the residences of their executives.

(c) the maximum amount spent at one time by any bank on furnishing one residence and the name of the executive whose residence was so furnished;

(d) whether the sanction for such furnishing was accorded by the Board of Directors of such Banks; and

(e) how do Government propose to deal with such corrupt executives of the nationalised banks?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (e). Certain levels of officers in different nationalised banks are being given furnished accommodation at present, as per the terms of their appointment in the bank. Different banks have their internal instructions on the standards of furnishing to be provided for various levels

of officers. The whole question of provision of free furnishing and other perquisites to officers, along with pay scales and allowances to officers of the nationalised banks was examined by the Committee set up by Government under the Chairmanship of Prof. V. R. Pillai. In its report, the Committee has suggested that the practice of giving free house and free furnishing to officers should be stopped in all the nationalised banks. Government have accepted this recommendation of the Pillai Committee along with others for standardisation of pay scales and allowances and have advised the nationalised banks to initiate action for implementation of the recommendations in this regard.

(b) to (d). Information to the extent possible will be collected and laid on the Table of the House.

**Decision on utilisation of foreign exchange reserves**

358. SHRI S R DAMANI: Will the Minister of FINANCE be pleased to state:

(a) whether a policy decision has been taken both on short-term and long-term basis to put to productive use the mounting foreign exchange reserves and the formidable foodgrains buffer stocks;

(b) if so, the details thereof including the expected impact on the economy by such measures; and

(c) if not, what is holding up a decision?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) and (b). It is the policy of the Government to make productive use of the country's foreign exchange reserves and food stocks. Under the food-for-work programme, wheat and milo are being made available as grants to State Governments for schemes meant for generation of additional employment in rural areas

and maintenance of public works. The foreign exchange reserves are being used to import mass consumption goods in short supply, and adequate availability of these together with foodgrains could assist in maintenance of price stability. The Government has also liberalised import policy so as to meet the full import requirements of the economy, consistent with utilisation of indigenous productive capacity. While it is too early to assess the impact of these measures on the economy, these are expected to help in raising the domestic production and in securing higher levels of investment and growth, in an environment of relative price stability.

(c) Does not arise

**Chain of Janata Hotels**

859 SHRI P. K. KODIYAN:

SHRI KACHARULAL JEMRAJ JAIN

SHRI HARGOVIND VERMA:

SHRI NAWAB SINGH CHAUHAN:

SHRI HUKAM CHAND KACHWAI:

SHRI D. AMAT:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have decided to set up a chain of Janata hotels all over the country for domestic tourists;

(b) if so, the details thereof;

(c) whether any steps have been taken in this regard; and

(d) if so, the details?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURSHOTAM KAUSHIK):** (a) to (d). It is proposed to set up a chain of Janata Hotel all over the country.

**Reduction of customs duty on pesticides, fungicides and weedicides**

861. SHRI B. RACHAIAH: Will the Minister of FINANCE be pleased to state:

(a) whether Government have received representation to reduce customs duty on pesticides, fungicides, weedicides so that these are available to the farmers at reasonable price; and

(b) if so, to what extent the relief is proposed to be given by way of reduction?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). Government had received representations for reduction of customs duty on pesticides, fungicides, weedicides. After taking into account, *inter alia*, the plans for indigenous production and the manufacturers' willingness to pass on the benefit to the ultimate consumer, total incidence of customs duty on Phosalone has been reduced from 75 per cent *ad valorem* to 45 per cent *ad valorem* by issue of an exemption notification on 15-11-1977.

**Norms of airline safety**

862. SHRI K. RAMAMURTHY: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the norms of airline safety, with particular reference to pilots; and

(b) the number of pilots each Third-Level Airline's aircraft is likely to have when the scheme is implemented?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) The proficiency requirements as also the privileges of those who hold various categories of flying licences are spelt out in Schedule II of the Aircraft Rules, 1937. These are periodically reviewed and updated.

(b) Number of pilots will depend upon the type of aircraft selected which will be decided only after the finalization of the proposal for the third level operations.

**Survey for Tourist Accommodation Requirements**

863. SHRI S. D. SOMASUNDARAM: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the results of the survey conducted at selected centres for making a realistic assessment of tourist accommodation requirements; and

(b) the position of accommodation in respect of Madras and the concrete steps proposed to be taken to augment the accommodation available?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) The results of the surveys conducted during 1973-75 at selected centres for assessing tourist accommodation requirements were tentative in nature. However, in order to have a more realistic assessment of tourist accommodation requirements, a country-wide survey is proposed in collaboration with various agencies comprising the Tourism Industry.

(b) Hotel occupancy data being received from approved hotels in Madras do not reveal any shortage of hotel accommodation. However, the proposed survey mentioned in para (a) above will determine the requirements of hotel accommodation for different categories of tourists. The question of augmenting hotel accommodation in Madras can thereafter be considered on the basis of the survey.

**Hiring out of airbus to Air India  
Resulted in loss to I.A.**

**864. SHRI SAUGATA ROY:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state.

(a) whether the Indian airlines is suffering a loss by hiring out an airbus to Air India for its flights to Gulf countries; and

(b) if so, the reasons for this arrangement and the steps taken to record this loss for the Indian Airlines?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):**

(a) No, Sir.

(b) Does not arise.

**Inquiry into the advances made by nationalised banks to various companies in the Private Sector**

**865. SHRI G. M. BANATWALLA:**

**SHRI MUKHTIAR SINGH  
MALIK**

Will the Minister of FINANCE be pleased to state.

(a) whether Government have since completed the inquiry into the advances made by the nationalised banks to various companies in the private sector;

(b) if so, the outcome of this inquiry;

(c) whether any irregularities in advancing of loans have been detected; and

(d) if so, what action Government have taken in this regard?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):**

(a) to (d). Government have not

made any inquiry into the advances made by nationalised banks to various companies in the private sector.

The cases of irregularities, if any, committed by banks in not following the prescribed procedure are generally looked into by the Reserve Bank of India during the course of inspections of banks carried out under the Banking Regulation Act, 1949 and brought out in inspection reports on the banks concerned for necessary action.

However, in two specific cases relating Maruti Group of Companies and Kohinoor Mills Co. Ltd. inquiries are being conducted respectively by a Commission of Inquiry set up under the Commission of Inquiry Act, 1952 and an Inquiry Committee appointed by the Government. The terms of reference of the Commission of Inquiry, *inter-alia*, include all matters relating to the securing of accommodation, loans or assistance from nationalised banks and other financial institutions including the eligibility of these concerns, i.e., Maruti Group of Companies) to obtain the financial assistance sought for, the standard of care with which the applications were considered and the measure of conformity to the policies, practices, rules and directives for the time being in force in regard to grant of such assistance. The One-man Inquiry Committee relating to Kohinoor Mills will, *inter-alia*, enquiry whether the advances/facilities made by Central Bank to Kohinoor Mills were allowed after taking due sanctions and observing normal safeguards and whether there were irregularities or impropriety in the conduct of account by the Bank.

**Study Group to make Recommendations on Wages Income and Price Policy**

\*866. SHRI K. PRADHANI:

SHRI K. LAKKAPPA:

SHRI SURENDRA BIKRAM:

SHRI PRASANNBHAI

MEHTA:

SHRI K. A. RAJAN:

Will the Minister of FINANCE be pleased to state:

(a) whether Government has set up Study Group to make recommendations on a comprehensive wages, incomes and price policy covering all sectors of the national economy;

(b) if so, the names of its members;

(c) whether Government have already set up a sub-committee to look into the question of wages, incomes and prices; and

(d) if so, the details thereof and when its report is likely to be submitted?

The MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL).  
(i) to (d). Presumably the Honourable Member is referring to the Study Group on Wages, Incomes and Prices, set up by the Government in October, 1977. The composition of the Study Group is as follows:

1. Shri S. Bhoothalingam—Chairman.
2. Dr. Dharam Narin—Member.
3. Shri Arvind Buch—Member.
4. Shri Hiten Bhaya—Member.
5. Prof. Samuel Paul—Member.
6. Shri G. C. Katoch—Member-Secretary.

2. The Study Group will prepare a draft policy on Wages, Incomes and Prices. In framing this draft policy, the Study Group will consider the following issues:

2451 LS-4.

(i) What should be the minimum wage and what should be the norms with reference to which the minimum wage should be determined.

(ii) Whether the minimum wage should be uniform or could be different as between.

(a) Agriculture, Industry and Services,

(b) Organised and Unorganised Sectors,

(c) Urban and Rural Sectors,

(d) Between different States/regions,

(e) Between different employers in the organised sector.

(ii) What should be the relevant criteria for determining the differentials between minimum wage and maximum wage and whether the ratio between minimum-maximum wages should be uniform, or could be different in the sectors referred to in (ii) above.

(iv) What should be the criteria for determining maximum income and what relationship should exist between maximum income and maximum wages.

(v) What should be the linkage between wages, and incomes and prices, and to review in this connection the existing arrangements for regulation of dearness allowance in private and public sectors.

(vi) What fiscal, economic and other policies should be adopted for achieving objectives of the proposed policy on wages, incomes and prices.

(vii) Whether any legislative changes would be required for implementing the proposed policy on wages, incomes and prices.

3. The Study Group is required to submit its report within six months.

**Villages covered by Nationalised Banks**

**867. SHRI P. RAJAGOPAL NAIDU:** Will the Minister of FINANCE be pleased to state:

(a) the number of villages covered by the 14 nationalised banks by the end of July, 1977;

(b) the number of villages remaining uncovered;

(c) credit given by the 14 nationalised Banks during 1976-77,

(d) credit given to agriculture during 1976-77;

(e) the number of agricultural workers and agriculturists covered during that year;

(f) the number of lead Districts of 14 nationalised banks; and

(g) the number of lead districts in which the credit plans were prepared and implemented?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) and (b). As at the end of July 1977, 4540 branches of the 14 nationalised banks were functioning at rural centres i.e. places with a population upto 10,000. These branches cater to the needs of not only the centres at which they are located but also of the other villages within their areas of operation, either directly or through the adopted Primary Agricultural Credit Societies or Farmers' Service Societies. It is not, however, possible to precisely estimate the number of villages covered by the 14 nationalised banks or the banking system.

(c) The Reserve Bank have reported that as at the end of March 1977, the total advances of the 14 nationalised banks to all the sectors amounted to Rs. 7524 crores.

(d) and (e). The Reserve Bank have also reported that total outstanding advances of the 14 nationalised banks to the agricultural sector amounted to

Rs. 786.8 crores involving 26,58,719 borrowing accounts as at the end of March 1977. Of these Rs. 568.06 crores was by way of direct finance to agriculture involving 23,76,644 borrowing accounts.

(f) and (g). Under the Lead Bank Scheme, the 14 nationalised banks have been allotted 272 districts. According to available data, as at the end of June 1977, the nationalised banks had prepared credit plans in respect of 97 districts, of which 33 were launched for implementation. Of the remaining districts, six districts are with private sector banks and the rest with the State Bank of India Group.

**Notices served by Income Tax Department on Persons Detained under COFEPOSA or MISA**

**868. SHRI C. K. CHANDRAPPAN:**

**SHRI S. G. MURUGAIYAN:**

Will the Minister of FINANCE be pleased to state:

(a) whether the Income tax authorities have served notices of attachment and confiscation of properties on 900 persons detained under COFEPOSA or MISA for involvement in smuggling operations; and

(b) if so, when the notices were served and what are the details of the properties confiscated so far?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):**

(a) Under the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976, which specifically provides for forfeiture of illegally acquired properties of smugglers and of their relatives and associates (and which is administered by the Central Board of District Taxes), 186 forfeiture orders have been passed by the Competent Authorities appointed under the Act, declaring that

properties valued at Rs. 4.80 crores stand forfeited to the Central Government. Of these, 62 forfeited orders are in respect of detenus who had been detained under COFEPOSA, the aggregate value of the properties involved in these forfeiture orders being Rs. 2.59 crores. Further, in 752 cases, proceedings under the said Act for forfeiting properties valued at Rs. 21.78 crores are in progress. Of these, 244 proceedings covering properties valued at Rs. 6.82 crores are in respect of detenus who had been detained under COFEPOSA. Besides, in a large number of cases (including COFEPOSA detenus) preliminary enquiries are in progress.

(b) Immovable properties valued at Rs. 2.13 crores and movable properties valued at Rs. 2.67 crores stand forfeited by the orders of forfeiture numbering 186, mentioned in (a) above. Of these, the value of the immovable properties belonging to the detenus aggregate to Rs. 1.24 crores, while the value of the movables belonging to the detenus aggregate to Rs. 1.35 crores.

Information regarding the dates of services of the notices and further details of the properties covered by such notices is not readily available. This shall have to be collected from all over the country entailing enormous time and labour which may not be commensurate with the result sought to be achieved. If the Hon'ble Members desire the said information in respect of any particular detenu, the same can be laid on the Table of the House.

छिपे खजाने का पता लगाने के लिये खुदाई कार्य पर लब्द

लेखा 869. श्री बुजराज सिंह : यथा वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) उन अधिकारियों के नाम क्या हैं जिनके आदेश पर कुछ स्थानों में खुदाई का काम आरम्भ किया गया था वहां आपात-

स्थिति के दौरान खजाना के लिये होने की बात कही गई थी और उस पर कितनी धनराशि खबर की गई थी और वहां से कितना धन प्राप्त हुआ; और

(ख) यदि खुदाई से कोई छन नहीं निकला तो इसके लिये जिम्मेदार अधिकारियों के नाम क्या हैं और उनके विशद क्या कार्यवाही की जा रही है ?

वित्त तथा राजस्व और बैंकिंग भावी (श्री एच० एम० पटेल) : (क) श्री और (ख) आपातस्थिति के दौरान, जयगढ़ किले में 'छिपे खजाने' का पता लगाने के लिये खुदाई कार्य किया गया था ।

जयगढ़ किले में जिस खजाने के लिये जाने का विश्वास किया जाता है, उसकी खोज जून, 1976 में शुरू हुई और नवम्बर, 1976 में छोड़ दी गयी । यह खोज, भारत मरकार के सांस्कृतिक विभाग तथा जयगढ़ के कर्नल भवानी सिंह जी द्वारा इस सम्बन्ध में दिनांक 22 मई, 1976 को किये गये एक समझौते के अन्तर्गत की गयी थी । इन खोज कार्यों में राष्ट्रीय भू-भौतिकी अनुसन्धान संस्थान के बैंकारिकों, भारतीय सेना के इन्फ्री-नियर कार के अधिकारियों, केन्द्रीय लोक निर्माण विभाग, राजस्थान राज्य भूमि-जल विभाग तथा भारत के पुरातत्व सर्वेक्षण विभाग के कर्मचारियों ने भाग लिया, जिनका समन्वय निरीक्षण निदेशक (जांच-पड़ताल), आयकर विभाग द्वारा किया गया था । चूंकि किसी छिपे खजाने का पता नहीं चला, इसलिये, इसके नहीं पाये जाने के लिये किसी व्यक्ति के विशद कार्यवाही करने का प्रश्न ही नहीं उठता था ।

खुदाई-कार्यों पर किया गया व्यय, जैसा कि इन कार्यों में लगी विभिन्न एजेन्सियों द्वारा अब तक बताया गया है, 2,40,989 रु आता है।

**Financial help by Indians in Gulf countries for airport in Cochin/ Trivandrum**

870. SHRI K. A. RAJAN:

SHRI N. SREEKANTAN NAIR:

SHRI M. N. GOVINDAN NAIR:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the Indians in Gulf countries have offered full financial support for the construction of an international airport at Cochin/Trivandrum; and

(b) if so, the details thereof and Government's decision in this regard?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):

(a) and (b). Indians in the Gulf countries offered to raise funds to the extent of Rs. 8 crores approximately for construction of an international airport at Cochin, through debentures, lotteries and soft loans from the Gulf countries.

Government do not consider it appropriate to accept any grant from private parties for the purpose of developing Trivandrum aerodrome to make it suitable for operation of direct flights to Gulf countries. However, the question of developing Trivandrum aerodrome by Government, themselves, for this purpose, is under active consideration.

**Aerodrome at Kayathar in Tamilnadu**

871. SHRI K. T. KOSALRAM:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government are aware that in Kayathar in Tirunelveli district, Tamil Nadu State, there was an Aerodrome during the period of the war;

(b) whether there is any proposal to have an aerodrome in the same place in view of its proximity to Tuticorin where a new port has recently been completed and which is also the Headquarter of the Tirunelveli District and is also near Kanyakumari; and

(c) whether he is aware that Kayathar was selected earlier as a suitable place for locating an Aerodrome by the then Finance Minister, Shri T. T. Krishnamachari?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):

(a) Yes Sir. There is a discussed I. F. aerodrome at Kayathar.

(b) No, Sir.

(c) Government have no records after this long lapse of time to indicate whether or not the then Finance Minister, Shri T. T. Krishnamachari selected Kayather as a suitable place for locating an aerodrome

Members of present Council of Ministers who were wealth-tax payers on 31st March, 1977

872. SHRI HITENDRA DESAI: Will the Minister of FINANCE be pleased to state:

(a) the names of the Members of the present Council of Ministers who were wealth-tax payers on the 31st March, 1977; and

(b) the year up to which assessment in respect of each of the aforesaid tax payers had been made up to the 31st March, 1977 and the total wealth of each of them assessed?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). There are 44 members of the Council of Ministers. The information as to where they are assessed is not readily available. The information is being collected from the field offices. A statement giving:

(i) the names of the Members of the Council of Ministers who were wealth-tax payers on the 31st March, 1977;

(ii) the latest assessment year upto which wealth-tax assessments have been completed in respect of (i) and

(iii) the total assessed wealth as per the latest assessment will be laid down on the Table of the House

राष्ट्रीयकृत बैंकों में ऋण देने सम्बन्धी प्रक्रिया

873. श्री रामेश्वर पाटीवारः :

श्री सुभाष ग्राहनः :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राष्ट्रीय बैंकों को निर्देश दिये गये हैं कि वे ऋण देने की प्रक्रिया को सरल बनायें; और

(ख) यदि हां तो किन बैंकों के ऋण देने संबंधी प्रक्रिया को सरल बनाने के निर्देश जारी किये गये हैं?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एम० एम० पटेल): (क) और (ख). सरकारी क्षेत्र के बैंकों को ऋण देने की प्रक्रिया की निरन्तर समीक्षा की जाती है और समय समय पर उसमें संशोधन किये जाते हैं। प्राथमिकता प्राप्त क्षेत्र, जिसमें कृषि, लोटे पैंगाने के उद्योग, परिवहन संचालक, व्यावसायिक और स्वयं नियोजित व्यक्ति, खुदारा व्यापार, लोटे व्यवसाय और शिक्षा शामिल है, के लिए ऋणकर्ताओं को ऋण मंजर लाने की प्रक्रिया को सरल और कारगर बनाने के लिए सरकारी क्षेत्र के बैंकों ने निम्नलिखित उपाय किये हैं:—

(1) आवेदन पत्रों का सरलीकरण तथा उन्हें क्षेत्रीय भाषाओं में उपलब्ध कराना;

(2) आवेदन पत्र को भरने में बैंक कर्मचारियों द्वारा ऋणकर्ता की महायता;

(3) ऋण आवेदन पत्रों के लिए मूल्यांकन के लिए आवश्यक तकनीकी और अन्य विषेष ज्ञान वाले बैंक कर्मचारियों की उचित स्तर पर बृद्धि;

(4) बैंक कर्ताओं के अलावा लोटे उद्यम कर्ताओं के मार्गदर्शन के लिए अवश्य वित्तीय और प्रबन्ध सहायता महिन पैकेज सेवाओं की व्यवस्था के लिए नूनी ही शाखाओं में परामर्श मेवाओं की व्यवस्था;

(5) ऋण मंजूर करने के लिए क्षेत्रीय शाखा प्रबिकारियों को अधिक शक्तियों का प्रत्यायोजन।

**Imported rapeseed oil sale racket in Delhi and other parts in the country**

**874. SHRI MUKHTIAR SINGH MALIK:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether imported rapeseed oil sales racket have been unearthed in the capital and in some other places in the country; and

(b) if so, the *modus operandi* of this fraud by the traders?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHAN KUMAR GOYAL):** (a) and (b). Complaints received by the Delhi Administration and other State Governments are looked into by the concerned authorities and appropriate action taken in accordance with the provisions of the relevant pieces of legislation like the Essential Commodities Act, any orders issued thereunder, Prevention of Food Adulteration Act and the like.

**Submission of report of Bhoothalingam Commission**

**875. SHRI MANI RAM BAGRI; SHRI K. A. RAJAN:**

Will the Minister of FINANCE be pleased to state:

(a) whether the Bhoothalingam Commission will look into the wages, dearness allowance, house rent allowance, C.C.A. and other allowances admissible in public and private sectors;

(b) whether the Commission will also look into the wages of agricultural labour; and

(c) the time by which the report will be submitted to Government and the terms of reference of the Commission?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI**

**H. M. PATEL):** (a) The Study Group on Wages, Incomes and Prices under the Chairmanship of Shri S. Bhoothalingam will look into different components of wages.

(b) Yes, Sir.

(c) The Study Group will submit its report within six months.

The Study Group will prepare a draft policy on Wages, Incomes and Prices. In framing this draft policy, the Study Group will consider the following issues:—

(i) What should be the minimum wage and what should be the norms with reference to which the minimum wage should be determined.

(ii) Whether the minimum wage should be uniform or could be different as between—

(a) Agriculture, Industry and Services,

(b) Organised and Unorganised Sectors,

(c) Urban and Rural Sectors,

(d) Between different States/regions.

(e) Between different employers in the organised sector.

(iii) What should be the relevant criteria for determining the differentials between minimum wage and maximum wage and whether the ratio between minimum-maximum wages should be uniform, or could be different in the sectors referred to in (ii) above.

(iv) What should be the criteria for determining maximum income and what relationship should exist between maximum income and maximum wages.

(v) What should be the linkage between wages, incomes and prices, and to review in this connection the existing arrangements for regulation of dearness allowance in private and public sectors.

(vi) What fiscal, economic and other policies should be adopted for achieving objectives of the proposed policy on wages, incomes and prices.

(vii) Whether any legislative changes would be required for implementing the proposed policy on wages, incomes and prices.

**Availability of rapeseed oil at reasonable prices**

876. SHRI SHAMBHU NATH CHATURVEDI: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Government are aware that rapeseed oil which was imported and was to be sold at Rs. 7.50 per kilogram is by and large mixed with mustard oil and sold at Rs. 13 to 14 per kilogram; and

(b) if so, the steps Government have taken or propose to take to stop such malpractices and make it available to the public at its declared price?

THE MINISTER OF STATE IN THE MINISIRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHAN KUMAR GOYAL) (a) and (b). No specific complaints of adulteration of imported rapeseed oil with mustard oil have been received. However, some reports to this effect have appeared in some newspapers and the State Governments have been advised to check such malpractices, if any, under the provisions of the relevant pieces of legislation like the Essential Commodities Act and any orders issued thereunder, Prevention of Food Adulteration Act and the like.

**भारत को पूरोपीय मुद्रा का ऋण**

877. श्री सुरील कुमार धारा : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) भगत, 1977 में प्रतराष्ट्रीय पंजी पेंट में भारत के शामिल होने के बाद भारत को जिस 5 करोड़ डालर के पूरोपीय मुद्रा ऋण की पेशकश की गई थी वह उसे कब तक उपलब्ध हो जायेगा;

(ख) यह ऋण किस प्रयोजन के लिये उपयोग में लाया जायेगा;

(ग) व्याज की दर में भारत को कितनी रियायत की पेशकश की गई है;

(घ) क्या ऐसे ऋण भविष्य में अन्य विकासशील देशों को भी दिये जाने की आशा है; और

(ङ) इस ऋण की शतं विष्व बैंक की शतों की तुलना में कैसी है?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) : (क) तेल और प्राकृतिक गैस आयोग ने 7 नवम्बर, 1977 को अन्तर्राष्ट्रीय बैंकों के एक मिडिकेट के माध्य 5 करोड़ अमरीकी डालर के लिए एक ऋण करार निष्पन्न किया। ऋण के अतर्थत रकम की निकासी तत्काल शुरू की जा सकती है।

(ख) इस ऋण का उपयोग बम्बई हाई के विकास के लिए किया जाएगा।

(ग) और (ङ), यह ऋण 7 वर्ष की अवधि के लिए होगा जिसमें 3 वर्ष की रियायती अवधि शामिल है। इसके व्याज की दर लन्दन इंटर बैंक द्वारा प्रस्तुत दर से 1 प्रतिशत ऊपर होगी। इन शतों को भारत के लिये अत्यन्त साम्प्रद माना गया है। दूसरी ओर विष्व बैंक के ऋण आमतौर

पर 20 वर्ष की अवधि के लिए होते हैं और इस समय उनके व्याज की दर 7.5 प्रतिशत है।

(ब) इस विषय में हमारे पास कोई सूचना नहीं है।

**Steps taken to attract community savings into bank deposits**

**878 SHRI RAMANAND TIWARY:** Will the Minister of FINANCE be pleased to state the steps being taken to attract more community savings into bank deposits and deploy resources judiciously for productive purposes?

**THE MINISIER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** Some of the steps that banks are taking to attract more community savings in the form of bank deposits are branch expansion in areas not adequately served by the banking system or having large deposit potential; formulation of special deposit schemes to meet the requirements of diverse types of depositors; organisation of special publicity campaigns for deposit mobilisation, formulation of performance budgets for branches taking into account the deposit potential of the area of their operation and provision of incentives to the staff.

To ensure that the direction and quantum of credit extended by them accord with the overall priorities laid down by the Reserve Bank, banks are increasingly resorting to credit planning for achieving increased investment and production in specific sectors and augmenting supplies of essential consumer goods. Banks have evolved procedures for proper assessment of credit proposals to ensure that they are need-based and also for post-sanction supervision to see that credit is utilised by the borrowers for the purposes for which it has been sanctioned. To encourage small productive ventures, banks are devoting special

attention to the needs of small borrowers in the hitherto neglected sectors.

Taking into account the primacy of the rural areas in our scheme of development, banks have also been advised to endeavour to enlarge credit assistance in the rural areas.

**सुलतानगंज के लिये विमान सेवा**

**879. डॉ रामजी सिंह :** क्या पंडित और नागर विमान मंत्री यह बताने की कृपा करेंगे कि-

(क) क्या इस तथ्य के बावजूद कि सुलतानगंज एक डिविजनल मुख्यालय होने तथा वहां विश्वविद्यालय का कार्यालय होने के साथ वहां भागलपुर में विकासगिरि, प्राचीन मंदिराचल, चम्पापुरी, कर्णगढ़ तथा ध्रजगोनीनाथ जैसे ऐतिहासिक महत्व के दर्जन से भी अधिक स्थान हैं, उस क्षेत्र की सेवा के लिये कोई विमान सेवा आरम्भ नहीं की गई है;

(ब) क्या नागर विमान सेवाग का विवार प्रयोग के आधार पर कम से कम सप्ताह में तीन बार एक विमान में आरम्भ करने का है; और

(ग) यदि हा, तो यह सेवा कब आरम्भ हो जाने की संभावना है?

**पंडित और नागर विमान मंत्री औ पूर्ववौलम कौशिक :** (क) से (ग). 1973 में इंडियन एयरलाइंज द्वारा किये गये एक यातायात सम्बन्धित व्यवहार्यता सर्वेक्षण से पता चला कि भागलपुर के लिए एक विमान सेवा चालू करना उनके लिए

बहुत ही अलापकारी होगा । अत निकट भविष्य में भागलपुर को हवाई सेवा से जोड़ने की इडियन एयरलाइंस की कोई योजना नहीं है ।

मुलतानगढ़ के लिए विमान सेवा चालू करना सम्भव नहीं है । क्योंकि वहाँ कोई विमान क्षेत्र ही नहीं है । इस क्षेत्र की आवश्यकता पूर्ति पटना हवाई पड़े द्वारा की जाती है जहाँ में हो कर इडियन एयरलाइंस दैनिक विमान मत्रा परिवालित कर रही है ।

#### Indian Pavilions at International Trade Fair abroad

980 SHRI M A HANNAN ALIHAJ Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state

(a) what is the procedure of getting Indian Pavilions erected at International Trade Fairs abroad,

(b) in the procedure fool proof, and

(c) whether those structures are auctioned after the fairs or the money just goes waste once the fair is over?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHAN KUMAR GOYAL) (a) to (c) For erection pavilions at international trade fairs abroad the designs of the pavilion or of modifications/rennovations where the building is already in existence and internal fixtures of platforms/props and electrification and basic layout of display are prepared by the Technical Division of the Trade Fair Authority of India (an undertaking of the Ministry of Commerce and Civil Supplies and Cooperation)

The drawings prepared by the Trade Fair Authority are supplied to the concerned Indian Missions abroad or a

senior officer is sent from here who, in keeping with the laid-down procedure of calling for tenders on the basis of the drawings, call for bids from well-established contractors for execution of the job. After negotiations with the lowest bidder in an effort to further cut down the bid the contract is awarded.

In case where an exclusive Indian Exhibition or a large scale participation is to be arranged or where facilities for construction/erection are meagre a senior officer of the Trade Fair Authority is sent to the venue of the fair for advance planning sufficiently in advance for on the spot assessment of the facilities available. Basing on his assessment further action is taken for providing requisite assistance from India.

The procedure adopted has been found fool proof.

At International Fairs wherever we have built our own pavilions the structures remain our own property and we use them whenever we participate. At regular and established fairs usually we hire only covered space and to achieve the twin purpose of cutting down the costs and avoiding heavy dismantling costs we call for quotations for internal fixtures platforms/bases/electrification etc from contractor on the basis that the material would remain their property.

वर्ष 1976-77 के बौद्धन लाला नेलो के आयात के लिये लाइसेंस

881 श्री सुभाष श्रावजा क्या वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्री यह बताने की कृपा करेंगे तिं

(क) वर्ष 1976-77 में खाद्य तेल के आयात के लिये कितने मत्य के लाइसेंस जारी किये गये,

(ब) इस अवधि में किसने मूल्य के खाते तेलों का आधार किया गया; और

(ग) खेत तेल का आधार न करने के या कारण हैं?

विभाग तथा नागरिक पूर्ति और सह-कारिता भंगालम्प में राज्य मंत्री (श्री हर्ष कुमार गोपल) :

(क) 788 करोड़ रु० ।

(ख) 82 करोड़ रु० ।

(ग) आधार लाइसेंसों के आधार पर आधार भंगालित लाइसेंस की वैधता अवधि के भीतर एक समयावधि में किये जाते हैं। 1976-77 में जारी किये गये अधिकांश लाइसेंसों का उपयोग सम्बन्धतः मार्च, '77 तक न किया गया हो क्योंकि खाते तेलों के लिये अधिकांश लाइसेंस फरवरी-मार्च, '77 के दौरान दिये गये थे।

विहार के नालन्दा जिले में शिक्षित बेरोजगारों को राष्ट्रीयकृत बैंकों द्वारा ऋण

882. श्री बीरेन्द्र प्रसाद : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राष्ट्रीयकृत बैंकों द्वारा शिक्षित बेरोजगारों और समाज के निम्न वर्गों को दिये जाने वाली ऋण सम्बन्धी नीति समाप्त कर दी गई है, यदि हाँ, तो इसके क्या कारण हैं;

(ख) बिहार राज्य में नालन्दा जिले के राष्ट्रीयकृत बैंकों ने शिक्षित बेरोजगारों और समाज के निम्न वर्गों को दिये जाने वाले ऋण बन्स्तुतः रोक दिये हैं और इन बैंकों द्वारा मनमाने ढंग से ऋण दिये जाते हैं जिससे वहाँ खट्टाचार को बढ़ावा मिल रहा है; और

(ग) क्या सरकार का विचार हम भाग्य में जांच करने और उचित कार्यवाही करने का है?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) : (क) जी, नहीं।

(ख) और (ग). सरकारी खेत के बैंक शिक्षित बेरोजगारों और समाज के कमज़ोर वर्गों को प्राचमिकता के आधार पर ऋण प्रदान कर रहे हैं।

विहार राज्य के बारे में निम्नलिखित आपकड़ प्रकट करते हैं कि पांच लाख व्यक्तियों के लिये रोजगार कार्यक्रम/रोजगार प्रोत्साहन कार्यक्रम के अन्तर्गत खातों की संख्या और उन खातों में बकाया राशि दिसम्बर, 1975 और दिसम्बर, 1976 के बीच बढ़कर 12½ गुना से अधिक हो गई है। व्यवसायिक और स्वानियोजित व्यक्तियों के विषय में भी इसी अवधि में खातों की संख्या 2½ गुना बढ़ गई है और उनमें बकाया राशि लगभग 2 गुना हो गई है।

## बिहार राज्य में ऋण\*\*

	दिसम्बर, 1975	दिसम्बर, 1976
बातों की संख्या	बकाया राशि (लाख रु० में)	बातों की संख्या (लाख रु० में)
(क) 5 लाख ध्यक्तियों के लिये रोज़गार कार्यक्रम रोजगार प्रोत्साहन कार्यक्रम के अन्तर्गत ऋण	4386*	396.9 10127* 1018.3
(ख) अवसाधि, और स्वनियोजित ध्यक्ति	7382	131.1 18005 223.5

\*स्वीकृत आवेदन पत्रों की संख्या

\*\*अनन्तिम

नालंदा जिले में राष्ट्रीयकृत बैंकों द्वारा ऋण स्वीकार करने में भार्टाचार का कोई भी मामला सरकार के द्वायान में नहीं लाया गया है। जब और जैसे ही विशिष्ट मामलों की सूचना मिलती है उनकी जांच की जाती है और हर मामले के गुणावण्ण के आधार पर समुचित कार्यवाही की जाती है।

## Development of Tourism in Gujarat

883. SHRI AHMED M. PATEL: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the amount earmarked for development of tourism in the State of Gujarat in the years 1975-76 and 1976-77;

(b) the amount spent during that period with details; and

(c) the amount sanctioned for the year 1977-78?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOT TAM KAUSHIK): (a) The Central Department of Tourism had provided

Rs. 1 lakh and Rs. 8.49 lakhs for tourist schemes in the State of Gujarat for the years 1975-76 and 1976-77 respectively.

(b) In the year 1975-76 a sum of Rs. 54,176/- was utilised for construction of a forest lodge at Sassangir (lion Sanctuary); in the year 1976-77 a further sum of Rs. 3,37,809 was spent on the construction and furnishings of this forest lodge.

(c) An additional expenditure of Rs. 6.59 lakhs is anticipated during 1977-78 for the completion of this forest lodge.

उचित दर की दुकानों द्वारा प्रामीणों को मैदा तथा सूजी की सप्लाई न किया जाना

884. श्री पुरुषोत्तम काशिकी : क्या आगिल्य तथा नागरिक पूर्वत और सहकारिता मंदी यह बताने की मुद्दा करेंगे कि :

(क) क्या प्रामीण छोलों में स्थित उचित दर की दुकानों प्रामीणों को मैदा तथा सूजी की सप्लाई नहीं करती है;

(ख) क्या वर्ष 1975 तथा 1976 में अरहर तथा मूँग जैसी दाले और सरसो का तेल क्रमशः 2 50 रुपये और 7 या 8 रुपये प्रति किलो खुने बाजार में बिकती थीं

(ग) क्या सरकार वा विचार ग्रामीण ज़ोलों में निर्धनता को ध्यान में रखकर दाने तथा सरसो का तेल अवयवा रेप सीड़ आयल को नियंत्रित सम्ने दामों पर सालार्ट बदलने के प्रबन्ध बदलन का है और

(द) यदि उत्तराखण्ड (र) ( ) तथा (ग) भागों का उन्नर स्वीकारात्मक है तो ग्रामीणों का दाला तथा तर की मालाई मूल्य दामों पर कब तक बदल दी जाएगी?

वाणिज्य तथा नागरिक पूर्ति और सह-कारिता भवालय में राज्य भवी (श्री कुमार गोपल) (र) गैरु १ आमानी में उपलब्ध हान तथा 30 नवम्बर 1976 में गैरु से बनी बग्नुओं पर में मूल्य नियंत्रण हटा लिय जाने परिणामस्वरूप मैदा और मूँग खले बाजार में प्रासानी में उपलब्ध हैं।

(ख) वर्ष 1975 में चन रुद्रा और अरहर की दाने के बुदरा मूल्य 2 50 रुपये प्रति किलोग्राम से 2 60 रुपये प्रति किलोग्राम ते बीच थे और वर्ष 1976 में चन युदरा मूल्य 2 10 रुपये प्रति किलोग्राम से 2 60 रुपये प्रति किलोग्राम ते बीच रहे। मग चन युदरा मूल्य 1975 में 2 80 रुपये प्रति किलोग्राम और 3 60 रुपये प्रति किलोग्राम ते बीच रहे जबकि वर्ष 1976 में इसके मूल्य 2 50 रुपये प्रति किलोग्राम से 2 80 रुपये प्रति किंवदं के बीच थे। वर्ष 1975 में सरसो के तेल के खुदरा मूल्य 5 80 रुपये प्रति किलोग्राम से 8 00 रुपये प्रति किलोग्राम के बीच थे और वर्ष 1976 में इसके मूल्य 5 20 रुपये प्रति किलोग्राम से 9 60 रुपये प्रति किंवदं के बीच रहे।

(ग) और (घ) इस समय इस मामले पर सरकार मत्रियता से विचार कर रही है।

#### Daily Boeing Service between Calcutta and Agartala

885 SHRI SOMNATH CHATTERJEE Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state

(a) whether attention of Government has been drawn to the demand made by several organisations of Tripura for the resumption of Daily Boeing Service between Calcutta and Agartala and

(b) if so reaction of Government thereto?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOT TAM KAUSHIK) (a) and (b) Yes Sir Indian Air lines propose to resume the daily Boeing-737 air service between Calcutta and Agartala after the three new Boeing 727 aircraft are put into operation

#### Completion of Puri Konark Road on Sea Beach

887 SHRI PADMACHARAN SAMANTASINH FRA Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state

(a) whether the Puri Konark Road on sea beach has been completed

(b) if not what is the cause of delay and what is its present position and

(c) when is it going to be completed?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOT TAM KAUSHIK) (a) No Sir

(b) Due to constraint on resources the planning Commission advised the State Government to concentrate on

road projects already in progress during the Fifth plan period.

(c) Depends on availability of funds and priorities assigned in the Sixth Plan period.

**Seizures made during Emergency from Jaipur and Gwalior Palaces**

888. SHRI HARI VISHNU KAMATH: Will the Minister of FINANCE be pleased to refer to the reply given to Unstarred Question 6384 on 5th August, 1977 regarding treasure unearthed in Jaigarh Fort and state:

(a) whether the adjudication proceeding in respect of seizures made during the Emergency period from Jaipur and Gwalior palaces have been completed; and

(b) if so, the outcome thereof?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). Adjudication proceedings under Gold (Control) Act in respect of seizures from Jaipur and Gwalior Palaces during the Emergency are still in progress.

**Recruitment in Marine Products Export Development Authority**

889. SHRI B LAK RAM: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether a number of over-aged and unqualified persons were recruited in the Marine Products Export Development Authority;

(b) whether a review of all the appointments made from 1st September, 1972 to 31st August, 1977 with reference to age qualifications and experience will be undertaken to locate the irregularities;

(c) whether it is a fact that all irregularities were covered by conducting a so-called management test by the School of Management Studies;

(d) whether certain selected SSLC candidates were allowed to appear alongwith Graduates and Post-graduates for Senior Clerks Test; and

(e) whether test papers of the candidates will be scrutinised to locate the malpractices?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) to (e). An enquiry is being made into recruitments made in Marine Products Export Development Authority since 1-9-1972 and based on the findings a reply to the question will be placed on the Table of the House.

**Metal Detector for International Flights at Bombay**

890. SHRI EDUARDO FALEIRO: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether five Japanese passengers who boarded a JAL aircraft in Bombay recently, subsequently hijacked the same;

(b) whether on that occasion there was no security check at Bombay Airport at all; and

(c) whether on international flights there is no metal detector used at Bombay, though Airport authorities have often been alerted to the presence of so-called Japanese Red Army men time and again?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURSHOTAM KAUSHIK): (a) Full facts about the hijacking are not yet available as the matter is still under investigation.

(b) Security Check was conducted at Bombay Airport.

(c) On 28th September, 1977, the date of hijacking, there was no door

type metal detector on the international side at Bombay Airport. However, two hand-held metal detectors which serve the same purpose were in fact, being used.

**Arrests under COFEPOSA by Customs and Enforcement Directorate**

891. SHRI M. KALYANASUNDARAM: Will the Minister of FINANCE be pleased to state:

(a) whether Government have allowed the Customs and Enforcement Directorate to make fresh arrests under the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act;

(b) if so, the reasons therefor; and

(c) the number of fresh arrests made thereunder?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). Detentions under the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 are ordered by the Central Government and the State Government/Union Territories and their empowered officers and not by the Customs and Enforcement Directorate. Detentions under the provisions of the said Act are made on a selective basis against organised or habitual smugglers and foreign exchange racketeers.

(c) 64 persons have been detained under the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 out of 86 orders of detention issued during 21-3-1977 to 11-11-1977.

**Foreign Exchange clearance obtained by Air France in India from Reserve Bank of India**

892. SHRI RAM DHARI SHASTRI: Will the Minister of FINANCE be pleased to state:

(a) whether Air France in India is invariably issuing air tickets to Passengers in duplicate from various stations in India;

(b) whether in this process they are obtaining the clearance of Reserve Bank for obtaining foreign exchange on original ticket as well as on duplicate in fraudulent manners and foreign exchange of lakhs of rupees is being drained away from India every month; and

(c) if so, the loss of foreign exchange so far and the measures Government propose to take to check the fraudulent activities of Air France in future?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). No instance of Air France in India issuing air tickets in duplicate to passengers from various stations in India has come to the notice of Government. The procedure followed by the Reserve Bank for acceding permission to remit surplus passage earnings is that airlines have to submit an application to the Reserve Bank of India in respect of tickets issued against payment in rupees in India. The following documents are required to be supplied by the airline with their application:—

(i) 'P' form/FTS form approved by the Reserve Bank of India.

(ii) Details of permits issued by the Reserve Bank of India releasing foreign exchange for various purposes such as business travel/studies etc.

(iii) Dummy 'P' forms where airlines have necessary authority to book passages without obtaining Reserve Bank's approval.

Application for remittances of surplus passage collections are considered on the basis of bookings undertaken at the initial point of embarkation and documents mentioned above submitted along with the application. According to the Reserve Bank the above

procedure leaves no scope for fraudulent practices of claiming double payment by issuing tickets in duplicate.

(c) Does not arise.

**Central help to States to close Resources Gap**

893 SHRI PRASANNBHAU MEHTA: Will the Minister of FINANCE be pleased to state:

(a) whether the Central Government have decided to help the States to close resources gap;

(b) if so, the main features of the proposed scheme;

(c) to what extent the Centre have agreed to meet this gap; and

(d) how the States will meet the rest of it?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PAI) (a) to (d). Short fall in mobilisation of additional resources and erosion of resources due to tax concessions, relief to employees and undertaking of additional non-Plan financial liabilities by the States, after finalisation of the Annual Plan for 1977-78 have resulted in substantial gaps in resources to finance State Plans. To enable the States to maintain approved Plan outlays and keep up the tempo of development, it has been decided that half of the residual gap in resources should be covered by additional advance Plan assistance. It is expected that the States will be able to cover the remaining half of the gap in resources through their own efforts, such as economy in non-Plan expenditure, improvement in receipts, collection of dues, etc. The position

is proposed to be reviewed in December, 1977.

बहुराष्ट्रीय नियमों द्वारा भारत के बाहर बनराजि भेजा जाना

894. श्री विजय कुमार मल्होत्रा : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) श्रीमती ददिरा मांझी के प्रधान मंत्रित्व काल में बहुराष्ट्रीय नियमों द्वारा किन्तु धनराजि भारत से बाहर भेजी गईं और

(ख) इन नियमों द्वारा इस जोषण को रोकने के लिये सरकार ने क्या कदम उठाये हैं ?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) : (क) एक विवरण संलग्न है जिसमें यवर्षे हाल की उपलब्ध अवधि में विदेशी कंपनियों द्वारा विदेशों को भेजी गई रकमों के बारे में सूचना दी गई है।

(ख) सरकार की नीति यह है कि "विदेशी नियेशों को उनके प्रवेश के समय नियमित किया जाए ताकि वे राष्ट्रीय हितों के साधक और रक्षक मिल हों। विदेशी नियेश की अनमति वेबल उन क्षेत्रों में दी जाएगी जिनके लिए अति परिकृत प्रौद्योगिकी की आवश्यकता होगी अथवा उन उल्लोगों के लिए दी जाएगी जो विषेष रूप से नियंत्रण-प्रधान होंगे। जब विदेशी नियेश की अनुमति दी जाती है तो चाल मदों पर विदेशों को रकम भेजने के अधिकार की अनुमति देना तथा नियेश ममाल करने की स्वतंत्रता में पूँजी भी स्वदेश सौदाने की अनुमति देना चलता होता है।

गैर-सरकारी भास्त्र के द्वारा लाभों, लाभांशों, रायल्टियों आंग तकनीकी जानकारी की फीसों के रूप में विदेशों को भेजी गई रकमें

(लाख रुपए)

वर्ष	लाभ	लाभांश	रायल्टी	तकनीकी जानकारी की फीस
1965-66	1350	1940	295	698
1966-67	1447	2877	513	1043
1967-68	1595	3270	432	1458
1968-69	1296	3025	478	1797
1969-70	1272	3141	580	1305
1970-71	1312	4348	523	2063
1971-72	994	3887	586	1396
1972-73	1554	3908	733	1133
1973-74	2191	3751	621	1408
1974-75	719	1846	846	1256
1975-76	151	498	227	581
(अप्रैल-जून)				

टिप्पणियां—शब्द “मल्टिनेशन एंड पर्सोरेशन” की कोई ठीक परिभाषा नहीं की गई है। इस प्रश्न के प्रश्नोत्तर के लिए भारत में कार्य कर रहीं विदेशी कंपनियों के वारे में सूचना दी गई है।

2. भुगतान शेष के आकड़ों से उपलब्ध, विदेशों को भेजी गई रकमों के संबंध में सबसे हाल की सूचना अप्रैल-जून, 1975 की अवधि की है। इसलिए उस अवधि तक की सूचना ही दी गई है।

वित्त मंत्रालय में राजपत्रित और अराजपत्रित कर्मचारियों का बर्बास्त मुश्तक्तिल किया जाना

895. श्री हुकम चन्द कद्दवाय : वित्त मंत्री यह वत्तने की कृपा करेंगे कि :

(क) उनके मंत्रालय और विभागों में ऐसे राजपत्रित और अराजपत्रित कर्मचारियों की संख्या कितनी है जिनमों आपात स्थिति के दौरान विभिन्न आरोपों पर सेवा से बर्बास्त या मुश्तक्तिल किया गया था;

(ख) ऐसे कर्मचारियों की संख्या कितनी है जिनको इस बीच सेवा में वहाल किया गया है; और

(ग) क्या पिछले वर्षों की तुलना में उक्त अवधि में बर्बास्त अथवा मुश्तक्तिल किए गए कर्मचारियों की संख्या बहुत अधिक थी और यदि हां, तो इसके क्या कारण थे?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) : (क) से (ग). एक विवरण-पत्र सभा-पटल पर रख दिया गया है जिसमें वित्त मंत्रालय के विभिन्न विभागों के मचिवालय के संबंध में सूचना दी गई है।

## विवरण

आपातकाल के		कालम 1 से 2		1973-74 के		1974-75 के	
दीरान बरखास्त	तक मे उत्सवित	दीरान बरखास्त	दीरान बरखास्त	प्रथवा निलंबित	प्रथवा निलंबित	प्रथवा निलंबित	प्रथवा निलंबित
प्रथवा निलंबित	कर्मचारियो मे से	प्रथवा निलंबित	प्रथवा निलंबित	कर्मचारियो की	कर्मचारियो की	कर्मचारियो की	कर्मचारियो की
किए कर्मचारियो	31-10-77 तक	कर्मचारियो की	कर्मचारियो की	बहाल किए गए	संख्या	संख्या	संख्या
की संख्या	कर्मचारियो की	संख्या	संख्या	कर्मचारियो की	संख्या	संख्या	संख्या
	संख्या						
रखास्त	राज-पवित्र	मराज-पवित्र	राज-पवित्र	मराज-पवित्र	राज-पवित्र	मराज-पवित्र	राज-पवित्र
निलंबित	—	2	—	2	—	—	—
	—	1	—	1	—	3	—
जोड	—	3	—	3	—	3	—

उपर्युक्त मे यह देखने मे आएगा कि —

(i) आपातकाल की अवधि के दीरान जिन कर्मचारियो को बरखास्त प्रथवा निलंबित किया गया उन सभी को 31-10-77 तक बहाल कर दिया गया है।

(ii) आपातकाल की अवधि के दीरान बरखास्त प्रथवा निलंबित किए गए कर्मचारियो की संख्या अधिक नहीं है।

भारत के रिजर्व बैंक द्वारा बड़े-बड़े सहकारी बैंकों को अद्य

896. श्री यमुना प्रसाद शास्त्री क्या चित्त मनी यह बताने की कृपा करेंगे कि

(क) क्या भारत का रिजर्व बैंक पात्र वर्ष पूर्व, शासीणों द्वे देने के लिये बड़े-बड़े सहयानी बैंकों को 2-1/2 प्रतिशत की व्याज-दर पर अद्य दिया करता था परन्तु इन दिनों यह व्याज-दर बढ़ाकर 7 प्रतिशत कर दी गई है और किसानों को ये अद्य अब 15 प्रतिशत से भी अधिक व्याज-दर पर मिलते हैं, और

(ख) यदि हा, तो क्या मदालय का विचार रिजर्व बैंक को हस्त आशय के निवेश जारी करने का है कि 20 एकड़ मे कम असिचित भूमि बाले किसानों को केवल 2-1/2 प्रतिशत की व्याज-दर पर अद्य

सुविधाये दी जाये ताकि किसान को देश मे खाद्यान्नों का उत्पादन बढ़ाने के लिये प्रोत्साहन मिले ?

विस तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) (क) राज्य महकारी बैंकों को दिये गये शृणो पर भारतीय रिजर्व बैंक द्वारा लिए जाने वाले व्याज दरे अल्पविधिक हृषिक प्रयोजनों के लिए निर्धारित बैंक दर से 2 प्रतिशत कम है और मध्यावधिक हृषिक प्रयोजनों के लिए निर्धारित बैंक दर से 1-1/2 प्रतिशत कम है। तबनसार, हृषिक प्रयोजनों के लिए अल्पविधिक शृणो पर व्याज की दर 8 जनवरी, 1971 तक 4 प्रतिशत, 30 मई, 1973 तक 5 प्रतिशत और उसके बाद 7 प्रतिशत थी। मध्यावधिक शृणो पर व्याज की दर कमश्य।

4-1/2 प्रतिशत, 5-1/2 प्रतिशत और 7-1/2 प्रतिशत थी। किन्तु, आजकल अतिम दृष्टव्यात्मा से लिए जाए वार्षिक व्यापकीय दृष्टिकोणों पर वार्षिक 11.50 म. 11.50 रु. बीच है और मध्यावधिक तृणा पर वार्षिक 10.50 म. 16 प्रतिशत बीच, यदि दर अलग अलग राज्यों म. अलग अलग है।

(ए) भारतीय वार्षिक व्यापकीय नियम जारी करना राज्यों प्रमाणाव नहीं है।

**Promotion of exports to friendly countries**

897 SHRI DHARMVIR VASISHTH  
Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state

(a) the figures of balance of trade (imports and exports) for the year

1976 between India and foreign friendly countries, East Germany, Soviet Union, ly countries viz West Germany, UK, USA Canada, Pakistan and Japan, and

(b) whether Government are satisfied with the performance if not the steps taken to promote exports to them?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL) (a) A statement is laid on the Table of the House

(b) In order to expand and promote trade with foreign countries a number of steps have been taken which include opening of offices by public & private sector trade organisations visits of trade delegations participation in specialised fairs and exhibitions establishment of joint ventures and industrial cooperation in third countries etc

**Statement**

India's balance of trade (Provisional) with specified countries for the financial years 1976-77 and 1975-76

(Rs. Lakhs)

	Imports		Exports		Balance of Trade	
	1975-76	1976-77	1975-76	1976-77	1975-76	1976-77
1. West Germany	36996	90564	11791	22434	2,205	-8131
2. U.K.	28400	3219	42132	51012	13732	1883
3. East Germany	3659	3014	2587	4248	1072	1234
4. France	19653	14021	8622	16182	-11031	12161
5. Soviet Union	30978	30724	41669	44039	110691	-13315
6. U.S.A.	128522	105553	51998	54958	-7624	-50595
7. Canada	23201	12940	4580	4870	-18621	-8070
8. Pakistan	2211	1	78	887	-2134	+886
9. Japan	36118	29705	43276	54024	7153	-24319

Source DCGI & S Calcutta.

Note DCGI & S Statistics are published on financial year basis

### Export of sugar by STC

898. SHRI G. S. REDDI: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether STC will resume sugar export shortly; and

(b) if so, whether it is exported to sustain any loss in the transaction?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) Exports of sugar were never completely stopped. In July, 1977 STC had been permitted to export sugar against existing commitments.

(b) Profit or loss on export will depend upon the proportion in which sugar is allotted by the Government out of levy and non-levy quota for exports and the prevailing international prices. The present price in the world market is less than the cost of production of sugar in most countries including India, so some loss on its export is inevitable, but the extent of loss cannot be predicted at this stage.

### Remittances by Coca-Cola Export Corporation

899. SHRI MOTIBHAI R. CHAUDHARY: Will the Minister of FINANCE be pleased to state:

(a) whether Coca-Cola Export Corporation was given permission to remit head office expenses, area office expenses and export service charges; and

(b) if so, when?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). Under exchange control regulations Branches operating in the country were allowed

to remit their share of Head Area Office expenses as also export service charges after ensuring that the Branch had the benefit of common services provided by the parent company and on the basis of claims admitted by the Income Tax authorities. Prior to 1969 the Coca-Cola Export Corporation was allowed remittance on the basis of this policy. For the policy governing remittance after 1969, attention of the Hon'ble Member is invited to the reply given to Unstarred Question No. 1726 dated 24-6-1977.

### Concealment of Income by Shri Chiranjit Lal, Ansal Group of Cases, Ansal Bhawan, New Delhi

900. SHRI ARJUN SINGH BHADORIA: Will the Minister of FINANCE be pleased to state:

(a) whether Government had received complaints on 4th May, 1973, 25th May, 1973 and 3rd August, 1973 from Shri G. S. Bassi about the concealment of income of about 2 crores by Shri Chiranjit Lal, Ansal Group of Cases, Ansal Bhawan, New Delhi; and

(b) if so, the details of the complaint and action taken in the matter?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Income-tax authorities had received complaints dated 4th May, 1973, 25th May, 1973 and 3rd August, 1972 from Shri G. S. Bassi alleging substantial evasion of tax by Shri Chiranjit Lal and others of the Ansal Group.

(b) The above complaints alleged evasion of tax on a number of counts e.g. suppression of income debiting of bogus expenses, introduction of unaccounted money in books of accounts as cash credits, utilisation of unaccounted money in meeting household expenses etc.

Action taken in the matter so far is as follows:

Search and seizure operations were conducted in December, 1973 at the premises of Shri Chiranji Lal and others which resulted in seizure of cash of Rs 2.2 lakhs along with a large number of books of account and documents. Requisite orders under section 132(5) of the Income Tax Act were duly passed.

Assessments for the assessment years 1966-67 and 1967-68 in the case of M/s. C. Lyall & Co. (Fertiliser Project) and for the assessment year 1967-68 in the case of M/s. C. Lyall & Co. (Lucknow Works) have been re-opened. While completing assessments for the assessment year 1973-74 in the cases of Shri Chiranji Lal and his three sons, over Rupees fifty-three thousand has been added as income from undisclosed sources. Penal proceedings for concealment of income have been started.

#### Relaxation to Foreign Tourists visiting Hill Districts of Darjeeling

902. SHRI K. B. CHETTRI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) what are the relaxations made by Government for foreign tourists visiting the hill districts of Darjeeling;

(b) whether there is any further relaxations under consideration of the Government; and

(c) if so, the details thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURSHOTAM KAUSHIK): (a) Foreign tourists are granted permits liberally for a stay of upto 7 days in Darjeeling. However, those foreign tourists, who travel to Bagdogra and back by air are allowed to visit, without permits, Darjeeling town and nearby places

like Tiger Hill, Lebong Race Course, Jore Bungalow, Ghoom, Kurseong town etc. within a prescribed period of 15 days. They can also visit Sandakphu and Phalut provided they inform the Foreigners Registration Office at Darjeeling one day in advance and report at the police checkposts at Sandakphu and Phalut on arrival. Bonafide tourists intending to visit Darjeeling and Jaldapara for more than 15 days can also get the necessary permit from the Foreigners Registration Offices in Bombay, Calcutta, Delhi and Madras.

(b) No further relaxations are under consideration of the Government for the present.

(c) Does not arise.

कृषि पुनर्वित विकास नियम का कृषि के विकास में योगदान

903. श्री रामानन्द तिवारी : क्या वित्त मंत्री यह बताने की कृता करेंगे कि कृषि पुनर्वित तथा विकास नियम विहार जैसे पिछले राज्यों में तथा हिमाचल प्रदेश जैसे पहाड़ी राज्यों में लघु विसानों के लिए सिचाई मुक्तिवाद, उपलब्ध करने और विशेष रूप में उठाउ मिचाई योजना के बारे में क्या योगदान करता है अथवा करने का विचार है?

वित्त तथा राजस्व और वैज्ञान मंत्री (श्री एच० एम० पटेल): जून, 1977 के अंत की स्थिति के अनुमार, कृषि पुनर्वित और विकास नियम द्वारा अपनी स्थापना की तारीख 1 जूलाई, 1963 से किये गये कुल 815 करोड़ रुपये के वितरण में से छोटे सिचाई निवेशों के लिये दी गयी पुनर्वित सहायता 588 करोड़ रुपये अथवा समग्र राशि का 72 प्रतिशत थी। 50 प्रतिशत से अधिक का लाभ छोटे किसानों को मिला था।

बिहार और हिमाचल प्रदेश की छोटी सिचाई योजनाओं की 30 सितंबर, 1977 की स्थिति निम्नलिखित है:—

(लाल रूपये)

राज्य	योजनाओं की संख्या	विस्तीर्ण सहायता	हृषि पुनर्वित और विकास निगम का बायदा	वितरण
हिमाचल प्रदेश	.	1	20	18
बिहार	.	159	10200	9153
				4005

अगले तीन वर्षों में छोटे सिचाई प्रयोजनों के लिए उधार देने का हृषि पुनर्वित और विकास निगम का कार्यक्रम भी नीचे दिया जा रहा है:—

(लाल रूपयों में)  
(आंकड़ों में संशोधित किया जा सकता है)

निम्नलिखित वर्षों में छोटी सिचाई के लिए हृषि पुनर्वित और विकास निगम का प्रस्तावित वितरण

राज्य	1977-78	1978-79	1979-80
हिमाचल प्रदेश	.	10	15
बिहार	.	2000	2250
			2400

**Assistance from I.M.F. and World Bank**

904. SHRI YASHIWANT BOROLE: Will the Minister of FINANCE be pleased to state:

(a) whether after the joint meeting of the I.M.F. and the World Bank, he has been assured of continued assistance from the two; and

(b) if so, the amount assured during the current year and the mode of its utilisation?

THE MINISTER OF FINANCE AND REVENUE AND BANKNIG (SHRI H. M. PATEL): (a) and (b). Presumably, the Hon'ble Member is referring to the meetings of the Interim Com-

mittee of the Board of Governors of the International Monetary Fund, the Joint Fund-Bank Development Committee and the annual meetings of the Board of Governors of the IMF and World Bank, which were held in Washington in September, 1977. These meetings *inter-alia*, address themselves to the questions relating to international monetary system, the general question of transfer of real resources to the developing countries and the policies being pursued by the IMF and the World Bank in this regard. The question of assistance to individual countries, therefore, did not figure in these meetings.

**Transfer of Employees from A.G.'s Office at Bombay**

905. SHRI R. K. MHALGI: Will the Minister of FINANCE be pleased to state:

(a) how many employees were transferred from A.G.'s Office at Bombay, to Pay and Accounts Office, Bombay, after the promulgation of Ordinance No. 1 of 1976, by the President of India;

(b) whether any option was given to the staff so transferred;

(c) whether because of these transfers, seniority of a number of employees is adversely affected; and

(d) if so, what steps Government are taking or likely to take to give justice to the affected staff?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) The information is being obtained and will be laid on the Table of the House. It may, however, be mentioned that the transfer of persons from the offices of the Accountants General was effected under the provisions of Ordinance No. 2 of 1976, and not Ordinance No. 1, of 1976, as mentioned in the Question. The Ordinance was replaced by the Departmentalisation of Union Accounts (Transfer of Personnel) Act, 1976.

(b) The staff were transferred on the advice of the Advisory Committees constituted under the Act referred to in (a) above. Under the provisions of this Act, although no option was given to the staff, they were given an opportunity to represent against the proposal to transfer them to the accounts side. Government had, however, the power to transfer an employee in the public interest even in cases where he had expressed unwillingness to be so transferred.

(c) and (d). If the reference is to the *inter se* seniority of persons transferred to the Pay & Accounts Offices under a Ministry/Department from

the Office of an Accountant General, it may be stated that this has not been adversely affected and has been maintained in all the grades. However, as the persons have been transferred to Pay & Accounts Offices under a Ministry/Department from offices of various Accountants General, a fresh combined seniority list has to be prepared for each Ministry/Department for all the transferred persons. The seniority of a person so determined will have no relation to his seniority in the Audit Department prior to his transfer to the departmentalised accounts offices. Therefore, the question of seniority in the Audit Department being adversely affected does not arise.

**City Compensatory Allowance to Employees working in and around Ambarnath**

906. SHRI R. K. MHALGI: Will the Minister of FINANCE be pleased to state:

(a) whether the Central Government employees working in and around Ambarnath (Thana District) are not being paid city compensatory allowance as per 'Bombay' grade;

(b) whether Government are aware of the fact, that the cost of living and consumer price index in Ambarnath is the same as that in Bombay;

(c) whether the employees of nationalised banks are being paid city compensatory allowance as per Bombay Grade;

(d) whether Government have received any memorandum/representation demanding Bombay city compensatory allowance for Ambarnath employees; and

(e) what decision Government have taken in this regard?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) to (e). According to the existing policy of the Government

based on the recommendations of the Third Pay Commission, cities are classified for the payment of City Compensatory Allowance on the basis of the population of the municipality/urban agglomeration concerned as revealed in the last decennial census and not with reference to any cost of living or consumer price index. Ambarnath is a constituent unit of Ulhasnagar Urban Agglomeration which, as per 1971 census figures, has a population of less than 4 lakhs and as such it does not qualify for the payment of city compensatory allowance to Central Government employees stationed there. The representations received for the payment of City Compensatory Allowance to the Central Government employees working at Ambarnath have therefore not been accepted.

Central Government follows its own independent policy in the matter and is not guided by the policy followed in this behalf by the Nationalised Banks.

#### Gold Control Policy

907. SHRI VALYALAR RAVI: Will the Minister of FINANCE be pleased to state:

- (a) whether Government propose to bring about any change in the gold control policy; and
- (b) if so, the details of the proposed changes?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). The entire Gold Control Policy is under Government's review. Changes as deemed necessary will be made depending on the results of the review.

#### Construction of Air Strip at Ratnagiri

909. SHRI BAPUSAHEB PARULEKAR: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to refer to the reply given to Unstarred Question No. 6307 on 5th August, 1977

regarding Air service to and from Ratnagiri (Maharashtra) and state:

(a) whether Government have received the information regarding the cost of construction, date of completion and the purpose of construction of air strip at Ratnagiri, from Government of Maharashtra and when all these particulars will be laid on the Table of the Lok Sabha;

(b) the name of the private operator who has applied for a permit to operate a non-scheduled air service to Kolhapur, Ratnagiri, Nasik etc, and what is the decision taken on the said applications; and

(c) whether the air service between Bombay, Kolhapur, Ratnagiri, Nasik, Poona and Surat will be operated soon and if so when and if not, what are the difficulties experienced by Government for not granting the application of the private operator?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTAM KAUSHIK): (a) The cost of construction of the air strip at Ratnagiri in Maharashtra is Rs. 39,57,000/-. The work was completed in 1976. It was intended for operations with Dokota type of aircraft owned by the Government of Maharashtra. The purpose of construction of the aerodrome is served. This information has been laid on the Table of the Lok Sabha on the 17th November, 1977.

(b) A non-scheduled permit has been issued on 3rd November, 1977 to M/s Golden Son Aviation, Bombay, who have indicated that they would operate non-scheduled/charter services to Bombay-Kolhapur-Nasik and Bombay-Ratnagiri.

(c) M/s Golden Son Aviation have not yet intimated when they will be starting the air services. In so far as Poona is concerned, Indian Airlines are operating two services daily and no non-scheduled operator has so far applied for operating to Surat.

**Payment of Commission by L.I.C. to State Governments**

910. SHRI BAPUSAHEB PARULEKAR: Will the Minister of FINANCE be pleased to state:

(a) whether the Life Insurance Corporation pays to State Governments some commission on the premia received through the pay roll system of different Government offices;

(b) if so, whether it is in lump sum or on percentage basis;

(c) how much commission the L.I.C. has given to the State of Maharashtra during the years 1975-76 and 1976-77; and

(d) the other facilities that the L.I.C. gives to the State Governments for this pay roll scheme?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) Yes, Sir.

(b) The commission is paid at the rate of 1/8 per cent of the total premiums collected.

(c) The commission due to the State of Maharashtra worked out to Rs. 13,353 for the year 1975-76 and Rs. 11,981 for the year 1976-77.

(d) The requisite forms are supplied by Life Insurance Corporation of India.

**Scheduled Banks in Maharashtra**

911. SHRI BAPUSAHEB PARULEKAR: Will the Minister of FINANCE be pleased to state:

(a) in how many villages out of 1520 villages in Ratnagiri District in Maharashtra there are scheduled Banks;

(b) whether Government are aware that because of the new system introduced for withdrawing money from bank either by cheque or slip, a great hardship has been caused to the

persons residing in villages in Ratnagiri District; and

(c) whether Government propose to open more banks in the villages in Ratnagiri District which are inaccessible and if not, whether Government propose to consider the question of relaxing the rule of withdrawing the money either by cheque or by slip so far as Ratnagiri district is concerned?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) As at the end of September 1977, there were in Ratnagiri District 57 branches of Scheduled Commercial Banks functioning at rural centres i.e. places with a population upto 10,000. These branches cater to the needs of not only the centres at which they are located but also of the surrounding villages in their command areas.

(b) and(c). In accordance with the directive of the Reserve Bank of India, effective from July 1, 1977, banks are required to pay interest on the Saving Bank Accounts at the rate of 3 per cent or 5 per cent, depending on whether the account is operated through cheques or not; the depositors requiring cheque facility obtaining it on accounts carrying an interest rate of 3 per cent per annum. The distinction is based on whether the deposits are in the nature of genuine savings or transaction money temporarily held in the bank accounts. The question of permitting drawal of a limited number of cheques on the Savings Accounts carrying 5 per cent of interest is, however, under consideration of the Reserve Bank of India.

Commercial banks are required to open as many branches as possible at rural unbanked centres and their applications in this behalf are allowed by the Reserve Bank on a liberal scale. As at the end of September, 1977, commercial banks were holding licences of opening branches at 10 rural centres in Ratnagiri District.

**Export of Cotton Ropes**

912. SHRI R. KOLANTHAIVELU: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the quantity and value of cotton ropes exported during the last three years;

(b) the names of the exporters and the volume of trade handled by each;

(c) the names of the dealers in Tamil Nadu; and

(d) the countries to which exported and the additions to foreign exchange reserves by such exports?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) Exports of cotton ropes during the last three years are:—

Year	Quantity (in lakhs of Kgs.)	Value (in lakhs of Rupees)
1974 . . .	1.1	17.8
1975 . . .	0.6	8.0
1976 . . .	1.4	25.1

(b) Major exporters of cotton ropes are:

1. Fraternity Auroville, Kottakuppan.
2. G. J. Rassiwala Rope Factory, Bombay.
3. M. N. Narwekar & Co., Bombay.
4. Natraj & Co., Bombay.
5. Dossa Harjee, Bombay.

The export figures are given below:—

	1974-75		1975-76		1976-77	
	Qnty.	Value	Qntv.	Value	Qntv.	Value
Wood charcoal . .	73	0.7	51	0.13	7520	72.2
Of which coconut shell charcoal . .	73	0.7	50	0.12	70	0.3

6. Alibhai Sharafali Rassiwala, Bombay.

Volume of trade handled by each cannot be ascertained, since it varies from time to time.

(c) The name of the exporter in Tamil Nadu is Fraternity Auroville, Kottakuppan.

(d) Cotton ropes are exported to Sri Lanka, Tanzania, Australia, Kuwait, New Zealand, U.K., Malawi, Japan, Fiji Island, Malaysia and Uganda.

**Export of Charcoal Etc.**

913. SHRI R. KOLANTHAIVELU: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the quantity and value of charcoal, coconut shell charcoal and activated coconut shell charcoal exported during the last three years;

(b) the countries to which exported; and

(c) the names of the export dealers in various States including Tamil Nadu and the volume of trade handled by each?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) The Revised Indian Trade Classification on the basis of which export trade statistics are reported, classifies "wood charcoal" and bifurcates the same into:—

(a) Coconut shell charcoal.

(b) Other wood charcoal.

The Export figures are given below:—

(b) France, Japan, Singapore, Bahrain Is., Dubai Iraq and German Federal Republic.

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

**Export of Spare parts of Low Lift Pumps**

914. SHRI R. KOLANTHAIVELU: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the quantity and value of spare parts of low lift pumps exported during the last three years;

(b) the countries to which exported; and

(c) the names of exporters in various States including Tamil Nadu and the volume of export trade handled by each?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) The value of exports of Spare parts of Low Lift Pumps (Centrifugal) during the last three years is as follows:

(Value in Rupees)		
1974-75	1975-76	1976-77
10,78,132	11,531,666	48,21,773

(b) The major importing countries are: Bangladesh, Burma, Malaysia, Nepal, Singapore, Sri Lanka, Thailand, Afghanistan, Bahrain, Iran, Iraq, Kuwait, Oman, Saudi Arabia, United Arab Emirates, Kenya, Nigeria, Germany-FDR, U.K., and Yugoslavia.

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

**Shifting of Narcotics Commissioner's Headquarter from Gwalior to Neemuch**

915. SHRI MADHAVRAO SCINDIA: Will the Minister of FINANCE be pleased to state:

(a) whether the Government's attention has been drawn towards a news item appearing in 'NAI DUNIA' of 26th July, 1977 regarding shifting of Narcotics Commissioner's headquarters from Gwalior to Neemuch;

(b) whether decision to shift the said headquarters has been taken; and

(c) if so, the reasons which necessitated to take the decision?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) to (c). There is no proposal to shift the Headquarters of the Narcotics Commissioner from Gwalior.

**Production of Goods for Mass Consumption**

916. SHRI MADHAVRAO SCINDIA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether any specific strategy is being formulated by his Ministry for production of goods for mass consumption;

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

(c) the details of target fixed for production of these goods during the coming two years?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) The Ministry of Civil Supplies and Cooperation is not at present formulating any specific strategy for the production of goods for mass consumption.

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

## Trade between India and Egypt

917. SHRI MADHAVRAO SCINDIA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether it is a fact that a decision has been taken in the matter of trade between Egypt and India entirely on the basis on payment of free foreign exchange;

(b) if so, whether Government have estimated the increase of trade between two countries; and

(c) if so, the total estimates of increase in the trade?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) Yes, Sir. It has been decided that India's trade with Egypt will hereafter be entirely on the basis of payments in free foreign exchange.

(b) and (c). While no precise estimate of the future level of trade is possible, it is hoped that trade with Egypt will increase in the coming years.

पटना के पर्यटन सूचना कार्यालय का भवन

918. श्री ज्ञानेश्वर प्रसाद यादव : क्या पर्यटन और नगर विभानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बिहार में पटना में पर्यटन सूचना कार्यालय मनेक वर्षों से एक छोटे भवन में कार्य कर रहा है;

(ख) क्या सरकार का विचार उत्तर कार्यालय के लिए पटना में एक बड़ा और आकर्षक भवन बनाने का है;

(ग) क्या इस भवन के लिए भूमि वर्षों पहले खरीदी गयी थी; और

(घ) यदि हाँ, तो इस सरकार का विचार निकट भवित्व में उत्तर भूमि पर निर्माण कार्य आरम्भ करने का है और यदि हाँ, तो उत्तर कार्यालय के लिए तथा अन्य प्रयोजनों के लिए भवन कब तक तैयार हो जायेगा ?

पर्यटन और नगर विभानन मंत्री (भी पुरुषोत्तम कौशिक) : (क) क्योंकि पटना स्थित पर्यटक सूचना कार्यालय का संचालन बिहार सरकार द्वारा किया जाता है, अतः यह कार्यालय न तो केन्द्रीय पर्यटन विभाग के अधिकार-सेव में आता है और न जितनी जगह (area) इसने घेरी हुई है उसके आयाम (size) की ही विभाग को कोई जानकारी है।

(ख) से (घ) : प्रश्न नहीं उठते।

Extension of I.A.C. Flight to Madras via Carnicobar

919. SHRI MANORANJAN BHAKTA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether I.A.C. Flight No. 285 was proposed to be extended upto Madras via Carnicobar;

(b) if so, when it is likely to be commissioned; and

(c) if not, why not?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURSHOT-TAM KAUSHIK):** (a) and (b). No, Sir.

(c) The air service between Calcutta and Port Blair which was earlier operated with a Viscount aircraft via Rangoon is now being operated direct with Boeing-737 aircraft effective August, 1977. The traffic has however, not matched expectations. Indian Airlines is very much short of fleet capacity for new links or additional services. The load development between the Mainland and Andaman and Nicobar Islands is being watched and the question of a service from Madras will be considered if and when the situation warrants it.

**Shortage of Consumer Goods in Andaman and Nicobar Islands**

**920. SHRI MANORANJAN BHAKTA:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether there was acute shortage of consumer goods like edible oils and other articles of daily necessity in the Union Territory of Andaman and Nicobar Islands during the month of October;

(b) if so, the reasons thereof; and

(c) the action Government have taken to streamline the supply of such goods?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) to (c). No acute shortage of consumer goods was reported to the Central Government by the Andaman and Nicobar Administration during October. They have, however, stated now that during October there was some shortage of edible oils and pulses owing to labour force strike in the Union Territory and heavy rains at Madras from which Port, consumer

goods could not be loaded on time. Availability of essential commodities in different parts of the country is kept under constant watch and where necessary corrective action is being taken.

**Smuggling of Skin of Wild Animals**

**921. SHRI RAM DHARI SHASTRI:** Will the Minister of FINANCE be pleased to refer to the reply given to Unstarred Question No. 1952 on 30th August, 1976 regarding illegal trade in skins and state:

(a) whether General Manager of Air France, Alt Port Manager Air France at Palam Airport and the Assistant Manager (General) at the Headquarters of Air France are carrying on smuggling of wild animal skin, by Air France flights;

(b) whether the General Manager Air France on his tour to Bangkok during September, 1977 smuggled out by Air France these skins labelling the cargo as 'Rush Tag'; and

(c) if so, the action Government propose to take against these officers and is it proposed to hand over the case to CBI for probe?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) and (b). No Sir.

(c) In view of (a) and (b) above question does not arise.

**Black money unearthed during last six months**

**922. SHRI D. AMAT:** Will the Minister of FINANCE be pleased to state:

(a) the amount of black money that has been unearthed during the last six months with name of the area and state;

(b) the number of persons arrested; and

(c) the action proposed to be taken against them?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) Statistics in respect of search and seizure operations conducted by the Income-tax authorities are maintained Commissioner of Income-tax charge-wise. A statement showing the value of assets seized during the period May-October, 1977 Commissioner of Income-tax charge-wise, as per information presently available, is annexed.

(b) and (c). There is no provision as such in the Income-tax Act, 1961 for arrest of a person at whose premises a seizure is made. After a search, involving seizure of valuable assets, the first step is to pass an order under section 132 (5) of the Income-tax Act, 1961 determining the undisclosed income in a summary manner and to retain such of the seized assets as are sufficient to satisfy the aggregate of the tax liability (including interest and penalty) on the estimated undisclosed income and any existing liability under the various Direct Tax Acts. Thereafter, regular assessments are taken up and action as called for in law taken, including *levy of penalty/launching of prosecution* wherever warranted.

Sl. No.	Charge	Statement	
			Value of assets seized (Rs. in lakhs)
1.	Bihar	.	5.85
2.	Bombay city (including Bombay Central)	.	7.62
3.	Delhi (including Delhi Central)	.	46.73
4.	Allahabad	.	3.81
5.	Madhya Pradesh	.	7.09
6.	Poona	.	4.70
7.	West Bengal (including Calcutta Central)	.	7.57
8.	Tamil Nadu (including Madras Central)	.	20.73
9.	Jullundur	.	1.72
10.	Kerala	.	11.97
11.	Patiala	.	7.34
12.	Merrut	.	2.21
13.	Gujarat	.	4.40
14.	Amritsar	.	1.69
15.	Andhra Pradesh	.	2.00
			<u>135.48</u>

**Branches of Nationalised Banks in the country**

923. SHRI RAGHAVJI: Will the Minister of FINANCE be pleased to state:

(a) the total number of nationalised banks in the country at present and the profit earned by each bank during 1975-76 and 1976-77;

(b) the capital invested in these banks;

(c) the total number of branches thereof throughout the country and

the number of branches out of these located in the villages with a population of less than five thousand; and

(d) whether any instructions have been given by Government or the Reserve Bank of India to the banks for giving liberal loans to the weaker section of society in 1976-77?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). There are 14 Nationalised Banks in the country at present. The published net profits of these Banks for the years 1975 and 1976 and the capital invested in these banks as on 31st Dec., 1976 are given below:—

(Amount in Lakhs of Rupees)

Name of Bank	Published net profit		Pub. l. up capital (wholly vested in Central Govt.) as on 31-12-1976
	1975	1976	
1. Allahabad Bank . . . . .	80	90	103
2. Bank of Baroda . . . . .	290	325	250
3. Bank of India . . . . .	320	345	405
4. Bank of Maharashtra . . . . .	18	23	149
5. Canara Bank . . . . .	194	233	175
6. Central Bank of India . . . . .	190	140	475
7. Dena Bank. . . . .	60	68	125
8. Indian Bank . . . . .	124	223	300
9. Indian Overseas Bank . . . . .	163	107	400
10. Punjab National Bank . . . . .	316	340	200
11. Syndicate Bank . . . . .	155	103	142
12. Union Bank of India . . . . .	140	147	125
13. United Bank of India . . . . .	129	114	269
14. United Commercial Bank . . . . .	205	210	503

(c) There were 12,843 branches of the 14 Nationalised Banks functioning in the country as at the end of September 1977. Of these, 4705 branches were located in the rural areas (i.e. centres with a population upto 10,000). These offices are expected to cater to the needs of not only the villages in which they are located but also the other villages in their command areas.

Information regarding the number of branches functioning in villages with

a population of less than 5,000 is not being separately maintained by Reserve Bank of India.

(d) Government have advised the public sector banks to enlarge the flow of their credit to small borrowers in the neglected sectors, particularly in the rural areas, so that the neglected sector account for at least one third of their aggregate advances and the rural and semi-urban branches separately have a Credit: Deposit Ratio

of at least 60 per cent by March 1979. The Scheme of Differential Rate of Interest has also been extended in May 1977 to cover the entire country. Further, the Reserve Bank has stressed, in its credit policy circular of 27th May, 1977, that credit planning at the individual bank level should bring about a pattern of credit deployment increasingly in tune with national objectives and priorities. It has been pointed out that in particular, it is necessary to direct all efforts towards higher allocation of credit to priority sectors. In doing so, the banks have been told that greater efforts should be directed towards reaching the weaker sections of the society to ensure that the population below the poverty line truly stands to benefit.

भारत पर्यटन विकास निगम के होटलों में कार्य कर रहे कर्मचारियों को बोनस दिया जाना

924. श्री नटवर साल द्वी परमार : क्या पर्यटन और नागर विकासन मंत्री यह बताने की तृप्ति करेंगे कि :

(क) भारत पर्यटन विकास निगम द्वारा चलाये जा रहे विभिन्न होटलों में काम करने वाले कर्मचारियों को बोनस के रूप में कितनी राशि देने की घोगणा की गई है; और

(ख) इसके परिणामस्वरूप कितने कर्मचारियों को लाभ पहुँचेगा ?

पर्यटन और नागर विकासन मंत्री (श्री पुरुषोत्तम कौशिक) : (क) और (ख). 3 मित्रवद्वय, 1977 को प्रवर्तित पेमेंट आफ बोनस (अमेंडमेंट) आडिनेंस, 1977 के माध्य रिटन निधि पेमेंट आफ बोनस (अमेंडमेंट) प्राप्त, 1976 द्वारा य यांत्रिकीय, पेमेंट आफ बोनस एवंट, 1965 के उपर्योगों के अनु-मार्ग, भारत पर्यटन विकास निगम के विभिन्न होटलों में कार्य कर रहे बोनस के पात्र कर्मचारियों के लिए 1976-77 वर्ष के लिए घोषित किये गये बोनस का विवरण नीचे दिया गया है :—

क्रम सं. ०	होटल यूनिट का नाम	कर्मचारियों की संख्या	बोनस का प्रतिशत	1976-77	
				(लाख रुपयों में)	व्यवस्था
1	अशोक होटल, नई दिल्ली	.	1831	20	14.57
2	होटल जनपथ, नई दिल्ली	.	681	20	5.70
3	प्रकाश होटल, नई दिल्ली	.	541	20	4.00
4	लोटी होटल, नई दिल्ली	.	357	20	2.61
5	होटल रणजीत, नई दिल्ली	.	293	8.33	1.15
6	होटल अशोक, बंगलौर	.	351	8.33	1.30
7	कोवलम पैलेस होटल (हेलसिन्नन कासल)	6	8.33	0.02	
8	लक्ष्मी विलास पैलेस होटल, उदयपुर	.	40	8.33	0.14
9	पाजुराहो होटल, बजूराहो	.	46	8.33	0.14
योग			4146		29.63

बाबी होटल यूनिटों यानी एमरपोर्ट होटल, कलकत्ता, हॉटल पाटलीपुर, पटना, कोबलम होटल, कुतब होटल, नई दिल्ली, बाराणसी होटल, घोरगाबाद होटल नवा ललित महल वैतास होटल, मैसूर के कर्मचारी, बोनस एक्स के अनुसार बोनस क पात्र नहीं हैं, क्योंकि ये यूनिटों अपनी शंशबाबस्या में हैं तथा वर्ष के दौरान इन्होंने लाभ नहीं कमाया है।

#### Requirements of Mustard Oil

**925. SHRI RAJ KESHAR SINGH:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether the requirement of mustard oil is more than its production in the country; and

(b) if so, how Government propose to meet the shortage and bring down the prices of mustard oil?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) Yes Sir.

(b) Both long term and short term measures are being evolved to increase the production of indigenous edible oil seeds/oils, including mustard oilseeds/oils. Arrangements have been made for the supply of refined rapeseed oil—a good substitute for mustard oil—as required by the State Governments. The end-retail price of the refined rapeseed oil is not to exceed Rs. 7.50 per kg. and will be made available to consumers through licensed fair price shops. The Central Government have also issued the Pulses and Edible Oils (Storage Control) Order 1977, inter alia fixing stock limits for edible oils, and the Mustard Oil (Price Control) Order, 1977, which fixes the end retail price of mustard oil at Rs. 10/- per kg., inclusive of taxes and exclusive of the cost of container. These orders have been challenged before the Supreme Court, whose decision is awaited.

#### Stock of seed Lac

**926. SHRI M. RAMGOPAL REDDY:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether huge stock of seedlac has piled up with State Trading Corporation; and

(b) if so, the reasons therefor?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) The State Trading Corporation has 5,327 MT of seedlac in stock as on 5th November, 1977.

(b) The State Trading Corporation is procuring seedlac through the State Government agencies with the objective of ensuring fair price to sticklac growers. Disposal of seedlac from the buffer stock of the S.T.C. is not taking place at the expected pace as export of shellac/seedlac is behind the target.

#### Prices of Pulses, Potatoes, Onions and Oilseeds

**927. SHRI KACHARU LAL HEM-RAJ JAIN:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether there is any proposal under the consideration of Government to fix on a permanent basis the prices of pluses, potatoes, onions, oil seeds etc. on the lines of wheat, gram etc. so that the agriculturists could be ensured of a particular price and the consumers interests could be protected; and

(b) if so, when a final decision is likely to be taken in the matter?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR**

**GOYAL:** (a) and (b). Support prices have already been fixed for groundnut, sunflowerseed, soyabean and gram. In case of the remaining oilseeds, and pulses, onions and potatoes, there is at present no proposal to fix support prices on a regular basis. However, prices of these commodities are kept under constant watch and whenever the prices are expected to fall below economic levels, purchase operations through public/cooperative agencies would be undertaken. Whenever edible oils, pulses and potatoes are sold through public distribution system, interest of the consumer is also kept in view while fixing their retail prices.

**सौराष्ट्र (गुजरात) में तम्बाकू की खेती**

928. श्री बर्ने सिंह भाई देवेल : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गुजरात में सौराष्ट्र प्रदेश के किसानों को तम्बाकू की खेती करने की अनुमति नहीं दी जाती है;

(ख) इस बारे में केन्द्रीय सरकार की क्या नीति है;

(ग) सौराष्ट्र के किसानों को तम्बाकू की खेती करने की अनुमति कौन से अधिकारी दे रहे हैं; और

(घ) सौराष्ट्र के जूनागढ़, जामनगर, राजकोट अमरेली, भावनगर, सुरोनगर जिलों में गत तीन वर्षों के दौरान प्रत्येक बर्ष में वित्तने थें तम्बाकू की खेती की गई?

**वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एच० एच० घटेल):** (क) से (ग). सौराष्ट्र में तम्बाकू की काष्ठ के सम्बन्ध में कोई पारंपरी नहीं लगाई गई है। लेकिन केन्द्रीय उत्पादन ब्लॉक नियम 1944 के नियम, 15 के अनुसार तम्बाकू के प्रत्येक काष्ठकार से, उस सारी जमीन के संबंध में जिस पर तम्बाकू की काष्ठ की जाती है, उचित कार्य में सत्य की व्योगा करने और उसे केन्द्रीय उत्पादन

3651-LS-6.

ब्लॉक के समुचित अधिकारी को देश करने की अपेक्षा की जाती है। इस समय सरकार की नीति यह है कि कानून के अन्तर्गत अपेक्षाओं को पूरा किये जाने पर तम्बाकू की काष्ठ की अनुमति दी जाय।

(घ) स्थिति का पता लगाया जा रहा है और सूचना यथा संभव शीघ्र सभा पठन पर रख दी जायेगी।

#### Raids by Customs Officials as Go-downs of Punjab Dairy Development Corporation

929. **SHRI YADAVENDRA DUTT:** Will the Minister of FINANCE be pleased to state:

(a) whether the goods worth 25 lakhs of rupees concealed in the godowns of Punjab Dairy Development Corporation by the Chairman, Shri H. O. Dilawari were recovered during raids conducted by the Customs Officials; and

(b) if so, the action being taken by Government in this regard?

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGRAWAL):** (a) Dairy equipment, farm machinery, refrigerators, motor spare parts and some consumable articles, totally valued at Rs. 21,85,584 were seized from the godowns of the Punjab Dairy Development Corporation at Ludhiana and Chandigarh in the reasonable belief that these had, at the time of import, been misdeclared and under-valued and had also not been fully covered by the Customs Clearance Permit that had been produced for their clearance.

(b) The Collector of Customs, Bombay has confiscated the offending goods. In respect of goods valued at Rs. 14,22,903 an option has however been given to the importers to redeem them on payment of a fine of Rs. 5,85,000. Proceedings relating to personal penalties on Shri H. O.

Dilawari and Punjab Dairy Development Corporation are in progress and are expected to be finalised shortly.

**Trend of International price of sugar**

930. SHRI BALASAHEB VIKHE PATIL: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state the trend of international price of sugar and the rates at which Government are exporting sugar to various countries under different agreements?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL):** The prices of sugar in the international market have been declining since November-December, 1974. As against an annual average London Daily Price (LDP) of £ Sterling 304.9 per long tonne (PLT) during the year 1974, the average LDP during the 1975, 1976 and 1977 (upto October) have been £ Sterling 216, 153.9 and 117.3 respectively.

India exports sugar under direct agreement to EEC only. The prices for supplies under the Indo-EEC Sugar agreement are normally higher than the ruling market prices. The price realised for exports made against 1974-75 quota was £ Sterling 260 per long tonne, for 1975-76 £ Sterling 147.39 and for 1976-77 £ Sterling 157.18 PLT. The price for 1977-78 is provisionally fixed at £ Sterling 165.43 PLT. We also had an agreement with Iran to supply 1,20,000 tonnes sugar, but so far no exports have taken place.

**Misuse of Licences by Drug Manufacturing Firms**

931. SHRI MANORANJAN BHAKTA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether a number of drug manufacturing firms are being prosecuted for misusing their licences of importing raw materials; and

(b) if so, names of the drug firms and what action is being taken against them?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) Yes, Sir. A number of drug manufacturing firms and persons functioning as proprietors/partners are being prosecuted for misusing their licences of importing raw materials, based on the result of CBI investigations.

(b) The statement showing the particulars of the firms and the persons involved in these cases is laid on the Table of the House [Placed in Library. See No. LT-1120/77]. No import facility is now afforded to these firms/individuals facing prosecutions. Further action can be considered only after the result of the prosecution is known.

जमालारों और व्यापारियों के विरुद्ध कार्यवाही करने के लिए कानून बनाने का प्रताव

932. श्री झोम प्रकाश स्थानी: क्या वाणिज्य तथा नागरिक वृति और सहकारिता मंत्री यह बताने की रुपा करेंगे कि :

(क) क्या सरकार का विचार ज्ञात पदार्थों के मूल्यों को जानबूझकर ऊंचा रखने वाले जमालारों और व्यापारियों के विरुद्ध कार्यवाही करने के लिये कोई कानून बनाने का है; और

(ख) यदि हाँ, तो ऐसा कानून कब तक बनाया जायेगा ?

वाणिज्य तथा नागरिक वृति और सहकारिता मंत्रालय में राज्य मंत्री (श्री झोम झुमार घोषल) : (क) और (ख). राज्य सरकारों को अनुचित तथा अनंतिक व्यापार पद्धतियों को रोकने हेतु आवश्यक बहुमत अधिनियम के उपर्यों का प्रयोग करने के

लिए पहले ही पर्याप्त अधिकार प्राप्त है। आवश्यक वस्तु अधिनियम, जाल प्रपत्रियण निवारण अधिनियम तथा मूल्य और स्टाक प्रदर्शन आदेशों के उपबंधों को सभी से लागू करने से उपभोक्ताओं को उचित मूल्यों पर पर्याप्त मात्रा में आवश्यक वस्तुएं उपलब्ध करने में काफी सहायता मिलनी चाहिये। राज्य सरकारों से इन कानूनों का अधिकतम उपयोग करने का अनुरोध किया गया है।

**Tax cut on Air Conditioning and Refrigeration Equipment**

933. SHRI SURENDRA BIKRAM: Will the Minister of FINANCE be pleased to state:

(a) whether refrigeration units have sought for steep tax cut on air conditioning and refrigeration equipment manufactured in the country; and

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

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Yes, sir.

(b) The matter is under examination.

**Dilution of Equity under F.E.R.A. by I.M.B.**

934. SHRI JYOTIRMOY BOSU: Will the Minister of FINANCE be pleased to state:

(a) whether International Business Machines (IBM) a hundred per cent. U.S. based foreign company has agreed to dilute its equity as required under Foreign Exchange Regulation Act;

(b) if so, what are the details thereof;

(c) if not, what action is being taken against this company; and

(d) in case the company winds up its business in India what will be the amount of repatriation under each head?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). In their letter of 7th November 1977 to the Reserve Bank, IBM have indicated that it would be impractical for them to dilute their equity and that they would therefore phase out their current activities in India.

(c) Does not arise.

(d) This will be known only after the proposals of IBM are finalised.

दिल्ली में व्यापारियों के परिसरों पर छापे

935. श्री हरप्रीत सर्वाः क्या व्याणिय तथा नागरिक पूर्ति और सहकारिता मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने यत दो महीनों में आवश्यक वस्तु अधिनियम के अन्तर्गत दिल्ली में व्यापारियों के परिसरों पर छापे मारे हैं; और

(ख) यदि हां, तो इस मामले में कितने व्यापारियों को गिरफ्तार किया गया तथा उन के विशद सरकार क्या कार्यवाई कर रही है?

व्याणिय तथा नागरिक पूर्ति सहकारिता बंचालव में राष्ट्र बंची (धी कुच्छ कुमार गोपल) : (क) सितम्बर तथा अक्टूबर, 1977 में दिल्ली प्रशासन ने आवश्यक वस्तु अधिनियम के अन्तर्गत कुछ छापे मारे थे।

(ख) दिल्ली प्रशासन द्वारा दी गई सूचना के अनुसार 83 व्यक्ति गिरफ्तार किये गये थे। पांच मामलों में चालान करने की सूचना मिली है तथा दूसरे मामलों की जांच पढ़ताल चल रही है।

**Memorandum from Gold Smiths' Organisation, Maharashtra**

937. SHRI GANGADHER APPA BURANDE: Will the Minister of FIN-  
ANCE be pleased to state:

(a) whether any memorandum from Gold Smiths Organisation, Maharashtra Pradesh Subarnakar Sangh dated 20-7-77 addressed to Prime Minister has been received; and

(b) if so, what steps have been taken on their demands?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) and (b). A memorandum dated 20-7-1977 from the Maharashtra Pradesh Sawarnkar Sangh, addressed to the Prime Minister was forwarded to this Ministry by the Prime Minister's office. The memorandum contained certain demands for liberalisation of the provisions of Gold (Control) Act relating to the goldsmiths as also a plea for affording further relief measures such as concession in the matter of employment and write-off of rehabilitation loans granted to the goldsmiths. The various points raised in the representation are under the consideration of the Government and certain propo-

sals for the amendment of the Gold (Control) Act are being considered.

**Excise duty Imposed on Khandsari**

938. SHRI GANGADHER APPA BURANDE: Will the Minister of FIN-  
ANCE be pleased to state how much excise duty has been imposed on Khandsari since March, 1975?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** The rate of central excise duty applicable to khandsari sugar is 17½ per cent *ad valorem* 116 per cent Basic Excise Duty under the Central Excises and Salt Act, 1944 and 2½ per cent Additional Duty under the Additional Duties of Excise (Goods of Special Importance) Act, 1957]. These rates have been in force from 1-3-1970

Manufacturers have also the option to pay duty on the basis of a compounded levy. The weekly rates of compounded levy, based on the size of centrifugal installed and also whether a sulphitation plant is used or not, as on 1-3-1975 and 30-4-1975 when these were last revised, are given in the annexed statement.

**Statement**

**Weekly rates of compounded levy for units working with the aid of Sulphitation Plant**

Size of Centrifugal	Height	Diameter		With effect from	
		Not exceeding cms.	Exceeding cms.	1-3-1975	30-4-1975
Exceeding cms.	..	22.9	..	1,760	4,400
22.9	30.5	45.7	61.0	2,360	5,900
30.5	45.7	61.0	76.2	3,440	8,600
Not otherwise specified				4,560	11,400
<b>Weekly rates of compounded levy for units working without the aid of Sulphitation Plant</b>					
..	22.9	..	45.7	1,180	2,360
22.9	30.5	45.7	..	1,560	3,120
30.5	45.7	61.0	76.2	2,320	4,640
Not otherwise specified				3,040	6,080

The Compounded levy system remained suspended from 1-3-1975 to 30-4-1975.

The rates shown are consolidated rates *viz*, they include basic duty under the Central Excises and Salt Act, 1944, plus additional duty under the Additional Duties of Excise (Goods of Special Importance) Act, 1957.

#### Review of Centre-State Fiscal and Economic Relations

941. SHRI M. N. GOVINDAN NAIR: Will the Minister of FINANCE be pleased to state:

(a) whether Government's attention has been drawn to the West Bengal Finance Minister's regret on the Centre taking a series of decisions like introducing rolling plans and removing inter-State restrictions on paddy movements, without consulting the State Governments;

(b) whether the issue of Centre-State fiscal and economic relations needs urgent review; and

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

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Government of India have seen Press Reports to that effect.

(b) and (c). The Centre-State fiscal and economic relations are governed by the relevant provisions of the Constitution which have stood the test of time. Given a spirit of understanding, good-will and cooperation, it is possible to find satisfactory answers within the frame-work of these provisions to the problems which may arise from time to time in the Centre-State fiscal and economic relations.

#### Consultation with Trade Unions over Constitution of Committee on Wages, Income and Price Policy

942. SHRI SAMAR MUKHERJEE: Will the Minister of FINANCE be pleased to state:

(a) whether Government consulted the Central Trade Unions before constituting the Committee on Wages, Income and Price Policy;

(b) if so, the nature of the consultations; and

(c) if not, reasons for not consulting the trade unions?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) to (c). Presumably the Honourable Member is referring to the Study Group on Wages, Income and Prices set up by the Government in October, 1977. It was not considered necessary to consult Central Trade Union or any other outside organisation in constituting a Study Group.

#### Taxation System in the country

943. SHRI SHANKERSINHJI VAGHELA:

SHRI ANANT DAVE:

Will the Minister of FINANCE be pleased to state:

(a) whether the Federation of Indian Chambers of Commerce and Industry had appointed a study team to go into the various aspects of taxation system in the country;

(b) whether the study team had suggested the Value Added Tax system of taxation in India which is prevalent in Germany and several other European and South American countries; and

(c) the reaction of Government thereto and when a final decision is likely to be taken in this regard?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). As a follow up of its reply to the Indirect Taxation Enquiry Committee on Value Added Tax, the Federation of Indian Chambers of Commerce and

Industry had deputed a team to study the working of the Value Added Tax in some of the Western countries so as to find out its suitability for adoption in India. That team has suggested the adoption of the Value Added Tax System in India.

(c) The matter is presently being studied. Government are also awaiting the receipt of Part II of the Report of the Indirect Taxation Enquiry Committee. It is, therefore, too early to indicate Government's reaction to the recommendations of the FICCI Team and the decisions that are likely to be taken in this matter.

**Smuggling across Indo-Nepal and Indo-Bangladesh border**

944. SHRI SHANKERSINHJI VAGHELA:

SHRI P. K. KODIYAN:

SHRI KACHARULAL HEMRAJ JAIN:

Will the Minister of FINANCE be pleased to state:

(a) whether the attention of the Government has been invited to the news item which appeared in the Economic Times dated the 27th September, 1977 to the effect that smuggling across the Indo-Nepal and Indo-Bangladesh border has recorded a marked rise during the current year; and

(b) the facts thereof, reaction of Government thereto and the steps taken or proposed to be taken to check it?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) and (b). Yes Sir. Reports received by the Government, however, do not indicate that there has been any increase in smuggling on Indo-Bangladesh border. Although the Indo-Nepal border continues to be vulnerable, there has not been any marked increase in smuggling across

this border during the current year. However, to meet this situation, the preventive staff on the Indo-Nepal border has been augmented and redeployed more effectively. New preventive check-posts near the border have been created. Wireless communication net-work for the entire border has been sanctioned. Apart from this regular anti-smuggling measures such as patrolling of vulnerable land routes and exercising greater vigilance have also been reinforced on these borders.

स्टेट बैंक की जीनपुर शाखा द्वारा करेसी नोटों का स्वीकार न किया जाना

945. श्री यादवेन्द्र वत्त : क्या वित्त मंत्री यह बताने की कृपा करेगे कि :

(क) क्या स्टेट बैंक की जीनपुर शाखा ने अगस्त, 1977 में एक रुपये और पांच रुपये के करेसी नोटों को लेना बन्द कर दिया था; और

(ख) यदि हां, तो इस के क्या कारण हैं और क्या इससे जनता और व्यापारियों को रोजाना होने वाली कठिनाइयों के अलावा इससे करेसी की विश्वमनीयता पर, भी प्रतिकूल प्रभाव पड़ा था ?

— वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) : (क) श्रीर (ख) भारतीय स्टेट बैंक ने सूचित किया है कि उसकी जीनपुर शाखा द्वारा कम मूल्य के करेसी नोटों को स्वीकार करने से कभी इनकार नहीं किया गया। किन्तु 8 जुलाई से 2 अगस्त, 1977 की अवधि के दौरान केवल स्थानीय बैंकों से 1 रुपये और 5 रुपये के करेसी नोटों को स्वीकार करने पर प्रतिबंध लगाना पड़ा था क्योंकि भारतीय

स्टेट ईंक की जेनपुर शाखा के करेंटी बेस्ट में स्थान की अस्तित्व कमी हो गयी थी । 3 अगस्त, 1977 को इस शाखा से भेषणाएं अन्य शाखाओं को भेजी जाने पर उक्त प्रतिबंध उठा लिया गया था । मुद्रा की साथ पर विपरीत प्रभाव पड़ने का कोई प्रश्न नहीं उठता ।

बै० के० सिवेटिक्स लि० के प्रतीडेंट और बैरवनेन से आभूषण जब्त करना

946. श्री यादवेन्द्र बहू : क्या विवरणीय यह बताने की कृपा करेंगे कि :

(क) क्या दिनांक 6 अक्टूबर, 1976 को सीमा शुल्क अधिकारियों ने जै० के० सिवेटिक्स लि० के प्रतीडेंट और बैरवनेन वी सीता राम सिंधानिया और श्री शोपाल कुल्ला सिंधानिया से 10 लाख रुपयों के मूल्य के आभूषण जब्त किये जब वे एयर इंडिया के विमान से भोरीशित गये थे;

(ब) क्या इस समाचार के तुरन्त पश्चात् सीमा शुल्क भौत कर अधिकारियों ने उनके बरों पर छापे मारे; और

(ग) यदि हां, तो कितने मूल्य की विवेशी वस्तुएं जब्त की तथा सरकार ने उनके विद्ध क्या कार्यवाही की तथा तत्संबंधी संवित्र औरा क्या है ?

विवरणीय और राजस्व और वैक्षिक मंत्री (श्री एम० एम० पटेल) : (क) प्राप्त मूल्याना के अनुसार 11 लाख भोरीशित रुपये से अधिक मूल्य के जब्तहरात की तस्करी करने के प्रारोप में केवल श्री सीताराम सिंधानिया भोरीशस न्यायालय में मुकदमा तब चलाया गया था जब वह विवाक 8-10-1976 को बम्बई से एयर इंडिया की उड़ान नं० 711 से भोरीशस गये थे । इस मुकदमे में

उन्हें 11-2-1977 को । दोषपूत ठहराया गया था और जिस सामान के बारे में कोई दावा नहीं किया गया उसे भोरीशस सीमा-शुल्क विभाग द्वारा जब्त कर लिया गया था ।

(ब) श्री सीता राम सिंधानिया तथा श्री शोपाल कुल्ला सिंधानिया के बरों पर कोई छापा नहीं मारा गया, यद्यपि उपर उल्लिखित सामग्रे से भिन्न एक अन्य सामग्रे में उक्त दोनों अधिकारियों के बरों की नवम्बर, 1976 में तलाशियां ली गयी थीं ।

(ग) ऊपर (ब) में दिये गये उत्तर को विवरणीय यह प्रश्न नहीं उठाता ।

आपत्तुर में समरीकी विमान का जबरन उतारना

947. श्री यादवेन्द्र बहू :

श्री रामनरेश कुक्कुवाहा :

क्या पर्वटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 10 सितम्बर, 1977 को बापतपुर हवाई अड्डे पर एक भ्रमरीकी विमान को उड़ान विनियमों का उल्लंघन करने के कारण जबरन उतारा गया;

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

(ग) आदेशों का उल्लंघन करने के लिये अपराधियों को क्या दण्ड दिया गया ?

पर्वटन और नागर विमानन मंत्री (श्री पुष्पोत्तम कौशिक) : (क) यी ही । एक प्राइवेट भ्रमरीकन रजिस्टर्ड बीच-टाइप बी-33 विमान को 9 सितम्बर, 1977 को

वाराणसी (बापतपुर) विमान क्षेत्र पर अव-  
तरण करने के लिये कहा गया था। विमान  
वहां 9 सितम्बर, 1977 को भारतीय  
समय के अनुसार 15.32 बजे उत्तरा।

(क) विमान ने भारतीय हवाई प्रदेश  
में बिना प्राधिकार प्राप्त किये प्रवेश किया  
तथा नूह व अलीगढ़ का रास्ता लेने के लिये  
दिल्ली क्षेत्र नियंत्रण द्वारा जारी की गयी  
हिदायतों का उत्तराधिन किया।

(ग) मामला विचाराधीन है।

**Overdrafts to State from Reserve  
Bank of India**

948. SHRI D. B. CHANDRE GOWDA: Will the Minister of FINANCE be pleased to state:

(a) the number and names of the State Governments, which incurred overdrafts from the Reserve Bank of India at the end of June, 1977; and

(b) whether the Reserve Bank of India has urged the States to so plan their finances as to avoid such recourse?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Ten States viz., Bihar, Himachal Pradesh, Kerala, Madhya Pradesh, Orissa, Punjab, Rajasthan, Tripura, Uttar Pradesh and West Bengal were in overdraft on the Reserve Bank of India on the 28th June, 1977. These overdrafts were cleared by the Central Government by releasing to the State Governments ways and means advances and, in advance of the due date of payment, the share in Central taxes, Central assistance for State Plans and grants-in-aid.

(b) Yes, Sir.

**Strike by Staff of Indian Airlines for  
Grant of Bonus**

949. SHRI MANORANJAN BHAKTA:

SHRI SAMAR MUKHERJEE:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether it is a fact that the Indian Airlines Staff all over the country have resorted to strike to press their demand for grant of 20 per cent. bonus; and

(b) if so, full facts in the matter and whether Government have taken any decision on their demand if so, what?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) From 22nd September to 2nd November 1977 a section of Indian Airlines employees, represented by the Air Corporations Employees' Union and the Indian Aircraft Technicians' Association had resorted to certain agitational activities some of which constituted an illegal strike, under the Industrial Disputes Act, 1947.

(b) Indian Airlines, being a non-competitive undertaking, is not covered by the Payment of Bonus Act, 1965. The provisions of the Act are, however extended to Indian Airlines on an ex-gratia basis, under specific orders of the Government of India. The ex-gratia payment is determined by the allocable surplus computed in accordance with the provisions of the Payment of Bonus Act as amended by the Payment of Bonus (Amendment) Ordinance, 1977. As per the Profit and Loss Account for 1976-77, Indian Airlines earned a net profit of Rs. 20.73

crores. However, there was no allocable surplus after adjustments for Depreciation and Investment Allowances related to the 3 Airbus Aircraft and ancillaries acquired during the year. In the circumstances, the employees in Indian Airlines became eligible for ex-gratia at the rate of 8.33 per cent in accordance with the guidelines contained in the Bureau of Public Enterprises' Office Memorandum No. 2(53)/77-BPE(GM-I), dated 12-9-1977 and instructions for the ex-gratia payment on this basis were issued by Indian Airlines on the 14th September, 1977.

Not satisfied with the above position, the Air Corporations Employees' Union and the Indian Aircraft Technicians' Association launched an agitation mainly at Bombay, Calcutta and Hyderabad bases with effect from 22-9-77. The Management of Indian Airlines explained the position to them in a circular and also discussed the matter in several meetings. As a result of these discussions, it was agreed that a joint meeting will be held between the representatives of ACEU/IATA and the Management in the second week of November, 1977 to discuss the Unions' specific proposals for a productivity-linked formula. A joint meeting has already been held and further discussions will follow. Meanwhile, the Unions have agreed to accept the payment of ex-gratia at 8.33 per cent and called off the agitation from 3rd November, 1977.

**Benefits to workers from the export of Marine Products, Leather, Timber etc.**

950. SHRI L. L. KAPOOR: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether any study has been made by the Ministry to find out the benefits accrued to the workers and such other sections out of the export of marine products, leather and leather

goods, timber and forest products, handicrafts etc. if so, the findings thereof; and

(b) whether it will be possible for the Ministry to levy some cess on exports of such commodities and set up a welfare fund for such workers; if so, the action proposed to be taken in the matter?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL):**

(a) No such study has been made by the Ministry.

(b) At present there is no proposal to levy any cess on export of these commodities for setting up a welfare fund for the workers.

**Import of unrefined edible oil**

951. SHRI L. L. KAPOOR: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether a huge quantity of unrefined edible oils have been imported if so, in what way was it distributed for refining and sale State-wise;

(b) what is the data along with the name of the parties;

(c) whether many of such parties had no capacity for refining and they packed and sold such oil to the consumers thus making unduly huge profits;

(d) if so, what action Government has taken against such parties; and

(e) the future edible oil policy of Government to remove shortage of edible oil?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL):**

(a) to (d). About 98,000 tonnes of

rapeseed oil has so far been imported by the STC during the oil year November, 1976 to October, 1977. The rapeseed oil is allotted to the State Government as required, who make their own arrangements to get the raw rapeseed oil refined. To States where there are no refining units at all, the oil is got refined by the units of Ganesh Flour Mills, whose management is under Central Government's control, and distributed. The refined oil is distributed to the consumers by the State Government agencies through licensed fair price shops.

Central Government have received no complaints about malpractices in the distribution of rapeseed oil supplied by them to the State Governments. The State Governments have adequate powers under the relevant pieces of legislation like the Essential Commodities Act and the Prevention of Food Adulteration Act to curb malpractices.

(e) A national edible oil policy is being evolved with a view to achieving over time, self sufficiency in the field of edible oils. Long term and short term measures, including imports, are being taken to improve the availability of edible oils.

अपना बाजार केन्द्रीय उपभोक्ता सहकारी भव्यार लि० जूनागढ़ गुजरात द्वारा सीमाशुल्क वस्तुओं के आवंटन के लिए मांग

952. भी चर्च तिह भाई पटेल : क्या विस मंत्री यह बताने की हुपा करेंगे कि :

(क) क्या अपना बाजार केन्द्रीय उपभोक्ता सहकारी भव्यार लि०, जूनागढ़, (गुजरात) में सीमा शुल्क वस्तुओं के आवंटन के लिये मांग की है; और यदि हाँ, तो उक्त मांग कब वी गई थी और तत्सम्बन्धी व्योग क्या है;

(ख) इस बारे में सरकार द्वारा क्या कार्यवाही की गई है अथवा करने का प्रस्ताव है; और

(ग) इस बारे में स्वीकृति देने में विलम्ब के क्या कारण हैं ?

विस तथा राजस्व और बैंकिंग मंत्री (भी एच० एच० पटेल) : (क) से (ग). जी, हाँ थूंक पकड़े गये जब्तेशुदा तस्करी के माल के निपटान के सम्बन्ध में सामान्य नीति की समीक्षा की जा रही है, यदि अपना बाजार केन्द्रीय उपभोक्ता सहकारी स्टोर लिमिटेड, जूनागढ़ के अनुदोष पर विचार, ऐसे माल के निपटान सम्बन्धी नीति का मन्त्रिक रूप से निर्णय हो जाने के बाद किया जाएगा।

पोरबन्दर केन्द्रीय उपभोक्ता समिति लि० द्वारा सीमाशुल्क विभाग द्वारा पकड़े जाने वाले सामान के आवंटन के लिए मांग

953. भी चर्च तिह भाई पटेल : क्या विस मंत्री यह बताने की हुपा करेंगे कि :

(क) क्या गुजरात के जूनागढ़ जिले के सब से बड़े शहर पोरबन्दर की छि० पोरबन्दर केन्द्रीय उपभोक्ता सहकारी समितियों ने सीमाशुल्क विभाग द्वारा पकड़े जाने वाले सामान के आवंटन के लिए सरकार से मांग की है;

और यदि हाँ, तो उक्त मांग कब की गई और तत्सम्बन्धी व्योरा क्या है ;

(ख) इस बारे में सरकार ने क्या कार्यवाही की है; और

(ग) स्वीकृति देने में विलम्ब के क्या कारण हैं और यदि उनकी मांग कब तक पूरी हो जायगी ?

विस तथा राजस्व और बैंकिंग मंत्री (भी एच० एच० पटेल) (क) से (ग) : केवल एक संगठन मर्यादित पोरबन्दर

केन्द्रीय उपभोक्ता सहकारी समिति निं० (गहरी उपभोक्ताओं का मुक्य संघटन) पोरबन्दर में जब्तभुदा माल के घाबंटन हेतु सरकार से अनुरोध किया । लेकिन उन्हें मूल्यित किया गया था कि पकड़ी गयी जब्तभुदा वस्तुओं का बिक्री; चूंकि 'केबल करितपय निर्दिष्ट शहरों / कस्बों तक ही सीमित रखी गयी है, इसलिए उनका अनुरोध स्वीकार नहीं किया जा सकता । पकड़ी गयी और जब्तभुदा तस्करी की वस्तुओं के निपटान के बारे में सामान्य नीति की समीक्षा की जा रही है और पोरबन्दर केन्द्रीय उपभोक्ता महकारी समिति निं० के अनुरोध पर विचार एसी वस्तुओं के निपटान संबंधी सामान्य नीति का अन्तिम रूप में निर्णय हो जाने के बाद, किया जायगा ।

विलायक निस्सारण और मूँगफली के छिलके की तेलहीन खली का निर्वात

954. श्री अम सिंह भाई पदेश : क्या वाचिक्य तथा नागरिक पूर्ति और सहकारिता मंड़ी यह बताने की कृपा करेंगे कि :

(क) क्या विलायक निस्सारण और मूँगफली के छिलके की तेलहीन खली के निर्वात के लिए कोई सीमा निर्धारित की गई है;

(ख) गत तीन वर्षों में कितना मूँगफली का छिलका निर्वात किया गया और कितना छिलका अभी निर्वात के लिए पड़ा हुआ है और इसके क्या कारण हैं; और

(ग) नई फसल आने पर मूँगफली के छिलके के निर्वात के बारे में सरकार की क्या नीति है और क्या निर्वात की कोई सीमा निर्धारित किये जाने का प्रस्ताव है?

वाचिक्य तथा नागरिक पूर्ति और सहकारिता मंड़ालों में राष्ट्र भंडी (श्री कुमार कुमार गोयल) : (क) वर्ष 1977 में मूँगफली निस्सारण के निर्वात के लिए 7.5 लाख में० टन की अधिकतम सीमा की गत लगाई गई है । निर्वात मूँगफली निस्सारण निर्वात विकास संघटन की माफत किया जाता है ।

(ख) भारत से मूँगफली के छिलकों का कोई निर्वात नहीं हुआ है । न ही मूँगफली के छिलके जहाज पर लदान के लिए पड़े हुए हैं । तथापि गत तीन वर्षों के दौरान मूँगफली निस्सारण के निर्वात निम्नोक्त प्रकार हुए ।

माला (लाख में०टन)	मूल्य (करोड़ रु)
1974-75	6.12
1975-76	5.96
1976-77	12.34
	74.28
	55.72
	168.39

(ग) नई फसल के सम्बन्ध में सरकार की नीति विचाराधीन है तथा अभी तक उसको अन्तिम रूप नहीं दिया गया है ।

#### Public Distribution System

955. SHRI AMAR ROYPRADHAN:  
SHRI SAUGATA ROY:  
DR. BAPU KALDATY:  
SHRI ISHWAR CHAUDHRY:  
SHRI S. R. DAMANI:  
SHRI SANTOSHRAO GODE:

Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) the avenues of the public distribution system which existed before March, 1977;

(b) the extent by which such avenues have been expanded as on October, 31st; and

(c) the targets for further expansion, if any, during the current year?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) The avenues of Public Distribution System are fair price shops, licensed shops for kerosene and soft coke and retail outlets operated by cooperatives in the urban and rural areas.

(b) The number of fair price shops has increased from 2,42,000 at the end of March, 1977 to 2,46,000 as at present. The number of retail outlets operated by cooperatives has also increased from 72,000 to about 75,000.

(c) During the current Cooperative year 1977-78 about 1,250 new retail outlets are to be set up by consumer cooperatives in the urban areas. The network of fair price shops and cooperative retail outlets are also to be expanded in the rural areas, particularly in the tribal and backward areas according to local requirements.

**Countries willing to write off debts due from India**

**956. SHRI NIHAR LASKAR :**

**SHRI YAGYA DATT SHARMA:**

Will the Minister of FINANCE be pleased to state:

(a) whether the Government have received any communication from Sweden in regard to the writing off of debts due from India;

(b) whether any other countries are willing to write off debts due from India; and

(c) the total amount involved?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) Yes, Sir. Sweden has taken a general decision to write off development assistance debts extended by it to a number of developing countries including India.

(b) No final decision has been communicated by any other country regarding the write off of debts on a similar basis.

(c) It has been indicated that the amount will be around Rs. 96.53 crores (Sk. 527.5 million).

**Safety for Air India Staff**

**957. SHRI NIHAR LASKAR:**

**SHRI M. RAM GOPAL REDDY:**

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the steps taken for the safety of Air India staff abroad in the wake of threats to their safety; and

(b) the steps taken in regard to the safety at the international airports in the country?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) The Governments concerned and the police authorities have been approached by Air India through Indian Missions abroad for protection of its offices and staff. The local authorities of the foreign Government's have alerted their police force and have intensified their vigil at the Air India offices and the residences of officials to counter the threats. Air India on its own has employed some security guards for protection of their offices and the staff against such threats.

(b) It would not be in the public interest to disclose the specific steps.

taken/proposed to be taken in regard to safety at the international airports. However, existing measures to guard against hijacking such as control of access points to operational areas, frisking of passengers and search of their hand-baggage, greater care regarding stamping of boarding cards as well as adequate guarding of perimeters have already been tightened up.

**Raids conducted by Enforcement Directorate and Revenue Intelligence**

958. SHRI JYOTIRMOY BOSU: Will the Minister of FINANCE be pleased to state:

(a) the details of raids conducted by the Enforcement Directorate and Revenue Intelligence from the 25th March, 1977 to the 31st October, 1977 with names, addresses and value of seizures in each case; and

(b) the follow-up action taken thereon?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. N. PATEL): (a) and (b), During the period from 25-3-77 to 31-10-77, the Directorate of Revenue Intelligence had conducted 80 searches resulting in the seizure of goods worth Rs. 14,54,116 besides currency and incriminating documents. The Directorate of Enforcement during the period 25-3-77 to 30-9-77 had conducted 432 searches as a result of which besides other documents Indian currency amounting to Rs. 18,93,837 and foreign exchange valued at Rs. 6,80,260 (approximately) were seized.

Note: (i) The statistics in regard to the searches during October, 1977 by the Enforcement Directorate are yet to be finalised and hence the figures upto 30-9-1977 have been furnished.

(ii) Most of the cases relating to these searches are at different stages of investigation/adjudication. The compilation of detailed information re-

garding these cases would involve a large volume of work. In case the Hon. Member specifies the name(s) of any particular party(ies) in respect of whose searches' information is desired, the same can be collected and furnished.

**Parliamentary Act for Kandla Free Trade Zone**

959. SHRI ANANT DAVE: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether there is any proposal for 'Parliamentary Act' for Kandla Free Trade Zone; and

(b) if so, the main features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) No, Sir.

(b) Does not arise.

**कुशीनगर (देवरिया) में पर्यटक होस्टल**

960. श्री उपरेतेन : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि -

(क) क्या भगवान् बृद्ध के विधि-निर्वाण स्थल कुशीनगर (देवरिया) में काइ पर्यटक होस्टल, बनाने का विचार है :

(ख) यदि हां, तो उसकी अनुमानित लागत कितनी है ; और

(ग) यह कब तक तैयार हो जायेगा ?

पर्यटन और नागर विमानन मंत्री (श्री पुरुषोत्तम कौशिक) : (क) और (ख). केन्द्रीय पर्यटन विभाग का कुशीनगर में सुविधाओं का विस्तार करने का प्रस्ताव

है जिनमें विभिन्न वर्गों का आवास भी सम्मिलित होता है। इस विकास कार्य को विभिन्न प्रौद्योगिकीय और प्राकृतिक तैयार हो जाने तक योजनाएं और प्राकृतिक तैयार हो जाने के तुरन्त बाद आरम्भ कर दिया जाएगा।

(ग) आवास की जानी है कि प्रस्तावित विकास कार्य, उक्त कार्य के आरम्भ होने के समय से लगभग दो वर्ष में पूरा हो जाएगा। परन्तु, यह निषिद्धियों के उपलब्ध होने पर निर्भर करेगा।

**Police and Customs Officials Involved in Smuggling Activities**

961. SHRI S. R. REDDY: Will the Minister of FINANCE be pleased to state:

(a) whether he is aware of reports that some police and customs officials were themselves involved in smuggling activities; and

(b) if so, how many such cases have come to the notice of the Government and what action has been taken against such officials?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). Yes Sir. Recently, 2 Police Constables of the Bombay Police and two Preventive Officers of the Bombay Customs (Preventive) Collectorate were involved in smuggling of gold and wrist watches. All of them were arrested. The two Customs Officers have been placed under suspension. The involvement of police constables in smuggling has been brought to the notice of the Government of Maharashtra. In addition to above, a few cases came to the notice

of Government in the past where Customs Officials were involved in smuggling of contraband goods into the country. Appropriate action under the law was taken against them.

**Fixation of Prices and Stock limit of Essential Commodities and Vegetable Oils**

962 SHRI S. S. SOMANI:

SHRI K. MALLANNA:

SHRI D. D. DESAI:

SHRI C. K. CHANDRAPPAN:

SHRI D. G. GAWAI.

Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether prices of certain essential commodities and vegetable oils have been fixed by Government recently;

(b) if so, the details thereof; and

(c) whether stock-limits both for wholesalers and retailers for pulses, edible oils and vanaspati have been fixed under the Essential Commodities Act?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) Central Government recently fixed the maximum retail price of mustard oil.

(b) According to the Mustard Oil (Price Control) Order, issued on 30 September, 1977, no dealer shall, either by himself or by any person on his behalf sell or offer to sell any mustard oil at the retail price exceeding Rs. 10/- a kg., exclusive of the cost of container but inclusive of taxes. The Order became effective from September 30, 1977.

(c) Yes Sir. Both the Mustard Oil (Price Control) Order and the Pulses and Edible Oils (Storage Control)

Order have been challenged before the Supreme Court, whose decision is awaited.

हवाई थ्रूटों पर विमान यात्रियों का एक्स-रे करने वाला वंत्र

963. श्री एस० एस० सोमानी :

श्री सौ० के० जाफर शरीफः

क्या पर्वटन और नामर विमान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत के पास ऐसे यंत्र नहीं हैं जिससे कम समय में हवाई थ्रूटों पर यात्रियों की जांच पड़ताल करने में कस्टम अधिकारियों की सहायता हो सके ;

(ख) क्या ऐसी ही मांग एक वर्ष मूँब की गई थी जब कि इंडियन एयलाइंस के बोइंग 737 में दिल्ली में कुछ सशस्त्र अपहरणकर्ता चढ़ गये थे और उसे जबरदस्ती उड़ा कर लाहौर ले गये थे; और

(ग) यदि हां, ना क्या सरकार का विचार विदेशों से ऐसे नये उपकरण आयात करने का है जिससे हवाई थ्रूटों पर विमान यात्रियों का एक्स-रे आदि हो सके और यात्रियों को भी सुविधा हो सके ।

पर्वटन और नामर विमान मंत्री (श्री पुश्पोत्तम कौशिक) : (क) से (ग). मूँबना एकलित की जा रही है तथा समाप्ति पर रख दी जाएगी ।

संबिलियों के नियांत पर रोक

964. श्री एस० एस० सोमानी : क्या संबिल तथा नामरिक मूलि और सहकारिता मंत्री यह बताने की कृपा करेंगे कि ।

(क) क्या यह सब है कि सरकार ने संबिलियों के विदेशों को नियांत पर रोक लगा दी है,

(ख) यदि हां, तो कब और क्या उसके परिणामस्वरूप संबिलियों की कीमतों में कोई परिवर्तन हुआ है; और

(ग) यदि हां, तो कितना ?

संबिल तथा नामरिक मूलि और सहकारिता मंत्रालयों में राष्ट्र संघी (श्री हुम्म कुमार गोवल) : (क) जी हां। ताजी संबिलियों के नियांत पर रोक लगा दी गई है ।

(ख) और (ग). ताजी संबिलियों के नियांत पर 19-7-1977 को रोक लगाई गई थी जब कि आलू तथा प्याज के नियांतों को कमांडः मार्च, 1977 तथा 13-5-77 को बन्द किया गया था । संबिलियों की कीमतों पहले ही ऊंची थीं और उनमें निरत्तर बढ़िया का रुक्का बना हुआ था । यदि सरकार ने कार्यवाही न की होती तो संबिलियों की बढ़ती हुई कीमतें और ऊंची हो गई होतीं । इस कार्यवाही से संबिलियों की कीमतों की मीमा में रखने और कुछ मामलों में कीमतों में गिरावट लाने में सहायता मिली है ।

#### Export of superior Basmati Rice through Private Traders

965. SHRI OM PRAKASH TYAGI: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether Government have decided to permit private traders to export superior basmati rice hitherto exclusively handled by S.T.C. or State agencies;

(b) whether this decision will not lead to rise in the price of rice; and

(c) the reasons for taking this decision?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL) (a) to (c). Exports of basmati rice were canalised through the State Trading Corporation. A decision has been taken to decontrol these exports as a large subsidy was required for exports. Basmati rice is a high priced speciality and not a mass consumption item. In view of the low international prices it is likely that exports will be lower than in past years. There is no likelihood of rise in price of rice consumed by the common people.

#### तस्करी रोकने के उद्याय

966. श्री औम प्रकाश त्यागी : क्या वित्त मंत्री यह बताने की क्षमा करेंगे कि-

(क) जनता सरकार ने नव्वर ग्यापार को रोकने के लिए अब तक क्या नये कदम उठाये हैं, और

(ख) उन रथाम ना या परिवाम निकला ?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) : (क) और (ख). सरकार ने, निवारक और प्रवर्तन तत्त्व को मुद्र बना कर, विदेशी बूद्धि परिवर्तन को नगरी कियाकलाप निवारण अधिनियम के उपचारों को चुनिन्दा प्रयोग करके तथा उपयोग अधिक उपाय लागू करके इवारी का रोकने के लिए तीन तरफा कार्यवाही शुरू की है। तस्करी रोकने में इन उपायों का उपयोगी असर हृष्टा है। यह बात, सोमाशुल्क अधिकारियों द्वारा पराए गये नियिद माल के मूल्य में विरावट की प्रवृत्ति, विदेशी से देश में भेजी गई (गैर-यापारिक) रकमों में

प्रत्याविक बृद्धि, विदेशी में गैर-सरकारी बाजार में भारतीय रूपए में विदेशी मदा के मुकाबले नियमित भजवती, देश के सभ्य विपणन केन्द्रों में नियिद माल के ऊपर दाम और उनका उत्पन्न न होना, जैसे सकेतों से प्रमाणित होती है।

#### Efforts to Promote Tourism

967 SHRI D. G. GAWAI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether he is aware of the Prime Minister's stress on the need for an all out effort to promote tourism not merely for earning foreign exchange but for having friendly relations with the people of the world; and

(b) how he proposes to implement this suggestion of the Prime Minister?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK) (a) Yes, Sir

(b) By intensive promotion in the traditionally tourist generating areas and extending such activity to new areas which hold tourism potential through opening Tourist Offices, it is proposed to promote greater interest in travel to India. Further, to enable international tourists to travel extensively within the country thereby getting to know its people and culture better, attractive air and rail concessional fares have been introduced and infrastructural facilities by way of accommodation and surface transportation are being augmented. Special cultural programmes are also organised on request from tourist groups. In selected places, meet-the-people programmes have been introduced for creating friendly relations between the people of the country and tourists visiting India.

**Export Processing Zone near Calcutta**

**968. SHRI CHITTA BASU:**

**SHRI C. R. MAHATA:**

Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether Government of West Bengal have approached Government to set up an export-processing zone near Calcutta; and

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

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL)** (a) and (b). The Government of West Bengal had sent a proposal to the Central Government in 1973 regarding setting up an export processing zone near Calcutta. In May-June 1976, a general decision was taken by the Central Government not to set up any further free trade zones in the country. This decision was communicated to the West Bengal Government in June, 1976. Thereafter in reply to Lok Sabha Unstarred Question No. 1709 answered on 24th June, 1977 it was mentioned that no proposal for revision of the general decision taken in May-June, 1976 of not having any further free trade zones was presently under consideration.

In view of the above, the Question of setting up an export processing zone in the Salt Lake Area does not arise at present.

#### **Development of Domestic Tourism**

**969. SHRI CHITTA BASU:**

**SHRI M. A. HANNAN ALHAJ:**

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have any specific proposal to develop domestic tourism;

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

(c) what particular efforts have been made for making domestic tourism cheaper?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) to (c). The Department of Tourism has constructed a number of Tourist Banglows, Travellers Lodges and Youth Hostels for the convenience of both Indian and foreign tourists of the middle and low income groups, which are located at various places of tourists interest all over the country. It is also proposed to construct camping sites at selected places. The India Tourism Development Corporation is laying emphasis in its accommodation programme on the construction of hostels which cater to the requirement of middle income group of tourists. Recently a feasibility study for construction of a Janata Hotel at New Delhi has been undertaken. The intention is to make hotel accommodation available at low tariff.

The State Governments and local authorities concerned and other private organisations are providing community centres, dharamshalas, sarais etc., in areas where such accommodation is required.

#### **Payment of Export Subsidies to Jute Mills**

**970. SHRI CHITTA BASU:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether it is a fact that there are dues to the credit of the jute mills from the Union Government on account of payment of export subsidies; and

(b) if so, the amount of dues and under what heads?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL): (a) and (b). As on 11th November, 1977, an amount of Rs. 4,92,67,660 was due to jute mills on account of export subsidy. Break-up of this amount is as under:—

(i) Subsidy against exports effected directly by jute mills	Rs. 2,60,33,015
(ii) Subsidy against exports effected through shippers	Rs. 2,32,32,654

This amount will be disbursed as and when all necessary information and documents are furnished by the parties concerned to the Joint Chief Controller of Imports and Exports, Calcutta.

**Rise in Prices of Essential Commodities**

971. SHRI CHITTA BASU:

SHRI SHYAM SUNDER GUPTA:

SHRI SAMAR GUHA:

SHRI DURGA CHAND:

SHRI K. MALLANNA:

DR. BALDEV PRAKASH:

SHRI C. K. JAFFER

SHERIEF:

SHRI S. D. SOMASUNDARAM:

SHRI RAMESHWAR PATIDAR:

SHRI PHOOL CHAND VERMA:

SHRI S. N. CHATURVEDI:

SHRI JENA BAIRAGI:

SHRI SUSHIL KUMAR

DHARA:

Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) the reasons for the continuous rise of prices of essential commodities; and

(b) the steps taken to bring down the price level?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL): (a) During the past seven consecutive weeks, the all commodities wholesale price index has shown a continuous decline—the overall decline being to the extent of 2.5 per cent in these weeks. As compared to the terminal week of March, 1977, the index in the week ending November 5, 1977, was higher by only 1 per cent. However, there had been a rising tendency earlier in the prices which may mainly be attributed to the enormous difference in the rate of growth in money supply and the national income. In 1976-77, the money supply increased by 18 per cent as against an estimated increase of about 2 per cent in the national income. Although this year the rate of growth in money supply is lower than that of last year, the lagged impact of the increase in money supply last year continued to have its impact. There has also been significant shortfall in the production of a few essential commodities like rice, oilseeds, pulses and raw cotton. Shortfall in power supply also affected the production in some industries such as cement.

(b) To combat inflation and improve the availability of essential commodities, the important measures taken are: Minimising deficit financing, reducing non-developmental expenditure, continuation of restrictive credit policy, releases of more cereals through the public distribution system, releases of more non-levy sugar, imposition of export duty on tea, banning exports of vegetables, staggering and reducing exports of cement, substantial increase in the use of imported oil by the Vanaspati industry, sale of refined import-

ed rapeseed oil for direct consumption at Rs. 8.50 a kg. to begin with and subsequently at Rs. 7.50 a kg. and import of very substantial quantities of edible oils and raw cotton.

In order to have reductions in auction prices reflected in the retail prices of tea, National Agricultural Cooperative Marketing Federation of India Limited (NAFED) and National Consumer Cooperative Federation (NCCF) were asked to increase their operations of selling loose tea. Their combined sales of loose tea amounted to over 1 lakh kg. in October, 1977 as compared to 2,000 kg. in July, 1977. They are selling tea in 65 cities in various parts of the country at a retail price of Rs. 16.50 a kg. As an incentive to growers, the support price of wheat, paddy, gram, raw cotton, groundnut and sunflowerseed have been raised. As a dehoarding measure, stock limits have been imposed on wholesalers and retailers dealing in pulses, edible oils and vanaspati. The maximum retail price of mustard oil has been fixed at Rs 10 a kg. since September 30, 1977 (the Order, related to stock limits and fixation of price of mustard oil have been challenged in courts and the decision of the Supreme Court is awaited). A broadbased plan is being finalised to enlarge and improve the public distribution system.

**Raids conducted on Mills and Business Premises of Vanaspati Manufacturers**

972 SHRI SHANKERSINHJI VAGHELA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the particulars of raids conducted on the mills and business premises of leading vanaspati manufacturers in the country during 1977 so far;

(b) the nature of irregularities detected;

(c) the number of arrests made; and

(d) what action is proposed to be taken against them so that they may not indulge in such irregularities in future?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) to (d). During 1977, the inspectors of the Vanaspati Directorate carried out 700 inspections of various vanaspati units. They drew 2500 samples out of which 2300 have been analysed. 72 samples did not conform to specifications. These cases are being examined for taking such appropriate action as may be necessary.

Inspection and raids on the vanaspati units can also be taken up by State Government officials like food inspectors and also by excise authorities. Details of these are not being reported to this Ministry.

**Remittances by Indians from Abroad**

973. SHRI VAYALAR RAVI: Will the Minister of FINANCE be pleased to state:

(a) the total amount remitted by the Indians from abroad from 1st April to September, 1977 and how does it compare with the corresponding figures of the previous two years;

(b) whether Government propose to offer any fresh incentives to attract more remittances, and

(c) if so, the details thereof?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) According to the records maintained by the Reserve Bank of India, the total amount remitted from abroad from 1st April to September, 1977, as well as during the corresponding period

of the preceding two years is as under:

Year	(Rs. in crores)
1975	549.68
1976	774.03
1977	909.36

It will be observed that the total remittances received during the above months of the year 1977 are sizeably higher than those received during the corresponding months of earlier years.

(The above figures are gross non-export receipts which include all kinds of receipts such as airline receipts, shipping receipts, insurance receipts, dividend receipts, tourism receipts, etc., besides the four heads of receipts relevant to the term "inward remittances", namely: (i) family maintenance, (ii) savings of non-residents, (iii) migrant transfers, and (iv) money order receipts.)

(b) and (c). A new scheme has been introduced with effect from 1-11-77 under which returning Indians can utilise 25 per cent of the foreign exchange remitted or brought in by them through normal banking channels for a period of 10 years, on transfer of residence for certain purposes as indicated below:

- (a) Travel abroad for personal reasons by the person, his or her spouse, and dependent children;
- (b) Medical treatment abroad for the person, his or her spouse, and dependent children;
- (c) Foreign education of dependent children or wards of the person;
- (d) gift remittances to close relatives permanently resident abroad, on occasions

such as birthdays, religious festivals, and weddings;

(e) Import of special appliances for professional use, subject to compliance with import licensing formalities. It has also been decided that a non-resident of Indian origin be permitted to acquire in India one or in special case two residential house(s)/flat(s) for personal or family use.

**Request from Bargarh Sugar Mill in Orissa for Loan**

974. SHRI GANANATH PRA-DHAN: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the Bargarh Sugar Mill in Orissa has applied for any loan from National Cooperative Development Corporation for expansion programme;

(b) the amount of loan applied for; and

(c) the total amount sanctioned to mill and the date of its withdrawal?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL): (a) No, Sir.

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

आवरण में पर्यटकों के लिए सस्ते होटेस

975. श्री रामचंद्री जाल मुम्बल : क्या पर्वतन श्रीर नामक विवाहालय मंदिरी यह बताने की कृता करेंगे कि पर्यटकों के लिए आवरण में सस्ते होटेस बनाने के लिए सरकार क्या कार्रवाई कर रही है ?

**पर्याम और नागर विभाग के मंत्री (श्री गुरुसोराम कौशिक) :** यदि उठी बोजना में निविं उपलब्ध होई तो भागरा में सस्ते होटल आवास की व्यवस्था करने के प्रश्न पर विचार किया जाएगा।

#### Fair Price Shops in Rural Areas

**976. SHRI SAMAR GUHA:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether after Janata Party's coming to power the number of fair price shops, popularly known as Janata shops, has increased in the rural areas;

(b) whether items of essential commodities for distribution through such fair price shops have also increased;

(c) if so, the facts thereabout and number of people covered by such fair price shops in the rural areas and the frequency of distribution of commodities through such fair price shops?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHAN KUMAR GOYAL):** (a) The number of fair price shops increased from 1,86,555 as on 31-3-77 to 1,90,600 as on 15-10-1977 in the rural areas.

(b) At present wheat, rice, coarse-grains and levy sugar are distributed through fair price shops. Recently, imported rapeseed oil has also been taken up for distribution to the fair price shops, wherever shortages of indigenous edible oils obtained according to local requirements.

(c) The rural population covered by the fair price shops according to the information furnished by the State Governments is 3704 lakhs as on

15-10-77. The frequency of distribution of commodities through the fair price shops to individual consumers is to be determined on the basis of actual needs of consumers and supplies could be made weekly or fortnightly and on a monthly basis, in some States.

#### Publicity in Foreign Countries of H. P. Places of Tourist Interest in Himachal Pradesh

**977. SHRI DURGA CHAND:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether any steps have been taken by Government to give publicity in foreign countries to the places of tourist interest in Himachal Pradesh;

(b) if so, what are the details thereof;

(c) what is the outcome of the steps taken in this regard;

(d) what further steps are being taken to bring Himachal Pradesh on the tourist map of India; and

(e) if reply to part (a) above be in the negative, what are the reasons thereof?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) to (d). India is being projected overseas as a holiday destination by highlighting its varied tourist attractions. Although no specific promotion is undertaken in respect of a particular State, it may be mentioned that the tourist attractions of Himachal Pradesh are widely publicised through the distribution of tourist publicity material such as folders, posters and through documentary films.

(e) Does not arise.

**Commodities to be covered by Excise Duties Instead of Sales Tax**

978. SHRI DURGA CHAND: Will the Minister of FINANCE be pleased to state the names of the commodities which are to be covered by the excise duties instead of sales-tax?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): Additional excise duties in lieu of sales tax are levied at present on sugar, tobacco and textiles (other than silk fabrics). Sales tax is primarily a State levy under the Constitution and it is necessary, therefore, to persuade State Governments to agree to the proposal to allow sales tax to be replaced by excise duties. This task has been undertaken and the Finance Minister has already had a brief preliminary exchange of views with Chief/Finance Ministers of 14 States. All the Chief/Finance Ministers have stressed the fact that sales tax constitutes a large proportion of the State tax revenue and is an expanding and elastic source of income and it has to be ensured that the State does not lose financially now as well as in future. Chief/Finance Ministers indicated that they would send their detailed and formal reaction to the proposal in due course of time. Their reactions are awaited.

**विकास खण्ड मुख्यालय में राष्ट्रीयकृत बैंकों की शाखाओं का खोला जाना**

979. श्री हुक्म देव नारायण यादव : क्या वित्त मंत्री यह बताने की कृता करेंगे कि :

(क) क्या विकास खण्ड मुख्यालयों में राष्ट्रीयकृत बैंकों की शाखा खोलने का कोई प्रस्ताव है और यदि हाँ, तो उक्त शाखाओं के कब तक खोले जाने की सम्भावना है; और

(ख) क्या विकास खण्ड मुख्यालयों में पहले से बर्तमान शाखाओं के अन्तर्गत केवल लगभग एक दर्जन गांव ही आते हैं न कि सम्पूर्ण विकास खण्ड और यदि हाँ, तो क्या सरकार का विचार इस नियम को ठीक करने का है?

**वित्त तथा राजस्व और बैंकिंग बंडी (श्री ईच० एम० पटेल) :** (क) अभी तक बैंक रहित गांवों में बैंकिंग मुविधायें उपलब्ध कराने के व्यापक उद्देश्यों के अनुसरण में, बैंकों को सलाह दी गई है कि वे यह सुनिश्चित करें कि ज्यादा से ज्यादा जून, 1978 के अन्त तक देश के प्रमुख सामुदायिक खण्ड में वर्णित बैंक की कम से कम एक शाखा स्थापित हो जाये।

(ख) व्योकि किसी बैंक शाखा को प्रामोलिक व्यापि इसके द्वारा दिये गये ऋणों के उपयोग के पर्यावरण की उसकी अपनी क्षमता से अनिवार्यतः सीमित होती है इसलिए बहुत अधिक संख्या में ग्रामों की बैंकिंग मुविधायें उपलब्ध कराने के लिए, यह आवश्यक है कि एक समयबद्ध कार्यक्रम के अन्सार, कम बक बाले क्षेत्रों में अधिक शाखायें खोली जायें। इस लक्ष्य को प्राप्त करने के लिए भारतीय रिजर्व बैंक ने बैंकों से कहा है कि 1 जनवरी, 1977 के बाद से उन्हें किसी महानगरीय स्थान में एक शाखा खोलने और किसी बैंक बाले स्थान में अपनी एक और शाखा खोलने का अधिकार प्राप्त करने के लिए बैंक रहित ग्रामीण स्थानों में कम से कम चार शाखायें खोलनी पड़ेंगी। सरकारी क्षेत्र के बैंकों में यह भी कहा गया है कि वे बैंक रहित ग्रामीण स्थानों में शाखा विस्तार का अपना कार्यक्रम बनाते समय उन जिलों पर अधिक ध्यान दें जहाँ ग्रामीण/अर्द्धशहरी शाखा व्यापि अपेक्षातया कम हैं।

## सहस्र भारतीय होटल खोलना

980. श्री हुक्म देव नारायण यादव : क्या पर्यटन और नगर विभानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार सहस्र भारतीय होटल खोलने का है, और यदि हाँ, तो ऐसे होटल किन स्थानों पर खोले जायेंगे,

(ख) क्या सरकार का विचार "फाइव स्टार" होटलों के निर्माण पर नथा उनके लिए वैकों तथा अन्य सरकारी वित्तीय संस्थानों से ऋण देने पर प्रतिबन्ध लगाने का है, और

(ग) यदि हाँ तो कब तक और यदि नहीं, तो उनके क्या कारण हैं ?

पर्यटन और नगर विभानन मंत्री (श्री पुरुषोत्तम कौशिक) : (क) मैट्रोपोलिटन शहरों (दिल्ली, बम्बई, कलकत्ता तथा मद्रास) तथा अन्य चुने हए पर्यटन केन्द्रों पर सम्में होटलों का निर्माण करने का प्रस्ताव है। केन्द्रीय भेद में बनाये जाने वाले ऐसे होटलों की संख्या तथा स्थान उडी पर्यटकीय योजना के दौरान, जिस पर योजना आयोग के साथ बातचीत की जा रही है, इस प्रयोजन के लिए उपलब्ध किए गए साधनों पर निर्भर करें।

(ख) और (ग). भारत की यात्रा करने वाले विदेशी पर्यटकों को दृष्टि में रखने हुए पाच स्टार वैकों के होटलों की भी अवश्यकता है। अत पाच स्टार वाले होटलों के निर्माण तथा वैकों एवं अन्य सार्वजनिक वित्तीय संस्थानों से उनके लिए ऋणों की आवश्यकता पर फिलहाल कोई प्रतिबन्ध लगाने का प्रस्ताव नहीं है।

बिहार के मधुबनी और दरभंगा जिलों में स्टेट बैंक शाक इंडिया की शाखाओं द्वारा किसानों और अन्य व्यक्तियों को ऋण दिया जाना

981. श्री हुक्म देव नारायण यादव : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बिहार के मधुबनी और दरभंगा जिलों में विकास खण्ड मुकायालयों में स्टेट बैंक शाक इंडिया की शाखायें किसानों और अन्य लोगों को ऋण नहीं देती और स प्रतिशत बनराशि रिवॉल्ट के रूप में मांगते हैं; और

(ख) यदि हाँ, तो क्या सरकार का विचार इन कार्यों की जांच करने का है, और यदि नहीं, तो इसके क्या कारण हैं ?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एच० एच० पटेल) : (क) भारतीय स्टेट बैंक की शाखाओं ने मितम्बर, 1877 के अन्त तक कुछ सहित प्रायमिकता प्राप्त क्षेत्र को दरभंगा और मधुबनी जिलों में कमाया। 105.65 लाख रुपये और 33.40 लाख रुपये का ऋण दिया था। पात्र आवेदकों को ऋण स्वरित गति से दिया जाता है और कोई पारितोषिक नहीं मांगा जाता है।

(ख) यदि कोई खाम मामले सरकार के ध्यान में लाये गये तो उचित कार्रवाई की जायेगी।

## नोटों का विमुद्रोकरण

982. श्री हुक्म देव नारायण यादव : द्वा० रामजी सिंह :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या काल छन का पता लगाने के लिए बाषू समिति की सिफारिश मान कर

सरकार नोटों का विमुद्रीकरण करना चाहती है; और

(क) देश में अनुमानतः कुल कितना काला धन है और क्या उसका पता लगाने के लिए कोई प्रस्ताव सरकार के विचाराधीन है?

वित्त तथा राजस्व और बैंकिंग मंत्री (धीर एवं एम० पटेल) : (क) इस समय ऐसा कोई प्रस्ताव सरकार के विचाराधीन नहीं है।

(क) सरकार ने देश में मीजूद काले धन का कोई अनुमान नहीं लगाया है। तथापि बांचू समिति ने ऐसी आय को जिसके सम्बन्ध में 1968-69 में कर का अपर्दन किया गया था, 1400 करोड़ रुपया आंका था।

काले धन का पता लगाने की कार्रवाई एक सतत प्रक्रिया है। सरकार के द्वारा समय-समय पर स्विति के अनुसार आवश्यक कार्रवाई की जाती है। करघाना विधि (संशोधन) अधिनियम 1975 के द्वारा काले धन का पता लगाने तथा उसके बड़ाव को रोकने के कार्य में सुविधा देने के प्रयोजन से कानून में कई एक संशोधन किये गये। तथाकर और विदेशी मुद्रा छल साधक (सम्पत्ति सम्पहरण) अधिनियम, 1976 में तस्कर व्यापारियों तथा विदेशी मुद्रा का कपथूर्ण धंग करने वाले व्यक्तियों की गट-कानूनी नींव पर प्राप्त की गई सम्पत्तियों को जब्त कर लेने की व्यवस्था की गई है।

आयकर विभाग की गुप्तवर्ती प्रशासन को करों की ओरी से संबंधित जानकारी के लिए प्रभावपूर्ण कार्रवाई कर सकने के लिए सुव्यवस्थित कर दिया गया है। आयकर/छनकर के नये करदाताओं का पता लगाने के लिए तथा विदेशी विदेशी विदेशी मामले

में उनकी सूची आय व्यवस्था उनके क्षेत्रे धन का पता लगाने के लए गहन कितु सुव्यवस्थित सर्वेक्षण किय जा रहे हैं।

**Opening of new branches and advances made by public and private sector banks**

983. SHRI K. SURYANARAYANA: Will the Minister of FINANCE be pleased to state:

(a) the number of new branches opened since during the last three years upto the end of June, 1977 by public sector and private sector banks; and

(b) the advances made by them for various developmental activities in the country i.e., Agriculture, small industries and professionals and self employed persons etc. during the above period?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) The required information is given in Annexure-I. [Placed in Library. See No. LT 1121/77].

(b) Available bank groupwise data regarding advances to neglected sectors as on the last Fridays of June 1975, June 1976 and March 1977 are set out in Annexure II. (placed in Library. See. No. LT 1121/77).

**Loan to India by West Germany**

984. SHRI RAJ KESHAR SINGH: Will the Minister of FINANCE be pleased to state:

(a) whether West Germany has agreed to extend loan to India;

(b) if so, the amount granted and released; and

(c) the projects on which the amount is likely to be utilised?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) Yes, Sir. At the conclusion of the annual bilateral negotiations between the Governments of India and the Federal Republic of Germany for assistance in the current year, an agreement was signed in New Delhi between the two Governments on 14th October, 1977.

(b) The Federal Republic of Germany has committed an amount of DM 360 million (Rs. 135.72 crores) as a loan to India for the current year which has the following composition:

	Rs Crores	DN Million
Projects . .	88 595	235
Development Banks (ICICI and IIC) . .	3 147	11
Capital Goods . .	3 393	9
Commodities . .	28 275	75
Debt Relief . .	11 310	30
	<u>135 720</u>	<u>360</u>

(c) Apart from the purposes indicated above, the project tranche of DM 235 million will be utilised for the following projects viz (i) The Neyveli Lignite Corporation (DM 60 Million), (ii) The Gujarat Narmada Valley Fertilizers Company (DM 55 million), (iii) The Trombay Thermal Power Station (DM 85 million) and (iv) Acquisition of an Oceanographic Research Ship from the Federal Republic of Germany (DM 35 Million).

**Terms and conditions of committee to formulate Approach to Foreign and Domestic Tourism**

**985 SHRI RAJ KESHAR SINGH: SHRI VASANT SATHE:**

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have set up high level Committee to formulate the Government approach to foreign and domestic tourism;

(b) whether the Committee has been set up; if so, the terms of reference and its constitution; and

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

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) to (c) Government propose to set up a high level Committee to formulate a National Policy on Tourism in respect of foreign and domestic tourism. The terms of reference, and the composition of this Committee are under consideration and the decisions in this regard will be announced shortly.

#### Steps to ensure Price Stability

**986 SHRI RAJ KESHAR SINGH:** Will the Minister of FINANCE be pleased to state:

(a) how far the problem of power shortage and high rate of interest and depreciation on the Capital outlay have affected prices of various items in the country; and

(b) the steps being taken to tackle the above problems and to ensure price stability?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M. PATEL):** (a) and (b) It is not possible to isolate the impact of any particular factor on the prices of commodities. It is, however, possible that power cuts, leading to curtailment of production, may have a tendency to produce temporary shortages in the market, and hence, a rise in prices. The problem of power shortage is being tackled through creation of additional generating capacity, improving the performance of the existing power stations and reducing transmission and distribution losses.

In so far as interest and depreciation are concerned, their incidence on the cost of production is fairly small. Even so, interest rate levels are being kept under regular review and modifications are being made as and when the situation warrants. For example, in May 1977 the Reserve Bank directed the commercial banks to reduce the interest rate on term loans for periods not less than three years from the then existing ceiling level of 14-15 per cent to 12.5 per cent. Rationalisation was also introduced in the deposit rate structure, and the banks were advised to pass on to borrowers the benefits of interest savings on deposits.

**Dearness Allowance to Central Government Employees**

**987. SHRIMATI PARVATHI KRISHNAN:**

SHRI DINEN BHATTACHARYA:

SHRI K. A. RAJAN:

SHRI S. R. DAMANI:

SHRI M. RAM GOPAL REDDY:

SHRI KACHARULAL HEMRAJ JAIN:

SHRI MANI RAM BAGRI:

SHRI YASHWANT BOROLE:

SHRI SUKHDEO PRASAD VERMA:

DR. HENRY AUSTIN:

SHRI AHMED M. PATEL:

SHRI ARJUN SINGH BHADORIA:

SHRI G. V. KRISHNAN:

SHRI VASANT SATHE:

SHRI SAMAR MUKHERJEE:

SHRI MADHAVRAO SCINDIA:

Will the Minister of FINANCE be pleased to state:

(a) whether the Central Govern-

of Dearness Allowance to their employees from August with the rise in the consumer price index for the period of 12 months going upto 312.50 in August, 1977;

(b) whether Central Government Employees Organisations have approached the Government for immediate grant of dearness allowance; and

(d) if so, the details thereof and Government's decision thereon?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) and (c). (consequent on the 12-monthly average of the consumer price index crossing 312 points at the end of August, 1977, the Government have decided to grant an instalment of additional dearness allowance to the Central Government employees with effect from 1-9-1977.

(b) Yes, Sir

**Token Strike by Officers and Employees of Commercial Banks and Reserve Bank of India**

**988. SHRIMATI PARVATHI KRISHNAN:**

SHRI SUKHDEO PRASAD VERMA:

SHRI K. RAMAMURTHY:

Will the Minister of FINANCE be pleased to state:

(a) whether the officers and employees of the commercial banks and Reserve Bank of India went on a token strike all over the country during September, 1977 to press their demands including revision of wages, restoration of trade union rights and of the right to bonus; and

(b) if so, the details thereof and steps taken by Government to settle their demands?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI**

Reserve Bank of India has reported that most of their workmen employees and a large number of officers and other employees in many of the commercial banks observed a day's token strike on 27th September, 1977 to press following demands —

Category	Demands
(i) Workmen employees in Classes II, III and IV of Reserve Bank of India	Demanding negotiated settlement of clusters of demands including revision of pay scales submitted by their representative All India 1 sides
(ii) Officers in nationalised banks and State Bank of India Group	Mainly protesting against the implementation of the Pillai Committee Report on standardisation of pay scales allowances and perquisites of officers in banks
(iii) Other employees in many of the commercial banks	Demanding revision of wages payment of bonus and relief of office bearers to do trade Union work during office hours (ferred to is the restoration of trade union rights)

The employees in the Reserve Bank of India and many of the commercial banks had also participated in the programme of late attendance for 1 hour and 2 hours respectively on the 13th September, 1977.

The Reserve Bank of India and the Indian Banks Association are of the view that any revision of wages for the workmen employees of these institutions should await the national wage policy now under consideration of the Government.

As regards standardisation of pay scales, allowances and perquisites to officers, Govt have already accepted the recommendations of the Pillai Committee with certain modifications and have advised the nationalised banks to initiate necessary steps for their implementation.

#### Report on Indirect Taxes

991 SHRI O V ALAGESAN  
SHRI M KALYANASUNDARAM  
SHRI PRASANNBHAI MEHTA

Will the Minister of FINANCE be pleased to state

(a) whether Union Government have received the Panel Report on indirect taxes,  
(b) if so the main recommendations of the report, and  
(c) how many of them have been accepted?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) (a) The Government has recently received Part I of the final Report of the Indirect Taxation Enquiry Committee. Part II of the final Report is however, yet to be received.

(b) As the Report relates to taxation proposals among other things the contents thereof are being treated as confidential for the present.

(c) Part I of the Report is presently under study and it is too early to indicate Government's acceptance or otherwise of any of the proposals contained therein.

#### Conference of India's Commercial Representatives stationed in East European countries

992 SHRI O V ALAGESAN  
SHRI PRASANNBHAI MEHTA

Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether Government had convened a three day Conference of India's Commercial Representatives stationed in East European Countries from October 24 to review the performance of Indian trade in that region;

(b) if so, the subjects discussed therein; and

(c) the decisions arrived at?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL): (a) Yes, Sir.

(b) and (c). The meeting reviewed the present pattern of trade with the East European countries and considered means to balance the two-way trade, the role and functions of the export promotion offices located in East Europe, and promotional measures necessary to promote our exports to East Europe.

#### Amount drawn from Foreign Exchange Resources

993. SHRI O. V. ALAGESAN: Will the Minister of FINANCE be pleased to state:

(a) what is the amount so far drawn from out of Rs. 800 crores proposed to be drawn from foreign exchange resources; and

(b) how was the amount so drawn utilised and with what effect on inflation?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). Though the Government did make provision for use of foreign exchange resources at a substantially enhanced level for imports of mass consumption items

such as edible oils, raw cotton etc., there has not been any net draw down of foreign exchange reserves so far. However, the undertaking of substantial import of mass consumption items and the adoption of a liberal import policy have helped in curbing inflationary pressures in the economy.

#### Credit made available to Industrial and other sectors from different sources

994. SHRI O. V. ALAGESAN: Will the Minister of FINANCE be pleased to state:

(a) the total credit made available to (a) large scale industry sector (b) small-scale industry sector (c) cottage-industry sector and (d) agricultural sector from different sources such as (1) Government (a) Central and (b) State; (2) financial institutions; (3) Commercial banks (a) nationalised and (b) non-nationalised; (4) cooperative institutions; (5) private lending; and (6) any other for the last three years 1974-75, 1975-76 and 1976-77; and

(b) the total value of production pertaining to the above four sectors during each one of the above three years?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). Information, to the extent available, in respect of institutional sources of credit to large and medium industry, small scale industry and agricultural sectors during 1974-75 and 1975-76 are set out in the Annexures I to II. [Placed in Library. See No. LT 1122/77]. Complete data for 1976-77 have not yet become available except for term lending institutions.

Available data pertaining to the value of production of Agriculture, Medium and Large Industry and small scale industry for the year 1974-75

are set out below:

Sector	Amount (Rs. crores)
*Agriculture . . . .	27.47
**Medium & Large Industry . .	20,389
**Small Scale Industry . .	5.710

Source :

\*National Income Statistics 1960-61 to 1974-75 (By C.S.O.)

\*\*Annual Survey of Industries 1974-75; (By C.S.O.) Summary results for factor sector.

**Complaint from Japanese Government regarding Security arrangements at Bombay Airport**

205. SHRI K. MALLANNA.

SHRI C. K. JAFFER SHRIEF:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have received any complaint from the Japanese Government regarding the security arrangements at Bombay Airport, when the hijackers had boarded the plane at Bombay; and

(b) if so, whether Government of India have conducted any enquiry of their own as to how the hijackers had boarded the plane from Bombay Airport?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) No, Sir.

(b) Does not arise; however, the Government of India have already ordered an investigation in the matter and it is not yet complete.

**Ban on Works of Mao-Tse-Tung and Journal 'Peking Review'**

996. SHRI DINEN BHATTACHARYYA: Will the Minister of FINANCE be pleased to state:

(a) whether there is ban on the "Works of Mao-Tse-Tung" and the journal "Peking Review" under Sea Customs Act Notification; and

(b) if so, whether Government are considering to withdraw the ban on this literature?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL): (a) Import of "Works of Mao-Tse-Tung" and the journal "Peking Review" is prohibited under the Customs Act, 1962

(b) The matter is under examination

#### Import of Plasticizers

998 SHRI DINEN BHATTACHARYYA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether large scale import of plasticizers were permitted by Government;

(b) if so, whether it has led to substantial idle capacity in the industry; and

(c) the steps taken by Government to meet the situation?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) Most of the items of plasticizers are already in the non-permissible list for import. However, in accordance with the general policy, import of non-permissible items can be made by the Actual Users upto 10 per cent of the value of their licences for raw-materials and components. In the case of Registered Exporters, the im-

port of plasticizers is allowed against export of specific items only. Government is not aware of any such large scale imports.

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

**Import of Rapeseed Oil from U.S.A. and Canada**

999. SHRI K. LAKKAPPAN: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether India imported rapeseed oil from U.S.A. and Canada;

(b) if so, the total rapeseed oil imported so far;

(c) whether this oil did not prove useful in the country and the same was later on stopped; and

(d) whether any enquiry was conducted in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) and (b). Rapeseed oil is not separately classified in the Revised Indian Trade Classification. It is covered under the composite item "Mustard oil (including Rape and Colza oils)". According to the provisional figures (which are subject to revision) for the import of Mustard oil (including Rape and Colza oils), there were no imports from the U.S.A. during 1976-77 and imports from Canada amounted to 179 lakh Kgs. valued at Rs. 9.17 crores. Figures for Rapeseed oil compiled manually from the 'Daily Trade Returns' for April-June, 1977 show that 14 lakh Kgs. of Rapeseed oil, valued at Rs. 0.91 crores, was imported from Canada during the period. There were no imports during this period of Rapeseed oil from U.S.A.

(c) Refined rapeseed oil continues to be distributed by the State Governments through fair price shops.

(d). Does not arise.

**International Gang of Hashish Oil Smugglers uncovered by Directorate of Revenue Intelligence**

1000. SHRI C. K. CHANDRAPPAN: Will the Minister of FINANCE be pleased to state:

(a) whether an international gang of hashish and hashish oil smugglers from Nepal to the U.S. through India has been uncovered by the Directorate of Revenue Intelligence of this Ministry;

(b) whether it is a fact that a U.S. diplomat was involved in this racket by making use of his (diplomat's) services for the transport of the contraband from Delhi airport to New York; and

(c) what are the details and the names of the persons arrested in this regard and what further action is being taken thereon?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Yes Sir.

(b) No, Sir.

(c) Recently, the Directorate of Revenue Intelligence aided by the Drug Enforcement Administration of the United States have uncovered and international gang of hashish and hashish oil smugglers which was operating between Nepal and the U.S.A. through India. By these operations, 41.1 kg. of hashish, 36.05 kg. of hashish oil and 0.25 kg. of Ganja totally valued approximately at about Rs. 45 lakhs were seized on the 14th October, 1977. The leader of the international gang Mr. Robert Russel Irwin and his wife were arrested in the U.S.A.

Besides, the following three persons from Kathmandu were also arrested in India:—

1. Khagendra Sherchan.
2. Mohan Das Shrestha.
3. Bharat Rai.

They were remanded to Customs custody upto 29-10-1977. They have since been detained under the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act on 29-10-1977.

10 22 hrs

QUESTION OF PRIVILEGE AGAINST  
SHRIMATI INDIRA GANDHI AND  
OTHERS—contd

MR SPEAKER In view of the appeal by the two Ministers, are you reconsidering your position, Mr. Gauri Shankar Rai?

ओर गौरी कंकर राय (गाजीपुर) में बड़ी नमूतापूर्वक निवेदन करना चाहता है कि आज के एजेंडा पेपर में मेरा प्रत्यावर्त नहीं है। मैं इस मदन के माननीय सदस्यों के प्रति अत्यन्त आदर रखते हूँ। भी बड़ी नमूतापूर्वक यह निवेदन करना चाहता है कि नियम 226 के अन्तर्गत द्वूसरा मोशन पेश किया जा सकता है। इस सम्बन्ध में मेरा दिमाग बिल्कुल साफ है। यह न केवल नियम 226 में ऐसी व्यवस्था है बल्कि इस मदन में ऐसी परम्परा भी रही है कि दूसरा मबस्टेटिव मोशन पेश किया जा सकता है। 5 अक्टूबर, 1970 को डा० लोहिया ने, स्वेतनाम के सम्बन्ध में एक विशेषाधिकार का प्रश्न उठाया था और माननीय अध्यक्ष महोदय ने डा० रामसुभाग सिंह को वैकल्पिक प्रस्ताव रखने की अनुमति दी थी। इसलिए जैसा कि माननीय सदस्यों न कहा कि विशिष्ट सबस्टेटिव रिजोल्यूशन में इसका मानोधन हो ही नहीं सकता, यह हो सकता है और सीकर की भी ऐसी व्यवस्था है। यह उस समय की बड़ी लम्बी प्रोत्साहित है, अध्यक्ष महोदय, यदि आप कहे तो मैं इसे पढ़ दूँ?

MR SPEAKER: You can be brief. I have read the proceedings.

ओर गौरी कंकर राय। इसके बाद परम्परा के लिहाज से मैं कहता हूँ कि जो

मोशन मैंने पेश किया उस पर उसके बाद आपनि उठाई गई और उस पर बहुसंहार हुई। मैं समझता हूँ कि उस आपात के बावजूद भी मेरे उस मोशन को एजेंडा पर आगा चाहिए था। जिस बात पर विवाद होता है वह एजेंडे पर न रखी जात यह ठीक नहीं है।

MR SPEAKER You are not correct. It is in the agenda. Please see the agenda. It reads

"ALSO further consideration of amendments (printed on separate list) moved on the 17th November, 1977

It is, there. Would you like to say anything else?

ओर गौरी कंकर राय। कार्रवाई जो होती है उसको तो आप हटा नहीं सकते हैं। उम को एजेंड पर हमारे सामने आना चाहिए था।

मेरा ख्याल है कि आपका दिमाग स्पष्ट हो गया होगा। इसने सीनियर मेम्बर्ज के होने के बाद भी आप जैसे अनुभवी व्यायाधीन के यहां रहने के बाद भी मैं यह समझता हूँ कि इस 226 स्पष्ट है, उस में दो मोशन की व्यवस्था है, वैकल्पिक मोशन की व्यवस्था है। आप कल्पना करें कि लिमये जी का प्रस्ताव पास नहीं होता है तो मेरा मह केशन है मेरा जो प्रस्ताव है उसको आप पास करिये। इस बास्ते भ्रलग से एक प्रस्ताव की आवश्यकता को मैं महसूस करता था। भ्रर इसके अतिरिक्त भी कोई विकल्प ही सकता है तो उसके बारे में मैं आपकी गाइडेंस चाहता हूँ। आप सदन को गाइडेंस दें। अबर वैकल्पिक प्रस्ताव सदन में पास होना है तो

वह बिना सबस्टेटिव मोशन के कैसे हो सकता है। मैं चाहता हूँ कि इस पर आप प्रकाश डालें। रूलिंग भी इसके बारे में स्पष्ट है। बिना एक निश्चित प्रस्ताव के बैकल्यिक प्रस्ताव हो नहीं सकता है। जो कल है वह निश्चित रूप से प्रिसाइज है। दो प्रकार के प्रस्तावों की व्यवस्था उस में जनवूप कर की गई है, अनजाने में नहीं की गई है। मैं चाहता था कि वह एजंडे पर आता। डॉ. लोहिया के केस में जो रूलिंग हुआ है उसको मैं पढ़ देता हूँ :

I am now reading out the proceedings in question:

"Mr. Speaker: Dr. Ram Manohar Lohia moved his motion to refer the question of privilege to the Committee of Privilege. Dr. Ram Subhag Singh moved another motion to the effect that the House is of the opinion that no breach of privilege or contempt of the House has been committed by the Minister concerned.

A point of order was raised that this motion moved by Dr. Ram Subhag Singh was out of order as it was in the nature of an amendment to the original motion of Dr. Ram Manohar Lohia, and under rule 344(1) an amendment has to be relevant to and within the scope of the motion to which it is proposed.

I have heard all the points of view, both for and against this point of order. I am of opinion that rule 226 is a self-contained rule. So far as the motions relating to the question of privilege are concerned. Rule 226 reads as follows:

"If leave under rule 225 is granted, the House may consider the question and come to a decision or refer it to a Committee of Privileges on a motion made either by the member who has raised the question of privilege or by any other member."

This rule envisages that either one of the two motions can be made under this rule. The original motion of Dr. Ram Manohar Lohia states that a *prima facie* case of breach of privilege has been made out and the matter should be referred to the Committee of Privileges for investigation. If this motion is voted down, it only means that the matter is not referred to the Committee of Privileges, and the substantive part of the question of privilege namely whether a breach of privilege or contempt of the House has been committed remains, and the House has to give a decision on the merits of the case.

Therefore, Dr. Ram Subhag Singh is within his right to invite the House to come to a decision whether any breach of privilege or contempt of the House has been committed.

I rule that both the motions are in order and they should be put to the vote of House one after the other. First, Dr. Ram Manohar Lohia's motion will be put to the vote of the House, and if it is not carried, then Dr. Ram Subhag Singh's motion will be put to the vote of the House."

मैंने जल्दी में प्रपना प्रस्ताव पेश नहीं किया है। यह प्रस्ताव क्या है और क्यों किया गया है यह मैं बताना चाहता हूँ। यह कैंपेन्ट आफ दी हाउस का प्रस्ताव है। सदन ने और आपने उसको मान्यता दे दी है। दो प्रस्ताव मैंने रखे हैं। एक यह रखा है कि इतनी एकीडेंस हमारे सामने है कि उस में और ज्यादा बहस करने की ज़फरत ही नहीं है। अगर हाउस मीटिंग-फाईड हो तो वह एकशन से सकता है। कुछ मित्रों ने कहा है कि उनको जेल कर देना चाहिए ऐसा मैं वर्तों लिंगा? इसलिए लिंगा कि इससे अधिक लिंगने की हैसियत नहीं है इस हाउस की। कासी तो लिंड नहीं सकता था। जिन मित्रों ने भूम से रिक्वेट की है, बाबूबूद इसके कि प्रजातन्त्र एक गेम आफ परस्युएशन है,

मैं कहता चाहता हूँ कि मैं उसे मजबूती से डिफर करता हूँ। यह सबल हारेस्ट कोर्ट आक दी जाए है और उधर बैठने वाले भिन्न पीपुल्स कोर्ट में विवाद करते हैं, और वह यही हाउस है। किसी को भी सजा देने के लिए यह सबल सक्षम है। मान्यवर, दो तरह के फ्रिमिलेस होते हैं। एक हैविचम्पल होते हैं जिसमें बारे में ज्यादा एवीडेस की ज़रूरत नहीं है। और एवीडेस स्पष्ट है जिस पर ज्यादा इस हाउस को विवाद करने की ज़रूरत नहीं है। (च्वालान) मान्यवर कभी-कभी दुनिया के इतिहास में ऐसे समय आये हैं जब कानून की सीमा अपराधी को डण देने में असमर्थ रही है। अपराधी का अपराध दाखिकार वी सीमा के बाहर होता है। आपको याद होगा कि हिटलर के जमाने में किये अपराधों के लिए न्यूरेस्वर्ग का ट्रायल हुआ। आज जो भारतीय सविधान और कानून की सीमा वी उसके अन्दर श्रीमती इन्विरा गाडी जैसे अपराधी को सजा नहीं दी जा सकती है। लेकिन हमारे नेतागण चाहते हैं कि सीमाओं के अन्दर ही सजा दी जाये। तो मैं अपने नेताओं से कहना चाहता है — You cannot operate a carbuncle with a wooden knife

जब कानून की सीमाओं में सजा देना है तो उहाँ तक कानून की सीमा हमें अलाक करती है वहाँ तक उनको सजा हमें देनी चाहिए, क्योंकि सारा देश चाहता है कि इनको सजा मिलनी चाहिए। क्यों सजा मिलनी चाहिए? क्योंकि इन्विरा जी ने संसदीय परम्पराओं की भारतीय की हत्या की है, वह इसलिए भी अपराधी है? उन्होंने देश की ज़बान बन्द की है, कलम तोड़ दी है, उन्होंने न्यायालिका की मर्यादा और भ्रष्टिकारों को सूटना है। वह इसलिए भी अपराधी है कि उन्होंने अपने परिवार की लालाकाही को देश पर कायम करना चाहती थी और उसके लिए उन्होंने देश की ज़बान पर अस्थाचार किये। इन तरीं अपराधों के सम्बन्ध में कानून में कोई व्यवस्था नहीं है। उनका

इनकल्पीवित अपराध है। आज सारा राष्ट्र चाहता है कि इतने बड़े अपराधी को सजा दी जाये। वह छूट नहीं तो उससे लोगों को खुशी नहीं हुई।

SHRI VASANT SATHE (Akolo) Let her be tried here. We are willing to have her tried here. Let us have it. If you have the courage, bring her. Let us not argue on merits. You prove it here

श्री चंद्र लिम्बे (वारा) माता जी से इस्ट्रेटगास पा कर आये हैं। माता जी ने कल पढ़ाया है आपको, ऐसा लगता है।

MR. SPEAKER. Even if both the sides are agreed I may not agree, that is a different matter

SHRI VASANT SATHE The matter is before the House. You have no choice. It is only the House which can decide. Rule 227 does not come in, if that is what you mean

MR. SPEAKER I have to decide whether it is in order or not. Therefore, I am hearing it

श्री गौरी शंकर राज मान्यवर, अगर यह प्रश्न केवल सबल के अपनाम का होता

SHRI D B CHANDRE GOWDA (Chukmagalur) Is it for him to withdraw or wait for the Speaker's order?

SHRI MOHD SHAFI QURESHI (Anantnag) We have waited for three days. How much time do you want? Why are you vacillating?

MR. SPEAKER I am not vacillating. I will give a full hearing to you

SHRI MOHD SHAFI QURESHI: You are giving an impression to us that you only listen when there is shouting.

MR. SPEAKER This is also shouting.

SHRI MOHD. SHAFI QURESHI: How many days will you take for giving a decision?

MR. SPEAKER: I will give a full hearing to this side also.

श्री गौरी शंकर राय अध्यक्ष महोदय, यह तकलीफ हमारे मित्र को नहीं होनी चाहिए। अगर यह केवल सदन के अपमान का प्रश्न होता तो निश्चित रूप से उनको सुनना चाहिए, सारी प्रक्रिया को जानना चाहिए।

मिसेज गांधी ने राष्ट्र का अपमान किया है, राष्ट्र की प्रतिष्ठा का अपमान किया है। एक अनयूद्युम्ल किमिल से ढील करने के लिए एक तेज हथियार की ज़रूरत थी, ऐसी मेरी मान्यता थी, लेकिन हमारे सदन के जो एलडरली मेम्बर्स हैं।

मैं खत्म कर रहा हूँ, देखिए, इंकमी-कमी बर्दाशत भी किया जाये।

मैं यह कह रहा था कि अपक्रियन रूप से मैं स्पष्ट करना चाहता हूँ कि अच्छी सदग्य में लोग इस बात में विश्वास करते हैं कि श्रीमती गांधी जैसे को सजा देने के लिए किसी पैराफैरेंसिया की ज़रूरत नहीं है, तुरन्त सजा देनी चाहिए। लेकिन हमारे सीनियर मेम्बर्स चाहते हैं कि उनको सुने। क्या उनको सुनेंगे? मगर हम उनको सुनने का अवसर देते हैं।

श्री चत्तम लाठे: बता दो, हिम्मत है तो तुम्हारी मर्दनगी देख ले।

श्री हुकम चाह बद्रशाय (उज्जैन): कल तक तो बिली के समान बैठे थे।

श्री गौरी शंकर राय: अध्यक्ष महोदय, मैं सिर्फ़ एक मिनट लूँगा। अपने मित्रों का दिल दूड़ाने वाली कोई बात नहीं कहूँगा।

हमारे नेताओं ने तय किया है कि वह उनको सुनना चाहते हैं, क्योंकि उनकी जुबान बड़ी मीठी है। तो वह सुनें। इन बड़े नेताओं के माध्यम पर हमारे बड़े सीनियर मेम्बर्स ने मुझ से कहा कि यह उनका अधिकार था, हम एकसा अवहार करें। हम उन्हे सुनेंगे। हालांकि मैं उनकी कानूनीत न मैं इतिहास करता हूँ।

For habitual criminals some unusual process must be adopted.

लेकिन मैं बापिस लेता हूँ अपने प्रस्ताव को इसलिए कि मेरे मित्रों का निवेदन है।

I beg leave of the House to withdraw my amendment.

MR. SPEAKER: Has Mr. Rai the leave of the House to withdraw his amendment?

SOME HON. MEMBERS: Yes.

SHRI VASANT SATHE: No.

MR. SPEAKER: Those who are for withdrawal may please rise in their seats.

SEVERAL HON. MEMBERS rose

MR. SPEAKER: The leave is granted.

The amendment was by leave withdrawn

MR. SPEAKER: There are two more amendments. One is from Shri Roop Nath Singh Yadav and other is from Shri Vijay Kumar Malhotra. Are you moving?

SHRI ROOP NATH SINGH YADAV (Pratapgarh): I beg to move:

That in the motion,—

For "a period of six months" substitute "the current session or by 21st of December, 1977 positively".

SHRI VIJAY KUMAR MALHOTRA  
(South Delhi). I beg to move

That in the motion,—

For "within a period of six months" substitute "by Monday the 19th December 1977"

अध्यक्ष महोदय मुझे यह संशोधन पेश करना है। मधु सिमये जी की ओर मोशन है उसमें 6 महीने का समय दिया है। मुझे यह मूल करना है कि इसका समय सोमवार, 19 दिसम्बर, 1977 तक रखा जाए। रिपोर्ट के लिए छ महीने का समय देने का मतलब यह होगा कि यह मामला अगले बजट सेशन में नहीं आयेगा, बल्कि उस के बाद होने वाले सितम्बर-अक्टूबर के सेशन में आयेगा। इस का परिणाम यह होगा कि तकरीबन एक साल और निकल आयेगा। इसमाम्ले को हुए सीन चार साल पहले ही बीत चके हैं। इसलिए इसे एक और साल के लिए टालना बहुत ही गलत होगा।

माननीय सदस्य, ओ गोरी शकर राय, ने इस प्रश्न को इस सदन में अभी तय करने के बारे में जो बातें कही हैं, मैं उन में से बहुत सी बातों के साथ सहमत हूँ। मैं समझता हूँ कि अगर इस मामले को लम्बा लटकाया जायेगा, तो कांग्रेस पार्टी यह कोशिश करेगी—उस की तैयारी कोशिशें इस समय भी जारी हैं—कि क्रियतानि और इकानोमिक आपेक्षित को भी पोलीटिकलाइज़ कर के काट्टी की कनप्यूज़ कर दिया जाये और इस कनप्यूज़ में लोगों की दृष्टि में उन काइम्ड प्रारंभिक भी शक्ति बदल दी जाये।

मैं मानता हूँ कि अगर उन्हें एक साल और दो दिया गया, और अगर एक साल बाद उन्हें सजा भी दें तो यह बीच में और बहुत से बास्ते ही आयेंगे, जिस से इस मामले की इम्पाटें खत्म हो जायेंगे। अभी एक महीना और बचता

है। इस एक महीने में उन्हें अपनी बात पूरी तरह कहो का भीका दिया जा सकता है। उन्हें सुन लिया जाये, और उस के बाद प्रिविलिज़ कमेटी फैसला करे। चाहिए तो यह यह कि इस हाउस में ही इस प्रश्न के बारे में फैसला होता लेकिन ऐसा नहीं किया जा रहा है। लेकिन जब मिनिस्टर्स और प्रार्फिमर्ज़ ने ग्राने स्टेटमेंट दे दिए हैं, तो बहुत ज्यादा मामला बाकी नहीं रहता है। फिर भी अगर उन्हें अपनी बात कहने का भीका देना ही है, तो एक महीने का समय काफी है। यह सेशन 23 दिसम्बर तक चलेगा। अगर कमेटी की रिपोर्ट 19 दिसम्बर को आ जाये, तो हाउस को इस बारे में फैसला करने के लिए दो तीन दिन मिल जायेंगे। इसी लिए मैं यह एमेंट मव बरना चाहता हूँ।

MR SPEAKER Now, there has been a long discussion I first put the amendments to vote There is Mr Shyamnandan Mishra's amendment

SHRI SHYAMNANDAN MISHRA (Begusarai) I am not going to make a long speech. I am suggesting through my amendment that after the words 'Shrimati Indra Gandhi', the words "and others" be dropped. My first reason is that the committal proceeding is essentially a judicial proceeding. One must know clearly as to who are the persons involved in this. The hon mover of the motion cannot say that the entire world is involved in this. We must know precisely who are the persons involved and we must come to a judgment about this in this House as to whether these persons are required to be committed to the Committee of Privileges. Therefore, it is not precise and it is not definite.

My other submission is that the person who has been the source of this crime is the person who must be pinned down. The *mens rea*, the criminal

intent, cannot be put on the persons who have simply executed the order. The execution of order cannot be said to be an act, *prima facie*, which constitutes a breach of privilege because there was another person to give order for this.

For these two reasons, I would suggest to the hon. mover of the motion that he should accept my amendment that after the words "Shrimati Indira Gandhi", the words "and others" should be dropped. If he has got some persons in mind clearly and he thinks that he can establish a *prima facie* case against them, he should come before the House with those names.

MR. SPEAKER: Mr. Limaye, are you accepting the amendment of Mr. Shyamnandan Mishra?

बी भगु लिमये: बड़े कुछ कहने दीजिए। जहाँ तक समय का सवाल है मैं अपने मिल के सुझाव से सहमत नहीं हो सकता। इसलिए कि यह जो प्रवधि है यह बहुत कम हो जायगी। आप जानते हैं कि प्रिवेलेज कमेटी को कम समय दिया जाता है तो बार-बार वह सदन के सामने आते हैं। इसलिए अगर सदन की अनुमति हो तो एकाध महीना घटा सकते हैं। बजट सेशन के अन्त में यह मामला आ सकता है। बजट में तो दूसरा काम नहीं होता है। बजट पास होने के बाद जो सात आठ दिन बाकी हैं उस में यह आ सकता है। अंगर सदन को राजामन्दी हो तो पांच महीने में करने के लिए तेवार हूँ जिस में बजट के अन्त में यह आ जाय, बजट सेशन के लास्ट बीक में।

MR. SPEAKER: Even if you give six months, they can send a report earlier.

बी भगु लिमये: दे सकते हैं तो जरूरत ही नहीं है, बदलने की। विविध की बात है तो कोई जरूरत नहीं है बदलने की।

SHRI SOMNATH CHATTERJEE:  
(Jadavpur): They can submit their report within six months.

बी भगु रिम्बड़े: सूरी बात—श्री श्याम नन्दन मिश्र जी का जो सुझाव है वह बैसे ठीक है, लेकिन नोटिस में जो मैंने कहा है वह मैं पढ़ कर सुना देता हूँ और उसके बाद मैं क्यों असमर्थ हूँ उसे स्वीकार करने में यह उन्हें पता चल जायगा।

मैंने नोटिस में यह कहा है :

"My charge of contempt of the House is against the following persons:

(1) Mrs. Gandhi who directed raids against the officers for collecting information for Parliamentary Questions;

(2) Mr. Sen, the then Director of the CBI who conducted these raids on the basis of fabricated charge. If necessary, Mr. Bishan Tandon the then Joint Secretary in the PM's Secretariat and Mr. Shakdher the then Secretary-General, Lok Sabha, may also be asked to testify. If found involved, they should also be hauled up."

उस के ऊपर मैं ज्यादा कोई राय नहीं दे रहा हूँ लेकिन सेन का नाम मैं नहीं लौड़ सकता हूँ इसलिए 'ऐंड अवर्ट' मैंने कहा है। आईसी की बात क्या है? आईसी का मतलब क्या यह है कि प्रधान मंत्री किसी को कहे कि तुम जा कर उस का महंडर करो और वह महंडर कर देगा, उस के बाद वहेगा कि आइ बाज अंगर आईसी? आईर भी काल्पन के बायरे के अव्वर होता आहिए। इसलिए सेन साहब को मैं नहीं लौड़ सकता हूँ। और नामों को जोड़ने की जरूरत नहीं है। इसलिए कलह 'ऐंड अवर्ट' की बागह पर 'जैन' का नाम लूँगा जैन तो मैं नाम लूँगा।

भी व्यापक सम्बन्ध लिये । मैंने यह तित्रिवेदन करता है कि अब कमेटी आफ प्रिविलेजेज के बाहर इस के ऊपर विचार करेंगी और अन्य अधिकारियों को भी अपराधी समझेंगी तो उन को बह ला सकता है। यह नहीं है कि आज अगर उन्होंने उन का नाम छोड़ दिया जिस का बह ले रहे हैं और कमेटी आफ प्रिविलेजेज की समझ में उन को इस के सिलसिले में लाना चाहिए तो बह उन को उस में ला नहीं सकती है, उन को भी कमेटी आफ प्रिविलेजेज लाएगी। उस के लिए इस में कहीं भी प्रतिबन्ध नहीं है।

भी मधु लिये : तो ठीक है, सेन को तो मैं नहीं छोड़ सकता हूँ अगर आप चाहते हैं तो ऐ एड मिस्टर सेन कर दीजिए, मुझे कोई एतराज नहीं है।

भी कवर लाल गुप्त (दिल्ली सदर) मैं ने भी एक नोटिस दिया था और एक मधु लिये जी ने दिया था। मैंने अपने नोटिस में तीन नाम दिए हैं —एक सेन का, एक डिविन जी का और तीसरा धबन का। तो वह दोनों नोटिस जाएंगे प्रिविलेजेज कमेटी के सामने, इन के भी जायेगा और हमारा भी जायगा . . . (संवादान)

MR SPEAKER: You have not moved them You have agreed

SHRI KANWAR LAL GUPTA: But my notices will go to the Committee of Privileges

MR SPEAKER: That will go.

SHRI KANWAR LAL GUPTA: That will go to the Committee of Privileges, in any case

SHRI HARIKESH BAHADUR (Gorakhpur): The privilege motion moved by Mr. Madhu Limaye has already been referred to the Committee of Privileges.

MR. SPEAKER: It has not been referred.

SHRI HARIKESH BAHADUR: The privilege motion which has already been moved by Mr. Kanwar Lal Gupta should also be referred to the Committee of Privileges because in that motion there is a reference to breach of privilege against some more persons besides Mrs Indira Gandhi.

SHRI KANWAR LAL GUPTA: Both will be referred to the Committee of Privileges. The names mentioned by me and Mr Madhu Limaye should be considered by the Committee of Privileges and not beyond that. That is my contention. So, whatever the resolution may be, it should govern all the names mentioned in the notice.

MR SPEAKER: There has been enough of discussion. There is an amendment moved by Shri Nirmal Chandra Jain. He is not here today. All the same, he has moved his amendment and it is in the possession of the House. Therefore, I will first put his amendment to the vote of the House. His amendment is 'After 'Shrimati Indira Gandhi' insert 'Shri R K Dhawan and Shri D Sen'. Is it the pleasure of the House to accept the amendment moved by Mr. Jain? I suppose the House does not support it. Then I go to the amendment moved by

SOME HON MEMBERS: You put it to the vote of the House

MR SPEAKER: Now I put the amendment moved by Shri Nirmal Chandra Jain to the vote of the House. The amendment was put and negatived.

MR SPEAKER: We go to the other amendment moved by Shri Shyamnandan Mishra that is, delete the words "and others".

SHRI SHYAMNANDAN MISHRA: It is for the Chair to decide whether the motion is in form—as is capable of a judicial determination by the Committee.

MR. SPEAKER: The fact that I have given the consent means that it is in form.

Now, I put Shri Shyamnandan Mishra's amendment to the vote of the House.

The amendment was put and negatived.

MR. SPEAKER: Now I come to the amendment moved by Shri Roop Nath Singh Yadava. . .

SHRI ROOP NATH SINGH YADAVA: I want to withdraw my amendment. I seek leave of the House to withdraw my amendment.

The amendment was, by leave, withdrawn.

MR. SPEAKER: Now I come to Shri Vijay Kumar Malhotra's amendment

SHRI VIJAY KUMAR MALHOTRA: I also want to withdraw my amendment. I beg leave of the House to withdraw my amendment.

The amendment was, by leave, withdrawn.

MR. SPEAKER: Now I come to the main motion.

The question is:

"That the question of breach of privilege and contempt of the House against Shrimati Indira Gandhi and others be referred to the Committee of Privileges with instructions to report within a period of six months."

Those in favour will please say 'Aye'.

SEVERAL HON. MEMBERS: 'Aye'.

MR. SPEAKER: Those against will please say 'No'.

SOME HON. MEMBERS: 'No'.

MR. SPEAKER: The 'Ayes' have it, the 'Ayes' have it, the 'Ayes' have it. The motion is adopted. (Interruptions). Are you pressing for a Division? (Interruptions) I think Mr. Sathe is challenging it. Now, those in favour will please rise in their seats....

SEVERAL HON. MEMBERS: rose—

SHRI SAUGATA ROY (Barrackpore): On a point of order, Sir. Please do not make the Members of Parliament behave like school boys. Every time you are asking them to stand up....

MR. SPEAKER: When a voice vote was taken, I think, Mr. Sathe challenged it....

AN HON. MEMBER: No. He has not challenged. Why do you make us stand up like school boys? (Interruptions).

SHRI VASANT SATHE: I do not want a Division. There are only two alternatives in this House: (a) Voice Vote, and (b) Division. Now, you are introducing a third one, namely, making them stand up. Next time you will, perhaps, ask them to stand up on their benches.

SHRI SAUGATA ROY: They are the ruling Party, Sir. Please do not make them stand up.

MR. SPEAKER: The motion is adopted.

PROF. P. G. MAVALANKAR (Gandhinagar): You have not asked those who are against to get up.

MR. SPEAKER: They say that the voice vote is all right.

PROF. P. G. MAVALANKAR: Sir, you asked us, namely, those who are in favour of the motion, to stand up; and we stood up. Now you should ask those against to stand up.

MR. SPEAKER: They have withdrawn their objection. I declare, that the motion is adopted.

The motion was adopted.

PROF. P. G. MAVALANKAR: I am on a point of procedure. The Chair put Mr. Madhu Limaye's motion to vote by a voice vote but because just one Opposition Member said that he challenges it, you, Sir, asked those Members supporting the motion to stand. (Interruptions). We stood up. Now, therefore those against the motion should also be asked to stand up.

MR. SPEAKER. I have already declared the result and it is no more open to discussion. I have declared that the motion is carried.

स्वास्थ्य और परिवार कल्याण मंत्री  
(भी राज नारायण) मेरा एक व्याप्त  
आप आरंभ है कि क्या इस सदन में किसी  
को बढ़ा होने के लिए वाध्य किया जा सकता  
है? ये लाग बैठे रह गये।

SHRI JANARDHANA POOJARY (Mangalore): Sir, I am on a point of order. I draw your attention to Rule 197. Yesterday I gave notice of a Calling Attention motion for the...."

MR. SPEAKER: There is no point of order involved. This is not going on record because you have not taken my permission. Nothing about that will go on record.

13 hrs.

PAPERS LAID ON THE TABLE  
GROUNDUT OIL (REGULATION OF REFINING AND PRICE) CONTROL ORDER,  
1977

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI MOHAN DHA-  
RIA): I beg to lay on the Table a copy of the Refined Groundnut Oil

(Regulation of Refining and Price) Control Order, 1977, published in Notification No. S.O. 602(E) in Gazette of India dated the 1st August, 1977, under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-1091/77].

CORRECTION OF ANSWER TO S.Q. NO. 492 DATED 15-7-77 RE. EXTENSION OF JAMMU AIRPORT

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): I beg to lay on the Table a statement correcting the answer given on the 15th July, 1977 to a supplementary question by Shri Mohd. Shafi Qureshi on Starred Question No. 492 by Dr. Karan Singh regarding extension of Jammu Airport.

#### Statement

In the reply to the supplementary question by Shri Mohammed Shafi Qureshi, on the Starred Question No. 492 given in the Lok Sabha on the 15th July, 1977, it has been stated:

"That route is still under investigation. The loss on the Delhi-Jammu route is estimated at Rs. 27 lakh and 23 thousand. If this route is operated with Boeing the loss will increase to Rs. 1 crores 65 lakh and 45 thousand. Under such circumstances I do not think that the scheme can be taken up immediately".

It has since been found that this position is not wholly correct in so far as the figures of loss are concerned. The correct reply is as under:

"That route is still under investigation. The loss by operating HS-748 aircraft through Jammu was estimated in July, 1974 at Rs. 37.23 lakhs per annum. If a Boeing is operated through Jammu the loss is estimated at Rs. 1,62,45,000/-.

\*\*\* Not recorded

Under such circumstances I do not think that the scheme can be taken up immediately".

**STATEMENTS SHOWING VARIETY-WISE ALLOTMENTS OF CONTROLLED CLOTH TO VARIOUS STATES AND RETAIL SHOPS**

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL): On behalf of Shri Arif Beg. I beg to lay on the Table—

(1) A copy each of the following statements (Hindi and English versions):—

(i) Statement showing variety-wise allotments of Controlled Cloth to various States and to Retail Shops out of October, 1975 packing (Allotted in November, 1975).

(ii) Statement showing variety-wise allotments of Controlled Cloth to various States and to Retail Shops out of November, 1975 packing (Allotted in December, 1975).

(iii) Statement showing variety-wise allotments of Controlled Cloth to various States and to Retail Shops out of December, 1975 packing (Allotted in January, 1976).

(iv) Statement showing variety-wise allotments of Controlled Cloth to various States and to Retail Shops out of January, 1976 packing (Allotted in February, 1976).

(v) Statement showing variety-wise allotments of Controlled Cloth to various States and to Retail Shops out of February, 1976 packing (Allotted in March, 1976).

(vi) Statement showing variety-wise allotments of Controlled Cloth to various States and to Retail Shops out of March, 1976 packing (Allotted in April, 1976).

(vii) Statement showing variety-wise allotments of Controlled Cloth to various States and to Retail Shops out of April, 1976 packing (Allotted in May 1976).

(viii) Statement showing variety-wise allotments of Controlled Cloth to various States and to Retail Shops out of May, 1976 packing (Allotted in June, 1976).

(ix) Statement showing variety-wise allotments of Controlled cloth to various States and to Retail Shops out of June, 1976 packing (Allotted in July, 1976).

(x) Statement showing variety-wise allotments of Controlled Cloth to various States and to Retail Shops out of July, 1976 packing (Allotted in August, 1976).

(xi) Statement showing variety-wise allotments of Controlled Cloth to various States and to Retail Shops out of August, 1976 packing (Allotted in September, 1976).

(xii) Statement showing variety-wise allotments of Controlled Cloth to various States and to Retail Shops out of September, 1976 packing (Allotted in October, 1976). [Placed in Library. See No. LT-1093/77].

**ANNUAL REPORT OF THE MARINE PRODUCTS EXPORT DEVELOPMENT AUTHORITY, COCHIN FOR 1974-75 AND CERTIFIED ACCOUNTS OF THE AUTHORITY FROM 1972-73 TO 1975-76, TEXTILE COMMITTEE (APPEAL TO THE TRIBUNAL) AMENDMENT RULES, 1977, ETC. ETC.**

SHRI KRISHNA KUMAR GOYAL: I beg to lay on the Table:

(2) (i) A copy of the Annual Report (Hindi and English versions) of the Marine Products Export Development Authority, Cochin, for the year 1974-75, under sub-section (3) of section 22 of the Marine Products Exports Development Authority Act, 1972.

[Shri Krishna Kumar Goyal]

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above Report [Placed in Library. See No. LT-1094/77].

(3) A copy each of the following documents (Hindi and English versions) under sub-section (4) of section 19 of the Marine Products Export Development Authority Act, 1972:—

(i) Certified Accounts of the Marine Products Export Development Authority, Cochin, for the year 1972-73 together with the Audit Report thereon.

(ii) Certified Accounts of the Marine Products Export Development Authority, Cochin, for the year 1974-75 together with the Audit Report thereon.

(iii) Certified Accounts of the Marine Products Export Development Authority, Cochin, for the year 1974-75 together with the Audit Report thereon

(iv) Certified Accounts of the Marine Products Export Development Authority, Cochin, for the year 1975-76 together with the Audit Report thereon.

(4) Four statements (Hindi and English versions) showing reasons for delay in laying the documents mentioned at (3) above. [Placed in Library. See No. LT-1095/77].

(5) A copy of the Textiles Committee (Appeal to the Tribunal) Amendment Rules, 1977 (Hindi and English versions) published in Notification No. G.S.R. 1188 in Gazette of India dated the 3rd September, 1977, under sub-section (3) of section 22 of the Textiles Committee Act, 1963. [Placed in Library. See No. LT-1096/77].

(6) A copy each of the following Notifications (Hindi and English versions) under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

(i) The Cotton Control (Third Amendment) Order, 1978, published in Notification No. S.O. 85 in Gazette of India dated the 8th January, 1977.

(ii) The Cotton Textiles (Control) Amendment Order, 1977, published in Notification No. S.O. 322(E) in Gazette of India dated the 10th May, 1977. [Placed in Library. See No. LT-1097/77].

(7) A copy of the Annual Report (Hindi and English versions) of the Jute Manufacturers Development Council, Calcutta for the year 1976-77, under sub-section (4) of section 7 of the Industries (Development and Regulation) Act, 1951. [Placed in Library. See No. LT-1098/77].

(8) A copy of the annual Report (Hindi and English versions) of the Jute Corporation of India Limited, Calcutta for the year 1975-76 along with the audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956. [Placed in Library. See No. LT-1099/77].

ANNUAL REPORT OF TRADE MARKS REGISTRY, BOMBAY FOR 1976-77, NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT, 1955, ETC. ETC.

SHRI KRISHNA KUMAR GOYAL:  
I beg to lay on the Table—

(1) A copy of the Annual Report (Hindi and English versions) of the Trade Marks Registry, Bombay, for the year 1976-77, under section 126 of the Trade and Merchandise Marks Act, 1958. [Placed in Library. See No. LT-1100/77].

(2) A copy each of the following Notifications (Hindi and English versions) under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

(i) The Refined Groundnut Oil (Regulation of Refining and Price) Control (Amendment) Order, 1977, published in Notification No. S.O. 619(E) in Gazette of India dated the 18th August, 1977.

(ii) The Pulses and Edible Oils (Storage Control) Order, 1977, published in Notification No. S.O. 701(E) in Gazette of India dated the 30th September, 1977.

(iii) The Mustard Oil (Price Control) Order, 1977, published in Notification No. S.O. 702(E) in Gazette of India dated the 30th September, 1977.

(iv) The Pulses and Edible Oils (Storage Control) Amendment Order, 1977, published in Notification No. S.O. 719(E) in Gazette of India dated the 14th October, 1977.

(v) The Solvent-Extracted Oil, Deoiled Meal and Edible Flour (Control) Amendment Order, 1977, published in Notification No. G.S.R. 637(E) in Gazette of India dated the 10th October, 1977.

(vi) The Vegetable Oil Product Producers (Regulation of Refined Oil Manufacture) Second Amendment Order, 1977, published in Notification No. G.S.R. 641(E) in Gazette of India dated the 16th October, 1977. [Placed in Library. See No. LT-1101/77].

(3) (i) A copy of the Standards of Weights and Measures (Packaged Commodities) Rules, published in Notification No. G.S.R. 622(E) in Gazette of India dated the 20th September, 1977, under sub-section

(4) of section 33 of the Standards of Weights and Measures Act, 1976.

(ii) A statement (Hindi and English versions) explaining reasons for not laying simultaneously the Hindi version of the above Notification. [Placed in Library. See No. LT-1102/77].

ANNUAL REPORT OF REGISTRAR OF NEWSPAPERS FOR INDIA ON PRESS IN INDIA, 1976

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI JAGBIR SINGH). I beg to lay on the Table a copy of the Annual Report (Part I) (Hindi and English versions) of the Registrar of Newspapers for India on Press in India, 1976. [Placed in Library. See No. LT-1103/77]

ANNUAL REPORTS OF AGRICULTURAL REFINANCE AND DEVELOPMENT CORPORATION, BOMBAY, DELHI FINANCIAL CORPORATION, LIFE INSURANCE CORPORATION OF INDIA, ETC., AND NOTIFICATION UNDER CENTRAL EXCISES AND SALT ACT, 1944, ETC., ETC.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH). I beg to lay on the Table:—

(1) A copy of the Annual Report (Hindi and English versions) of the Agricultural Refinance & Development Corporation, Bombay for the year ended the 30th June 1977 along with the Audited Accounts under sub-section (2) of section 32 of the Agricultural Refinance and Development Corporation Act, 1963. [Placed in Library. See No. LT-1104/77]

(2) A copy of the Annual Report (Hindi and English versions) of the Delhi Financial Corporation together with the Auditor's Report for the year 1976-77 published in Notification No. F. 6/2/77-Fin, (G) in Delhi Gazette dated the 8th September, 1977, under sub-section (3) of section 38 of the State Financial Corporations Act, 1961. [Placed in Library. See No. LT-1105/77]

(3) A copy of the Annual Report (Hindi and English versions) of the Life Insurance Corporation of India for the year ended the 31st March, 1977 along with the Audited Accounts, under section 29 of the Life Insurance Corporation Act, 1956. [Placed in Library. See No. LT-1106/77]

(4) A copy of Notification No. G.S.R. 1046 (Hindi and English versions) published in Gazette of India dated the 6th August, 1977 making certain amendments to the Agricultural Refinance Corporation (Issue and Management of Bonds Regulations 1969, under sub-section (5) of section 46 of the Agricultural Refinance and Development Corporation Act, 1963. [Placed in Library. See No. LT-1107/77]

(5) A copy each of the following Notifications (Hindi and English versions) under section 38 of the Central Excises and Salt Act, 1944:—

(i) The Central Excise (Seventeenth Amendment) Rules, 1977, published in Notification No. G.S.R. 1047 in Gazette of India dated the 6th August, 1977.

(ii) The Central Excise (Eighteenth Amendment) Rules, 1977, published in Notification No. G.S.R. 1048 in Gazette of India dated the 6th August, 1977.

(iii) The Central Excise (Nineteenth Amendment) Rules, 1977, published in Notification No. G.S.R. 554(E) in Gazette of India dated the 6th August, 1977.

(iv) The Central Excise (Twenty-third Amendment) Rules, 1977, published in Notification No. G.S.R. 1446 in Gazette of India dated the 29th October, 1977.

(v) The Central Excise (Twenty-fourth Amendment) Rules, 1977, published in Notification

No. G.S.R. 1447 in Gazette of India dated the 29th October, 1977.

(vi) The Central Excise (Twenty-fifth Amendment) Rules, 1977, published in Notification No. G.S.R. 1448 in Gazette of India dated the 29th October, 1977. [Placed in Library. See No. LT-1108/77]

(6) A copy each of the following Notifications (Hindi and English versions) under section 296 of the Income-tax Act, 1961:—

(i) The Income-tax (Fourth Amendment) Rules, 1977, published in Notification No. S.O. 640(E) in Gazette of India dated the 27th August, 1977.

(ii) The Income-tax (Fifth Amendment) Rules, 1977, published in Notification No. S.O. 655(E) in Gazette of India dated the 9th September, 1977.

(iii) The Income-tax (Sixth Amendment) Rules, 1977, published in Notification No. S.O. 677(E) in Gazette of India dated the 22nd September, 1977.

(iv) The Income-tax (Seventh Amendment) Rules, 1977, published in Notification No. S.O. 720(E) in Gazette of India dated the 14th October, 1977.

(v) The Income-tax (Eighth Amendment) Rules, 1977, published in Notification No. S.O. 730(E) in Gazette of India dated the 18th October, 1977.

(vi) Notification Nos. S.O. 3447 to 3476 published in Gazette of India dated the 5th November, 1977. [Placed in Library. See No. LT-1109/77].

(7) A copy of the Wealth-tax (Third Amendment) Rules, 1977 (Hindi and English versions) published in Notification No. S.O. 721 (E) in Gazette of India dated the 14th October, 1977, under sub-section (4) of section 46 of the Wealth-tax Act, 1957. [Placed in Library. See No. LT-1110/77].

(8) A copy of Notification No. G.S.R. 597(E) (Hindi and English versions) published in Gazette of India dated the 31st August, 1977, issued under sub-section (3) of section 1 of the Government Savings Certificates Act, 1959. [Placed in Library. See No. LT-111/77].

(9) A copy of the National Development Bonds Rules, 1977 (Hindi and English versions) published in Notification No. G.S.R. 598(E) in Gazette of India dated the 31st August, 1977 under sub-section (3) of section 12 of the Government Savings Certificates Act, 1959 [Placed in Library. See No. LT-1112/77].

(10) A copy each of the following Notifications (Hindi and English versions) under section 17 of the General Insurance Business (Nationalisation) Act, 1972:—

(i) The General Insurance (Rationalisation and Revision of Pay Scales and other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Amendment Scheme, 1977, published in Notification No. S.O. 2443 in Gazette of India dated the 6th August, 1977.

(ii) The General Insurance (Rationalisation of Pay Scales and Other Conditions of Service of Development Staff) Amendment Scheme, 1977, published in Notification No. S.O. 2444 in Gazette of India dated the 6th August, 1977.

(iii) The General Insurance (Rationalisation of Pay Scales and other Conditions of Service of Officers) Amendment Scheme, 1977, published in Notification No. S.O. 2445 in Gazette of India dated the 6th August, 1977. [Placed in Library. See No. LT-1113/77].

(11) A copy each of the following Notifications (Hindi and English

versions) under section 159 of the Customs Act, 1962:—

(i) G.S.R. 1043 published in Gazette of India dated the 6th August, 1977 together with an explanatory memorandum.

(ii) G.S.R. 583(E) and 584(E) published in Gazette of India dated the 22nd August, 1977 together with an explanatory memorandum.

(iii) G.S.R. 594(E) published in Gazette of India dated the 20th August, 1977 together with an explanatory memorandum.

(iv) G.S.R. 1131 published in Gazette of India dated the 27th August, 1977 together with an explanatory memorandum.

(v) G.S.R. 612(E) published in Gazette of India dated the 17th September, 1977 together with an explanatory memorandum.

(vi) G.S.R. 1282 published in Gazette of India dated the 24th September, 1977 together with an explanatory memorandum.

(vii) G.S.R. 1317 published in Gazette of India dated the 1st October, 1977 together with an explanatory memorandum.

(viii) G.S.R. 1318 published in Gazette of India dated the 1st October, 1977 together with an explanatory memorandum.

(ix) G.S.R. 628(E) published in Gazette of India dated the 1st October, 1977 together with an explanatory memorandum.

(x) G.S.R. 635(E) and 636(E) published in Gazette of India dated the 7th October, 1977 together with an explanatory memorandum.

(xi) G.S.R. 1365 and 1366 published in Gazette of India dated the 18th October, 1977 together with an explanatory memorandum.

(xii) G.S.R. 644(E) and 645(E) published in Gazette of India dated the 15th October, 1977 together with an explanatory memorandum.

(xiii) G.S.R. 652(E) published in Gazette of India dated the 26th October, 1977 together with an explanatory memorandum.

(xiv) G.S.R. 666(E) and 667(E) published in Gazette of India dated the 1st November, 1977 together with an explanatory memorandum.

(xv) G.S.R. 669(E) published in Gazette of India dated the 1st November, 1977 together with an explanatory memorandum.

(xvi) G.S.R. 671(E) and 672(E) published in Gazette of India dated the 2nd November, 1977 together with an explanatory memorandum.

(xvii) G.S.R. 673(E) and 674(E) published in Gazette of India dated the 3rd November, 1977 together with an explanatory memorandum.

(xviii) G.S.R. 684(E) published in Gazette of India dated the 7th November, 1977 together with an explanatory memorandum.

(xix) G.S.R. 687(E) published in Gazette of India dated the 9th November, 1977 together with an explanatory memorandum.

(xx) G.S.R. No. 702(E) published in Gazette of India dated the 15th November, 1977 together with an explanatory memorandum.

[Placed in Library. See No. LT-1114/77].

(12) A copy each of the following Notifications (Hindi and Eng-

lish versions) issued under the central Excise Rules 1944:—

(i) G.S.R. 568(E) published in Gazette of India dated the 12th August, 1977 together with an explanatory memorandum.

(ii) G.S.R. 569(E) to 572(E) published in Gazette of India dated the 12th August, 1977 together with an explanatory memorandum.

(iii) G.S.R. 1101 published in Gazette of India dated the 20th August, 1977 together with an explanatory memorandum.

(iv) G.S.R. 623(E) published in Gazette of India dated the 28th September, 1977.

(v) G.S.R. 642(E) and 643(E) published in Gazette of India dated the 15th October, 1977 together with an explanatory memorandum.

(vi) G.S.R. 668(E) published in Gazette of India dated the 1st November, 1977 together with an explanatory memorandum.

(vii) G.S.R. 1525 published in Gazette of India dated the 5th November, 1977 together with an explanatory memorandum.

(viii) G.S.R. 686(E) published in Gazette of India dated the 8th November, 1977 together with an explanatory memorandum.

[Placed in Library. See No. LT-1115/77].

SHRI ZULFIQUARULLAH: I beg to lay on the Table a copy of Notification No. 320/77-CE (Hindi and English versions) published in Gazette of India dated the 18th November, 1977 issued under the Central Excise Rules 1944 together with an explanatory memorandum.

[Placed in Library. See No. LT-1122/77].

13.03 hrs.

## MESSAGES FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following messages received from the Secretary-General of the 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 17th November, 1977, agreed without any amendment to the Lady Hardinge Medical College and Hospital (Acquisition) and Miscellaneous Provisions Bill, 1977, which was passed by the Lok Sabha at its sitting held on the 14th November, 1977."

(ii) "In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1977, which has been passed by the Rajya Sabha at its sitting held on the 17th November, 1977."

## REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY (AMENDMENT) BILL

AS PASSED BY RAJYA SABHA

SECRETARY: Sir, I lay on the Table of the House the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1977, as passed by Rajya Sabha.

## PUBLIC ACCOUNTS COMMITTEE TWELFTH REPORT

SHRI KANWAR LAL GUPTA (Delhi Sadar): I beg to present the Twelfth Report of the Public Accounts Committee on Paragraphs relating to New

Lines and Line Capacity Works included in the Report of the Comptroller and Auditor General of India for the Year 1974-75, Union Government (Railways).

## COMMITTEE ON SUBORDINATE LEGISLATION

## SECOND REPORT

SHRI SOMNATH CHATTERJEE (Jadavpur) I beg to present the Second Report of the Committee on Subordinate Legislation

13.04 hrs.

## BUSINESS OF THE HOUSE

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): With your permission, Sir, I rise to announce that Government Business in this House during the week commencing 21st November, 1977, will consist of:—

(1) Consideration of any item of Government Business carried over from the List of Business for Friday, the 18th November, 1977.

(2) Consideration and passing of:

(i) The Banking Service Commission (Repeal) Bill, 1977.

(ii) The Enemy Property (Amendment) Bill, 1977.

(iii) The Advocates (Amendment) Bill, 1977.

(iv) The Smith, Stanistreet and Company Limited (Acquisition and Transfer of Undertakings) Bill, 1977.

(v) The Indian Iron and Steel Company (Acquisition of Shares) Amendment Bill, 1977.

(vi) The Gresham and Craven of India (Private) Limited (Acquisition and Transfer of Undertakings) Bill, 1977.

2. It is also proposed to discuss, on Wednesday, the 23rd November, 1977, the motion on the statement made by the Minister of Railways on two serious train accidents.

SHRI SOMNATH CHATTERJEE (Jadavpur): Sir, what about a discussion on the Farakka agreement? Is it coming next week? It is very important.

MR. SPEAKER: It is not coming next week.

SHRI DINEN BHATTACHARYA (Serampore): Sir, I have already written to you and have submitted a calling attention notice about the grievances of LIC employees. It was publicly announced by the Janata Government and the Minister concerned that all the wrongs done by the previous regime would be looked into and rectified. The LIC employees were getting bonus as per the settlement dated 24th July, 1974. This was, however nullified by the previous Government. I want that time may please be allotted for a discussion on this in this House.

MR. SPEAKER: The matter is under consideration and I will inform you.

SHRI DINEN BHATTACHARYA: I have already given you....

MR. SPEAKER: I have got more than 100 call attention motions. I will examine.

SHRI DINEN BHATTACHARYA: Yesterday I wrote to you a letter....

MR. SPEAKER: You are quite right. I have got a dozen letters.

SHRI DINEN BHATTACHARYA: If this matter is not taken up for discussion... (Interruptions) Let the government come forward and....

MR. SPEAKER: I am examining the matter.

SHRI DINEN BHATTACHARYA: ....say that they will fulfil the assurance which they gave 100 times before the elections and after the elections that all these injustices will be looked into and justice will be done.

MR. SPEAKER: The matter is being looked into. It will be given due consideration and a decision will be taken as early as possible.

Now the House stands adjourned to meet again after lunch at 2.05 p.m.  
13.06 hrs.

*The Lok Sabha adjourned for Lunch till five minutes past Fourteen of the Clock.*

*The Lok Sabha reassembled after Lunch at five minutes past Fourteen of the Clock.*

[MR. DEPUTY SPEAKER in the Chair]

ADVOCATES (AMENDMENT) BILL\*

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): Sir, I beg to move for leave to introduce a Bill further to amend the Advocates Act, 1961.

MR. DEPUTY-SPEAKER: The question is . . . .

SHRI VAYALAR RAVI (Chirayinkil): Sir, I have given a notice under Rule 377.

MR. DEPUTY-SPEAKER: You know the procedure. You might have given notice. Unless you are permitted, you will not be allowed. You have to act according to the procedure; this is not the way.

(Interruption) \*\*\*

MR. DEPUTY-SPEAKER: It will not go on record. You might have

\*Published in Gazette of India Extraordinary, Part II Section 2, dated 18-11-77.

\*\*Not recorded.

[Mr. Deputy-Speaker]

given the notice. It does not mean you should immediately rise up and talk about it. Nothing will go on record.

Please resume your seat. You will be told whether you are allowed or not allowed. The moment you have given the notice, it does not mean that you should get up.

I will not allow it. I am very sorry. This is not the procedure in the House. I will not allow this kind of a thing. When you have given notice, it will definitely be attended to.

The question is:

"That leave be granted to introduce a Bill further to amend the Advocates Act, 1961."

The motion was adopted.

SHRI SHANTI BHUSHAN: Sir, I introduce the Bill.

**STATEMENTS RE: ADVOCATES (AMENDMENT) ORDINANCE**

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): Sir, I beg to lay on the Table an Explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Advocates (Amendment) Ordinance, 1977.

SHRI VAYALAR RAVI: Sir, just hear me for a minute.

MR. DEPUTY-SPEAKER: I am sorry. I will not give you permission. This is not the way. Please take your seat.

SHRI VAYALAR RAVI: Please hear me for a minute, Sir.

MR. DEPUTY-SPEAKER: Please take your seat. This is not the way.

I have heard about it. You have given notice under Rule 377. It is being considered. As soon as it is considered, you will be given either permission to raise or not to raise.

So, please take your seat now. Let the proceedings go on.

14.08 hrs.

**BANKING SERVICE COMMISSION (REPEAL) BILL\***

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to move for leave to introduce a Bill to repeal the Banking Service Commission Act, 1975.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to repeal the Banking Service Commission Act, 1975."

The motion was adopted.

SHRI H. M. PATEL: I introduced the Bill.

**STATEMENT RE: BANKING SERVICE COMMISSION (REPEAL) ORDINANCE**

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Banking Service Commission (Repeal) Ordinance, 1977.

14.09 hrs.

**ENEMY PROPERTY (AMENDMENT) BILL\***

\*Published in Gazette of India Extraordinary, Part II, section 2, Dated 18-11-77

†Introduced with the recommendation of the President.

THE MINISTER OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI MOHAN DHARIA): I beg to move for leave to introduce a Bill to amend the Energy property Act, 1986.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to amend the Enemy Property Act, 1986."

The motion was adopted.

SHRI MOHAN DHARIA. I introduce the Bill.

STATEMENT RE: ENEMY PROPERTY (AMENDMENT) ORDINANCE

प्राजिक्य और नामरिक पूति और सहकारिता बंडालः मैं राज्य नंदा (श्री कृष्ण कुमार गोद्धुम) : उपाध्यक्ष महोदय, मैं आपकी अनुमति से शत्रु-मम्पन्धिं (संग्रहण) अध्यादेश, 1977 द्वारा तुरन्त विधान बनाये जाने के कारण बताने वाला एक व्याख्यात्मक विवरण (हिन्दी तथा अंग्रेजी संस्करण) सभा पट्टल पर रखता हूँ।

14.15 hrs.

MATTER UNDER 377

NEWS COVERAGE BY AIR AND T.V. OF LOK SABHA PROCEEDINGS RE. LADY HARDINGE MEDICAL COLLEGE ETC.

श्री भट्टेश्वर बागड़ी (मध्यरा) : उपाध्यक्ष महोदय, मैं अपनी बात बहुत उससे पहले मैं एक उत्तरात्मक प्राप्तिक सामने रखूँगा। नियम 377 के अन्तर्गत जो बात कही जायें, वह जिस मंवालय से सम्बन्ध रखनी हो, सम्बन्धित मंत्री यहाँ मौजूद न हों तो उसका कोई कायदा नहीं है। दो मंत्री रखे जाते हैं, एक बड़ा मंत्री और दूसरा राज्य मंत्री। लेकिन कोई भी मंत्री आकाशवाणी या दूरदर्शन से सम्बन्धित यहाँ पर नहीं है।

2451 LS-9.

ई आपसे बाहुंगा कि आप आदेश दें कि सम्बन्धित मंत्री महोदय सदन में आयें और बात को सुनें। इस तरह से 377 का मतलब क्या होता है, न तो अडवाणी साहब हैं और न श्री जगवीर सिंह महां मौजूद हैं।

MR. DEPUTY-SPEAKER. Yes, you go on to the subject. It is in order.

श्री भट्टेश्वर बागड़ी : क्या जायें है उनका गैर-हाजिर होना ?

उपाध्यक्ष महोदय : 377 के अन्तर्गत जो विषय आप उठा रहे हैं, उसके बाबत किसी मिनिस्टर का यहाँ पर उपस्थित रहना ज़रूरी नहीं है। अगर वह बाहें तो रह सकते हैं। आप अपना विषय कहिए।

श्री भट्टेश्वर बागड़ी : उपाध्यक्ष महोदय, दूरदर्शन और आकाशवाणी का रेडियो, दूसरे में भारत के जो बिल्कुल दिल की बात है। उसको यह कबर नहीं करते हैं। मेरा 377 के अन्तर्गत जो उल्लेख है, वह यह है कि 14 तारीख को जामरुक जनता पक्ष ने एक लाख आदमियों को रैली की ओर उस रैली को स्वास्थ्य मंत्री श्री राजनारायण ने संबोधित किया। आकाशवाणी के मंत्री श्री जगवीर सिंह और दूसरे कितने ही वहाँ साथ-साथ थे, लेकिन दूरदर्शन भी, दूरदर्शनी भी, उसको लूँगा नहीं। हालांकि उसमें कितने ही दूसरे राज्यों के मम्बर थे।

इसी तरीके से यहाँ पर मैंने लोक-सभा में जब स्वास्थ्य मंत्री श्री राजनारायण ने लेडी हार्डिंग अस्पताल बिल रखा, तब मैंने उसमें एक प्रस्ताव किया था कि मैंने हार्डिंग के बजाय श्रीमती सुजेता हुगलानी

[श्री मन्ना राम बागड़ी]

का नाम होना चाहिए। उमकी एक गलत भावना आकाशवाणी से दी गई कि मैंने नाम बदलने की मार्ग की है।

SHRI VAYALAR RAVI (Chirayinkil): I want to say something on that.

MR. DEPUTY-SPEAKER: Mr. Ravi, you must know the procedure. I am sorry you are unnecessarily trying to get up and want to say something. But, Shri Bagri has been permitted.

श्री मन्ना राम बागड़ी : उपाध्यक्ष महोदय, नाम बदलने में मतलब नहीं है। उमके पीछे यह इनिहाम था कि विदेशी सांस्कृतिक और हाकिमों के नाम के बजाय भारत की आजादी के लिए जान-संघर्ष में लड़ने वाली श्रीमती मुखेता कृपालानी का नाम उसमें जोड़ा जाये। यह बात आकाशवाणी से गलत ढंग से प्रसारित हुई। उमसे भारत की जानता की राष्ट्रीयता जो उभरनी चाहिए थी, वह नहीं उभर सकी। इस प्रकार आकाशवाणी ने भारत की राष्ट्रीयता का अपमान किया है।

एन हसी तरह मैं आकाशवाणी श्रीर दूरदर्शन से यह भी शिकायत है कि जब हम उन्नीस महीनों तक जेलों में थे, तो ब्रज माधुरी कार्यक्रम मुन कर अपना वक्त काटा करते थे, लेकिन अब उस कार्यक्रम को भी हटा दिया गया है, मानो इन विभागों को मधुरा से कोई हैंप है। मधुरा को बच्चों के बजाने वाले बाते जैसा, एक पीपे जैसा, एक छोटा सा रेडियो स्टेशन दे दिया गया है, जिस का प्रमाणण केवल 80 मील तक सुना जा सकता है। मैं समझता हूं कि इस तरह भारत की संस्कृति और सभ्यता को फैलने से रोका जा रहा है।

अच्छा होता कि मंत्री और राज्य मंत्री दोनों इस समय सदन में उपस्थित होते।

मैं कहना चाहता हूं कि इन विभागों की शुद्धि करने की आवश्यकता है। अगर आकाशवाणी एक लालू किसानों की आकाश को कबर नहीं करता है, उस का प्रमाणण नहीं करता है, तो यह हिन्दुस्तान के कोटि कोटि किसानों के साथ अन्याय है। श्रीमती मुखेता कृपालानी जैसी महान् राष्ट्रीय कार्यकर्त्ता का नाम न दे कर आकाशवाणी ने राष्ट्रीयता के प्रति बड़ा अपमानजनक काम किया है।

मैं समझता हूं कि शायद आकाशवाणी और दूरदर्शन में कोई परिवर्तन नहीं आया है। नये मंत्री आ गये हैं, लेकिन सन्तरी नहीं बदले हैं, जो शुक्ला जी के साथ चला करने थे। आज सतरी मंत्री को कट्टोल करने हैं, मंत्री सतरी को नहीं। मैं चाहता हूं कि आईदा इस किस्म की हगकत नहीं होनी चाहिए।

— — —  
14.15 hrs.

MOTION RE: TWENTIETH, TWENTY-FIRST AND TWENTY SECOND REPORTS OF THE COMMISSIONER FOR SCHEDULED CASTES AND SCHEDULED TRIBES.

AND  
DISCUSSION ON THE EMPLOYMENT OF SCHEDULED CASTES AND SCHEDULED TRIBES IN SERVICES AGAINST RESERVED QUOTA—  
contd.

MR. DEPUTY SPEAKER: Now, we take up further consideration of the Motion moved by Prof. Madhu Dandavate and further discussion on the employment of Scheduled Castes and Scheduled Tribes. Shri C. N. Viswanathan may continue his speech.

SHRI C. N. VISWANATHAN (Tirupattur): Mr. Deputy Speaker, Sir, as I said yesterday, the same response is shown today in the House regarding this important Motion which has been moved by Prof. Dandavate. We

are talking so many things in the House about the welfare of scheduled castes and scheduled tribes but even today there is no response from both sides of the House. Even the concerned Minister—the Home Minister and the Minister of State in the Ministry of Home Affairs—are not present.

Mr. Deputy Speaker, Sir, the Untouchability Act which is already in existence is not sufficient to protect the scheduled castes and scheduled tribes. The Untouchability Act which is prevailing now throughout India does not give severe punishment to the persons who are offenders under this Act. The crimes under this Act are tried only in second-class courts. They should be tried in first-class or in Sessions Courts.

Further, I would like to draw the attention of the House and also that of the Government that we have to ban first the caste system. Even many Ministers here at the Centre and also in the States are having their caste with their names. Even the President of India, Shri Sanjiva Reddy is having his caste with his name, namely, 'Reddy'. So we must ban the caste system first. My party, Anna D.M.K. has taken a policy decision to this effect. So, I request this House and also the Janata Government that they should adopt the same policy as has been adopted by the Anna D.M.K. The Ministers are requested not to have their caste names with their names. The elderly Members may use their influence to this effect in their respective parties. Even the top level officers in the Government are having the caste indication after their names. But in the case of Harijans, they do not have any indication after their names so that they are surely identified that they belong to Harijan community. Therefore, the Government should take immediate step to abolish this system of indication of caste after the names.

Sir, another point is that the candidates of various political parties fighting in the election must be allowed only if they do not mention the caste after their names. In regard to untouchability. I may bring to your kind notice that this system is still prevalent in our country. If we want to abolish the untouchability, we must be ready to do something good to the nation. There is no use of talking hours together on this subject in this House.

Sir, In our State, some of our MPs and MLAs were asked to remove the caste indication after their names. This is also one of the policies of our party. Unless we abolish this caste indication after the names, we will not be able to move forward in this direction. Yesterday, Shri Falterio had correctly said, Sir that the Chief Minister of Tamil Nadu is showing the right way to other States for the cause of Harijans. He had mentioned how the Chief Minister of Tamil Nadu was helping the Scheduled Caste and Scheduled Tribes in his State, for their progress. Hon'ble Deputy-Speaker perhaps knows that the Tamil Nadu Chief Minister is called as M.G.R. 'M' stands for magnanimity. He had filled the Rajya Sabha seat and that seat has been filled by Shri Munuswamy, a person belonging to Scheduled Caste. There are so many other ways in which M.G.R. has been helping the SC ST people. The second word 'G' stands for generosity. He has given many lakhs of rupees for the upliftment of Harijans. The third word 'R' stands for royalty. In the matter of royalty, the Tamil Nadu Government is giving pension to the aged people belonging to SC ST. In the same way, Government of India should also give at least Rs. 30/- per month as pension to the aged people belonging to SC ST. Otherwise, we will not be doing natural justice.

Yesterday, Shri Mani Lal reported in the House that many murders have been committed recently by the upper

caste people and no action has been taken by the police so far. Since the aggrieved persons are mostly SC ST people, I would request the Home Minister to take immediate action and protect the Harijans. It has been reported that there has been an increase in the atrocities committed on the Harijans in Bihar and Orissa States. The Government should give top priority to such offences and take immediate steps and deterrent punishment should be given to the offenders. Sitting in Delhi, we will not be able to know what is happening in other parts of India, especially in rural areas. In the rural areas even water is not allowed to be drawn from the common wells by the Harijans. We are talking here so much for the upliftment of the down-trodden and the Harijans but when it comes to the question of action very little is done. The Government is not doing enough to provide the basic necessities like drinking water, housing facilities, medical and educational facilities to the SC ST. Yesterday also, I should mention, no Cabinet Minister cared to listen to the speeches of the Members about the difficulties of Scheduled Castes and Tribes. That is the example. What is the use of talking in this House? We must do some real thinking. We must enact legislation. We must have a commission in which not only Harijans and Scheduled Castes will be there, but also all kinds of people including other caste people should be there. It should consider concrete steps to be taken for them. We are not caring for them at all. If things continue like that there will be revolution by the people in India. Only 35 Members were present Yesterday; today there are hardly 36 or 37 persons in the House....(Interruptions) Yesterday Shri Mavalankar spoke about inter-caste marriages. We are proud to say that in Tamilnadu the government is giving gold medals for people who go in for inter-caste marriages; government is giving them jobs and other facilities for their

future life. In Tamilnadu the government had also given houses for Harijans. The Government of India is not giving funds to shift Harijans from huts to big buildings. Nearly ten thousand families had been shifted from huts to buildings in Tamilnadu and any Minister can see that. We want that more funds should be given to shift Harijans who are now living in huts to be accommodated in better houses. We are living in flats and we do not think of Harijans who are living in huts and under the trees. It is the right time to think about them. We must first give them lands and houses. Another M.P. suggested that lands should be given. How can we give lands? There are a number of persons in India having thousands and hundreds of acres. But the Scheduled Castes do not have even one acre of land to plough. In Tamilnadu we have got the 15 standard acre limit. The land ceiling must be fixed.

**CHOWDRY BALBIR SINGH**  
(Hoshiarpur): Ceiling law is there, it is not enforced.

**SHRI C. N. VISWANATHAN**. They are cheating others by benami transactions. We are taking steps to get hold of benami transactions and government should take immediate steps to enforce land ceiling and give land to people who are tilling lands and shedding their sweat working on land day and night. They get Rs. 3 or 5 as daily wages, and the entire fruit of their labour is enjoyed by the owner, zamindar and landlord who are living in AC rooms. 90 per cent of the tillers are Scheduled Caste people. It must be done immediately by this government; this is the proper time to do this. If the Bill comes up here, nobody will dare oppose it because anybody who opposes will be identified by people and people will say to him: you are saying one thing and doing another thing. Land ceiling laws must come immediately to help Scheduled Castes.

**SHRI SURAJ BHAN** (Ambala): What about your State services? There is no reservation in promotions; it is here in the Centre.

**SHRI C. N. VISWANATHAN:** Our percentage is more than what it is in other states. You can see and compare the figures. If the hon. Member can prove it, we are ready to accept the challenge. Do not think that our Chief Minister, Mr. M. G. Ramachandran has not done anything. He has in fact given everything for the nation. I will accept the challenge if the Member is giving correct information.

**SHRI SURAJ BHAN:** It is hard reality that there is no reservation in promotions in Tamil Nadu Services.

**SHRI RAGAVALU MOHANARANGAM** (Chengalpattu): Your statistics is wrong. You are not giving correct information. Let the hon. Member understand how the things are going on in Tamil Nadu.

(Interruptions.)

**MR. DEPUTY-SPEAKER:** Please take your seats.

**SHRI C. N. VISWANATHAN:** For about six hours, we have been discussing this matter and we will discuss it for another 2 hours also. I would request the hon. Minister and the Government to take some concrete steps in the matter immediately. With these words, I conclude my speech.

**SHRI HITENDRA DESAI** (Godhra): May I know, when the hon. Minister will be replying to the debate?

**MR. DEPUTY-SPEAKER:** It is not definite because we will be taking up non-official business at 3.30 PM.

**SHRI HITENDRA DESAI:** Not today.

**MR. DEPUTY-SPEAKER:** Not today in any case.

**श्री शारद एच० रमेश** (चायल) :  
चायल महोदय, शेष्यूल कास्ट्स,

शेष्यूल ट्राइब्स कमिशनर की 1971-72  
1972-73, 1973-74 की रिपोर्ट  
अपने आप में हरिजनों और पिछड़े  
लोगों पर ढाए गए जुल्मों का  
पुलिन्दा है और पुलिन्दे की हर  
सतर गुनगुनाती कूक है। “मैं मैके चली  
जाउंगी तू देखता रहियो” इंदिरा गांधी  
आई, उनकी कांग्रेस आई, वे चली गई,  
उनकी सियासा चली गई लेकिन उनकी  
हकुमत में आई गिरोटों पर आज हम बहस  
कर रहे हैं। आजकल विरोध पक्ष के  
हमारे कांग्रेसी बन्दू इन रिपोर्टों पर  
आंशु बहा रहे हैं। उनके ये आंशु नहीं  
नहीं है बल्कि पुराने हैं। ये आंशु बैसे  
ही हैं जैसे कि कोई राज बहु विवाहित  
हो कर जब मैके में जाय तो कहे कि  
मैं नौ मैके की हूँ और गांधी हो कर  
समुराल में जाय तो कहे कि मैं तो  
समुराल की हूँ, परगर मैके की होती तो  
शादी करके समुराल बधों आती,  
बैसे ही जब ये लोग पावर में थे तो  
आन्याचारियों के बीच में जाकर कहते थे  
कि हम लोग आपके हैं और जब हरिजनों  
के बीच में आते थे तो कहते थे कि  
हम लोग आपके हैं। ये हमारे कांग्रेस  
के भाई बिल्कुल उस गज बहु के समान  
हैं। परन्तु सत्य यह है कि जोर-जुल्म  
पहले भी होते थे और अब भी होते  
हैं। हिमालय से लेकर कन्याकुमारी तक,  
गुजरात से लेकर कश्मीर तक हरिजनों  
के मन्दन्ध में मुझे कोई परिवर्तन नजर  
नहीं आ रहा है। कहीं कोई फर्क नहीं  
पड़ा है। फर्क केवल इतना पड़ा है कि  
कांग्रेस की हकुमत चली गई है और  
जनता सरकार की सत्तनत आ गयी है।  
पहले जिस कुर्सी पर इंदिरा गांधी बैठी  
थीं आज उस कुर्सी पर श्री मोरारजी भाई  
बैठे हैं। पहले जिस कुर्सी पर श्री  
ब्रह्मानन्द रेही बैठे थे, आज उस कुर्सी  
पर चौधरी श्री चरण सिंह को जनता ने

[वी आर० एन० राकेश]

विठा दिया है। बस फर्के केवल इतना ही पड़ा। लेकिन जहाँ तक देश की समस्याओं का सबाल है, देश के गरीबों का सबाल है, उनकी समस्याएं ज्यों की त्यों पड़ी हुई हैं। इनमें कोई परिवर्तन नजर नहीं आ रहा है।

भारी कल ही गृह राज्य मंत्री श्री मंडल ने बिहार धर्मापुर में हुई हरिजन हत्याओं के बारे में कहा कि वहाँ पर कोई हत्याएं हुई ही नहीं। । आओ है इन हत्याओं को इतना मामूली सा महत्व दिया जा रहा है। सदन ने धर्मापुर हरिजन हत्या काण्ड पर उन्होंने जो कहा उनको सुनकर मैं आश्वर्य चकित रह गया हूँ, कल पालिमेंट के दस एसपीज का एक प्रतिनिधि मंडल बिहार धर्मापुर गया था। उस में मैं भी था। वहाँ हम लोगों ने देखा कि किस तरह से चार हरिजनों को मात के घाट उतार दिया गया है। वहाँ जाने के बाद और स्थिति का अध्ययन करने के बाद हम इस निष्कर्ष पर पहुँचे हैं कि यदि बिहार में इमरजेंसी के दौरान श्रीमती गांधी की सरकार ने जिन 148 लोगों को नक्सलाइट्स कह कर मौत के घाट उत्तरवा दिया था जिनको पुलिस ने अपनी इन्हूँक की गोलियों से भून दिया था उन में 134 हरिजन थे जो नक्सलाइट नहीं थे जो भूखे थे जिन्होंने रोटी मांगी थी, जिन्होंने दिन भर खेतों में मजदूरी की थी और अपना वजिन हक मांगा था। उनको नक्सलाइट कह कर गोलियों से भून दिया गया था तो इधर जनता सरकार मैं भी धर्मापुर जैसे तमाम कांडों में हरिजनों का संहार किया है। भाई राम धन जी ने जो व्याप दिया है और जो तार प्रधान मंत्री और गृह मंत्री

को दिया है, उसको मैं ब्राह्मणः सत्य मानता हूँ और सदन में राज्य गृह मंत्री श्री मंडल में जो रिपोर्ट दी है वह बेबुनियाद है, जूँठी है और सदन को गुमराह करने वाली है और उसका मैं जम कर बिरोध करता हूँ। हाल ही में विलट्ज को इंटरव्यू देते हुए हमारे गृह मंत्री श्री चौधरी चरण सिंह ने कहा था कि हरिजनों पर देश में कोई जोर-जूलम नहीं हो रहा है। उनका यह व्याप विलकूल जूँठा और बेबुनियाद है। चौधरी चरण सिंह से तो नहीं अपितु भारत के गृह मंत्री से मैं कहूँगा कि उनको ऐसी बात नहीं करनी चाहिए थी जैसी उन्होंने विलट्ज को दी गई इंटरव्यू के दौरान कही है। सच तो यह है कि पूरे भारत में हरिजनों पर जोर-जूलम हो रहे हैं। भारत के पूर्वी इलाके में वैसे ही भूमिहार हरिजनों पर जुन्म कर रहे हैं जैसे गिरिजा में जाइ हरिजनों का संहार कर रहे हैं।

SHRI PRASANNBHAI MEHTA (Bhavagar): On a point of order, Sir. It appears the hon. member is unaware of parliamentary language. He said

“होम मिनिस्टर ने झूठ कहा है।”

‘Jhoot’ is unparliamentary. It should be expunged.

श्री आम प्रकाश त्यागी (बहराइच) : उन्होंने जो व्याप्त आक आड़ेर उठाया है उस पर आपका क्या स्वल्प है। वह गलत शब्द का प्रयोग कर सकते हैं।

श्री आर० एन० राकेश : उस शब्द के स्पान पर गलत शब्द कर दिया जाए मुझे कोई एतराज नहीं है।

उपायक नाहोबय : झूठ के स्पान पर गलत कहिये या कोई और शब्द कहिये।

बो आर० एव० राकेश भूठ शब्द के स्थाव पर आप गलत गद्द कर दें, मुझे कोई एकराज नहीं है ।

अभी हाल त्री में राज्य गृह मध्ये श्री मडल ने एक अधिकारी श्री गिरि प्रकाश जो ला निनिधि का है श्री गिरि प्रकाश, उनके बारे में कहा है कि वह पागल है, कि उना आमक है। जो भूठ बात है वह मैं आपको बांचाना चाहना है। वह अधिकारी कलकत्ता गया था दृष्टि पर आँग वह। लोगों को जब यह मालम हप्ता कि वह गैडिन्ट कास्ट का है और गैडिन्ट कृष्ण के बोंग उन में भिन्न आने लगे तो दूसरे लाग उम्ब बगान्त नहीं कर पाए और उक्के उम्ब उक्के बुरी तरह से मारा उम्बकी टग बुरी तरह से रिटाई की, उम्ब पर इनना जुम्म किया कि जिम की कोई पोरा न हो । मैं मममना है कि जनना सरकार का एक नरक को चाँच का कर्नड बगान्त नहीं करना चाहहर या। बैद है, चकि वह हरिजन अधिकारी था इम बास्ते उनके ऊपर इनना जोर ज़म हथा। उन्ना हो नदी, मार खाने के बाद जब वह एक आई आर निवा० के लिए गया तो उसको एक आई आर न-1 लिनो गृह आ॒र बाद मे आ॒टरों के द्वारा यह कहन्वा दिया गया कि वह मेटनो टिमटृ० है पागल है। मूल यह भोद गाया गया है कि उम्ब आ॒टरों की मरीकल डोंड मे भजा जा रहा है जग्कि मि॒र गिरि प्रकाश जो अभी भी अन दूर्नी है और जो करकार मे अगत, काम कर रहे हैं जैसे पहले काम कर रहे थे जैसे ही प्रज भी कर रहे हैं उनी स्लोड मे कर २३ है जिम रोह से पहले कर रहे थे और ३१ है भारन० व यंक्षमन० म कोई फैन० नहीं पड़ा है। उनको मर्दाना व डै के साम० इसलिए भेजा जा रहा है ताकि वह नौकरी के लायक न रह जाए। मैं कहुंगा कि कम से कम हस प्रकार की उपादानी तो जनना सरकार में हरिजनों के लाय नहीं होनी चाहिये। वैसे भी श्री मडल के मुद्र से ऐमा आमक और मिया कथन शोभा नहीं देता है।

कुछ मासी पालियामेट हाउस के सामने 5 दिन से एक जायज बात को ले कर भूख हडनाल कर रहे हैं। उनका कहना है कि जो लोग हरिजन से बुद्धिन्स्ट हो जायें, जिन्होंने हिन्दू धर्म छोड़ कर बौद्ध धर्म स्वीकार कर लिया है उनको हरिजनों के नाम पर, अकूल होने के नाम पर जो सुविधायें मिलती थीं पहले, वह मिलती रहे। कुछ लोगों का इस बारे में विर ध है, उनका कहना है कि यह सुविधायें बोद्ध हो जाने के बाद नहीं मिलती जाहिये। हिन्दू ला कहना है कि जो भी हिन्दू हों, मिल हो, बोद्ध हो। वह हिन्दू ला के अन्यगत गवने होने हैं। जब हिन्दू ला की ऐसी स्थिति है तो उनको वह सुविधायें मिलती जाहिये जो हरिजन होने के नाम पहले मिलती थी। मैं उनकी मामों का समर्थन करता हूँ। मेरी आशा है कि उहे हरिजन समझ कर, अकूल समझ कर, गरीब समझ कर जो पाव दिन से पालियामेट के सामने मार्ग कर रहे हैं उनकी मामों को माना जाएगा। जनता सरकार को उनकी इन मामों को दबाना नहीं जाहिये। ऐमा करने से सारे देश के शोपिनों का आपनाम है, जो कि नहीं होना जाहिये।

जहा तक सरकारी नौकरियों में हरिजनों के प्रतिनिधित्व की बात है, शिक्षा में हरिजनों का कोई कोटा नहीं भरा गया। बैक आफ इंडिया ने, काइनेस विमान मे हरिजनों का कोई प्रतिनिधित्व नहीं है। काप्रेस के जमाने मे अगर नहीं हुमा कोई आश्वर्य की बात नहीं, लेकिन जनता सरकार भी इस पर कोई तबज्जह नहीं दे रही है। अभी 27 ज्नाई को गृह मंडी ने सदन मे ही कहा था कि फस्ट और सेकेन्ड क्लास की नौकरियों मैं बी० एस० एक० और बी० आर० पी० मैं शेहूल कास्टम का कोटा ५ परसेट है। डाक्टर भी नौकरी मे जीरो परसेट है और तृतीय श्रेणी में 11 75 परसेट है तथा चतुर्थ श्रेणी में

33 परसेंट है। और यह भी कहा था कि स्वीपरस में 80 परसेंट शिव्यूल कास्ट के लोग हैं, लेकिन जलास 1 और 2 की नीकरियों में हरिजनों का कोटा नहीं भरा गया है। इस चौथे को ब्यां गृह मंत्री महोदय ने कबूल किया है। लेकिन अभी अभी तक उन्होंने यह नहीं बनाया कि वह क्या करने जा रहे हैं और न कोई उम कमी को पूरा करने की दिशा में तेमा कोई कदम उठाया है। जिसमें आशा बने कि उनका कोटा पूरा किया जा सकेगा।

सभापति जी, जहां तक डाक तार विभाग का सम्बन्ध है 10 मई, 1977 को डाक तार विभाग ने अपने जी० औ० मं० 233/26/77 एस०टी० जी० शारा एक आदेश निकाला है जिसमें 500 जनरल कास्ट के लोगों की पदोन्नति हुई है। लेकिन हरिजनों को जहां साड़े 22 परसेंट का लाभ मिला जाहिए था वहां उनको 3 परसेंट ही लाभ मिला है। नीकरी देने की बात तो अगल रही, पदोन्नति, में भी हरिजनों की उपेक्षा की जा रही है। सच तो यह है कि 30 माल में जहां बड़े बड़े पदों पर रखने की बात थी वहां हरिजनों के हितों की उपेक्षा की गई है। उदाहरण के लिये 20 गवर्नर्स इस देश में नियुक्त हुए। केवल उत्तर प्रदेश में एक गवर्नर जनता सरकार ने नियुक्त किया है, अन्यथा इन पदों के लिये भी हरिजनों का कोई प्रतिनिधित्व न काप्रेस ने दिया था और न भी जनता सरकार दे रही है। जनता सरकार ने केवल एक गवर्नर नियुक्त किया है इसके लिये धन्यवाद लेकिन दूसरा प्रतिनिधित्व अभी तक नहीं मिला है। देश में 8 लेफिटनेंट-गवर्नर नियुक्त किये गये हैं, उन में शिव्यूल कास्ट्स तथा शिव्यूल ट्राइबज को कोई प्रतिनिधित्व नहीं मिला है। विदेशों में भारत के 131 एम्बेसेंट और हाई कमिश्नर रखे गये हैं, लेकिन उन में पनामा में भी ठड़ीलाल और चाहना में श्री नारायण

को छोड़ कर कोई तीसरा शिव्यूल कास्ट्स का एम्बेसेंट या हाई कमिश्नर नहीं है। इसी प्रकार लगभग 150 चैयरमैन और भैनेजिंग डायरेक्टर्स में भी शिव्यूल कास्ट्स का कोई प्रतिनिधि नहीं है। हाई कोर्ट के जजों की एपायंटमेंट में भी शिव्यूल कास्ट्स की हेमेशा उपेक्षा की गई है। हाल ही में उत्तर प्रदेश के इलाहाबाद हाई कोर्ट में 9 जज एपायंट किये गये, लेकिन उन में शिव्यूल कास्ट्स का एक भी व्यक्ति नहीं है। बड़े दुख के साथ कहना पड़ता है कि जिन लोगों के हाथ में ये नियुक्तियां करने का काम था, उन्हीं की विरादरी के नाम वहां रखे गये और ला मिनिस्टर तथा प्राइम मिनिस्टर को लिखने के बाबजूद भी शिव्यूल कास्ट्स का कोई प्रतिनिधित्व नहीं दिया गया है। काश, जजों के चुनाव में शिव्यूल कास्ट्स का भी कोई आदमी होता।

मारे देश में इन गणीयों के साथ अब भी उपेक्षा की जा रही है। केन्द्र में जनता पार्टी की मरकार बनने के बाद 8 प्रालोंग में नये मुख्य मंत्री बनाए गए, लेकिन उन में से किसी भी प्रालोंग में कोई शिव्यूल कास्ट्स का व्यक्ति मुख्य मंत्री नहीं बनाया गया। श्री गमधन ने उत्तर प्रदेश में मुख्य मंत्री पद के लिए चुनाव-लड़ने की कोशिश की, तां वहां जातिवाद और विरादरीवाद इस तरह उभर कर सामने आया कि ऐसा नगा कि जनता सरकार भी काप्रेस की लकीर की फकीर बनी हुई है और उसी रास्ते पर चल रही है।

यह सदन हिन्दुस्तान की सब से बड़ी पंचायत है। इस लिए इस पंचायत में मैं सारे देश के दलितों की ओर से यह बता देना चाहता हूं कि अगर वे भूखे हैं, तो उन की भूख के साथ उपहास न किया जाये और अगर वे नंगे हैं, तो उन के नंगेपन का अपमान न किया जाये। इस धरती पर बड़े बड़े अपमान पैदा हुए हैं, लेकिन इन बगां के लिए कोई अपमान पैदा

महीं हुआ—भगरपैदा हुआ, तो डा० भग्नेडकर पैदा हुए। मैं चाहता हूं कि जनता सरकार हूंसरा भग्नेडकर बने।

सतापे जो गरं बों बों, उने भैतान कहने हैं, उठाये जो गरीबों को, उसे भगवान कहते हैं।

मैं चाहता हूं कि भानीय होम मिनिस्टर, चौ० बरण मिह जिन के कंधों पर गरीबों की रक्खा और हरिजनों की सुरक्खा का भार है, भगवान ही बने। मब तो यह है कि अगर-भाई भानीजावाद के नये में इन गरीबों के साथ उपहास किया जाता है, हरिजनों के हितों की रक्खा नहीं की जानी है, तो चाहे वे काले-कलूटे हों, चाहे उन के बाल जानवरों जैसे हों, चाहे वे भूबेन्गे हों, चाहे भद्रे बदशहन हैं, पर उन में इन्हीं नाकत है कि अनें हितों के साथ बिनवाड़ करने वाले की वह खोपड़ी नोड देंगे।

इन शब्दों के साथ उपाध्यक्ष महोदय, मैं आप को धन्यवाद देता हूं कि आप ने मुझे इन गरीबों की आवाज को बदलन्द करने का अवसर दिया।

ओ सोमजी भाई डामोर (दोहद) : उपाध्यक्ष महोदय, हरिजनों और आदिवासियों के सम्बन्ध में पाच माल पहले की रिपोर्ट पर आज बहम हो रही है, इस का मतलब मैं समझ नहीं पाया हूं। हरिजनों के बारे में तो बहुत लोग बोलने वाले हैं, इम लिए मैं सिफ़ आदिवासियों के बारे में कुछ कहना चाहता हूं।

सारे हिन्दुस्तान में नौकरियों में हरिजनों तथा आदिवासियों के रिजर्वेशन पर विचार करने से पहले यह देखना चाहिए कि इन बर्यों के कितने लोगों को मिनिस्टर बनाया गया है। सैट्य गवर्नरमेंट में सिफ़ थी जगजीवन राम को सी० एफ० डी० का चेयरमैन होने के कारण कैविनेट मिनिस्टर बनाया गया है। जो अन्य हरिजन और आदिवासी मिनिस्टर हैं, वे तीन चौहाई मिनिस्टर हैं, कुल नहीं। प्रश्न यह है कि जब हरिजनों और आदिवासियों को मिनिस्टर नहीं बनाया जाता है, तो किर

उन्हें नौकरी में कौन रखेगा? कई स्टैटस में जो हरिजन और आदिवासी मिनिस्टर बनाये गये हैं, उन्हें ऐसे विपाटमेंट दिये जाने हैं, जिन का कोई काम नहीं होता है। सरकारी आधिकारी कहते हैं कि जब सरकार उन्हें कोई इम्पाटेस नहीं देती है, तो फिर हम क्यों इम्पाटेस दें। मध्य दाढ़वाले जो ने जो रिपोर्ट यहां पर रखी है उम में आदिवासियों के बारे में सारी रिपोर्ट मैंने देखी है। कलास थन और कलास टू में हमारा कोई आदमी नहीं है। आज आजादी के नीम साल हो गए। जो बच्चा 47 में पदा हुआ वह 30 माल का हो गया। वह एम० ए, एल एल बी हो कर जगह जगह नौकरी के लिए मारा मारा फिरता है। उस को कहीं जाव नहीं मिलता है और सरकार कहती है कि हम को कैडीडेट नहीं मिलते हैं। जो सरकारी नियम बनाने वाले हैं वे हरिजन आदिवासियों के बारे में आरक्षण और सारे नियम बनाकर उस के साथ यह लिख देते हैं कि यदि कैडीडेट मिले, नहीं मिले तो यह आरक्षण रह किया जायगा, रिजर्व शीट विल बी कंसिडर्ड एज अनरिजर्व। होता क्या है कि अगर कैडीडेट मिलते हैं तो उन्हें नाट-स्ट्रेटल कर के निकाल देते हैं। उन की योग्यता नापने का कोई बैरोमीटर नहीं है। दूसरे लोगों के साथ हरिजन और आदिवासियों को नापने का कोई सही बैरोमीटर नहीं है। उम को यह कह कर निकाल देते हैं कि यू आर नाट स्ट्रेटल। हमारे कई लोग एम० ए, एल एल बी हैं, उन्हें प्राइवेट में लोग अपने यहां रखते हैं लेकिन गवर्नरमेंट सर्विस में उन को नहीं रखते हैं।

आदिवासियों के लिए आरक्षण साढ़े सात प्रतिशत है और हरिजनों के लिए 15 प्रतिशत है। लेकिन यदि कैडीडेट मिलते हैं तो उन को नाट-स्ट्रेटल कर के छोड़ देते हैं और 100 परसेंट शीट दूसरे लोगों से भर देते हैं। आज इतने सारे कमीशन बने हुए हैं। रेलवे सर्विस कमीशन है, मूँ पी एस सी है, स्टैटस के अन्दर पी एस सी है लेकिन कहीं हमारा कोई

[ वी सीमजी भाई डामोर]

आदिवासी और हरिजनों का आदमी नहीं है। जो आदमी वहां होते हैं वे हमारे आदमियों को रखते नहीं हैं।

मैं गवर्नर्मेंट से कहना चाहता हूं कि पांच साल पहले जो काम नहीं किया था उस की चर्चा आज यहां हो रही है लेकिन आज जो काम नहीं हो रहा है उस की चर्चा जा कर 82 में होगी, 82 में उम पर डिस्कशन होगा क्योंकि सरकार रिपोर्ट देती नहीं है तो यहा डिस्कशन होता नहीं। इसलिए मैं सरकार से यह कहूंगा कि जो काम आज करता है उसे आज करने नहीं तो 80 में सब रिजर्वेशन खल्म हुने वाला है तो 82 में चर्चा करें होगी? इसलिए आज जो करना है उसे पूरा करिए। आप की सत्ता है तो उस को पूरा करवाइए।

दूसरी बात यह है कि जो हरिजन और आदिवासी हैं 3000 साल से उन का शोषण हो रहा है। तो 30 साल तक उस का रिजर्वेशन और प्रमोशन देने से कुछ नहीं हो सकता। यह तीन हजार साल का शोषित समाज है, 30 सालों में कैसे इन की हालत अच्छी हो सकती है। इन को कम से कम 300 साल देना चाहिए रिजर्वेशन और प्रमोशन के लिए तब कुछ हो सकता है। मैं तो यह कह सकता हूं कि आदिवासियों का कोई आज तक रिजर्वेशन और प्रोमोशन कुछ हुआ ही नहीं है। आदिवासियों के बारे में सब जगह निल है। आदिवासियों में आज इतना असंतोष है स्वराज्य के बारे में कि स्वराज्य लेकर हम ने क्या पाया? मैं सरकार से निवेदन करूंगा अगर सरकार नहीं करेगी उन के लिए तो या तो भगवान करेगा या फिर आदिवासी राज करेगा। हम चाहते हैं कि हमारा आदिवासी स्टेट अलग दे दें तो हम अपनी उपति का काम कर लेंगे। जब जनता सरकार छोटी स्टेट बनाने के लिए विचार कर रही हैं और जब प्रकाश नारायण भी बोले हैं कि छोटी

छोटी स्टेट बननी चाहिए तो मेरा निवेदन है कि बिहार में छोटा नामपुर और संचाल परखना के लिए अलग स्टेट दी जाए। इसी तरह गुजरात, राजस्थान, महाराष्ट्र और मध्य प्रदेश के ऐसे हिस्सों को मिला कर अलग राज्य बहां भी देना चाहिए और मध्य प्रदेश में छत्तीसगढ़ स्टेट बनाने वाली है वह सिर्फ आदिवासियों को देना चाहिए। जहां जहां भी इस तरह स्टेट बनाने की बात हो वहां साइटिफिकली सबै करा कर आदिवासियों को वह स्टेट बना कर देना चाहिए। तभी उन का भला हो सकता है, नहीं तो कोई उन का भला नहीं करेगा। या तो भगवान करेगा या आदिवासी-स्टेट करेगा।

आप पहले मे देखे, मारे आर्यं लोग एशिया से चल कर यहां आए। इम देश के मालिक आदिवासी लोग हैं। आर्यं लोग आए तो आदिवासी जंगलों में चले गए। आज उन जंगलों से भी आदिवासियों को हटाया जा रहा है। दोनों तरफ से वे मारे जा रहे हैं। बड़े-बड़े डैम बन रहे हैं तो वहां उनसे जगल खाली करा लेते हैं। आदिवासियों को कैंस पैमेंट दे कर वहां से हटाया जाता है। न उन को जमीन दी जाती है न मकान दिया जाता है। वे जगह जगह मारे मारे फिरने हैं। इसीलिए हमारा जो मौरल था, जो हमारी खुमारी थी, आत्म सम्मान था वह चला गया। उसे फिर से वापस लाने के लिए सरकार को कड़ी मेहनत करनी पड़ेगी। जनता सरकार से मेरा निवेदन है कि आदिवासियों और हरिजनों में जो असंतोष है होम मिनिस्टर इस बारे में कुछ कर नहीं सकते हैं, वह किसी का रक्षण नहीं कर सकते। आज कितने हरिजनों का खुन कर दिया गया। हरिजनों को जिन्दा रहने का कोई अधिकार नहीं है ऐसा हो रहा है। सारे हिन्दुस्तान में ऐसा एक अभिप्राय हो गया है कि जब चरण सिंह होम मिनिस्टर बन गए हैं तो हरिजनों को मारने के लिए वह बन गए हैं। यह मेरा

कहना नहीं है, ऐसा अलग जनता में है कि ये रक्षण नहीं कर सकते हैं। यह अधिकाराय गवर्नरमेंट को बदलना होगा। हरिजन इस देश के रहने वाले हैं। उन को पूरा रक्षण मिलना चाहिए।

हमारा शोषण क्यों होता है? सब आदिवासी जंगल में रहते हैं, दूसरे समाज से अलग रहते हैं। जैसे हरिजन शहर में रहते हैं ऐसे आदिवासियों में नहीं होता है। हमारा जो रिजर्वेशन है वह कैमे भी हो भरना चाहिए। रिजर्वेशन का मतलब होता है कि दूसरा कैफीटे जितना भार्क लाए, उम्मे ने कम भार्क हरिजन और आदिवासी लाए तो उस को लेना चाहिए। लेकिन यह आज नहीं हो रहा है। संविधान में उपाय किए गए हैं लेकिन उन पर कोई अमल नहीं करता है। मैं तो यह कहूँगा कि संविधान के अधिकार को गवर्नरमेंट भंग कर रही है। तो उस के ऊपर कुछ विचार होना चाहिए। जब संविधान में यह रिजर्वेशन दिया है उस में पहले जितने लोग लेते थे वह अब नहीं ले रहे क्यों कि सब जानते हैं कि ये रिजर्वेशन बाले हैं। हरिजन आदिवासियों का नाम लेने से उनके भार्क वे कम कर देते हैं। उसमें लिखा हुआ रहता है कि यह आदिवासी हैं, जबकि उनका प्रोरल टैंस्ट लिया जाता है। इसलिए उनसे ऐसे प्रश्न पूछे जाते हैं जिनका वे उत्तर ही नहीं दे सकते। जो आदिवासी जंगलों में रहते हैं वह आज की माझ्हें न्यूज को किस प्रकार समझ सकते हैं। इसलिए मैं चाहना हूँ कि हरिजनों और आदिवासियों को पूरा न्याय दिया जाये, उनको पूरा भौका दिया जाये। जब संविधान में उनको रिजर्वेशन मिला है तो उनको पूरा कोटा मिलना चाहिए।

#### 15. hrs.

दूसरी बात यह है कि आदिवासी जंगलों में रहते हैं। कारेट डिपार्टमेंट उनको वहाँ से हटा रहा है। वह उनको वहाँ से लकड़ी नहीं लेने देता है। जो उनका पुराना टाइट चला आ

रहा था उसको आज सरकार उनसे ले रही है। मेरा निवेदन है कि सरकार आदिवासियों के बारे में पूरी स्टेटी करे और देखे कि कैसे उनको रोजी रोटी दी जा सकती हैं तथा उसका पूरा इन्तजाम करे। मेरा सुझाव है कि इसके लिए कौन्सिलरिशन बनाया जाना चाहिए। और सभी स्टैट्स को केन्द्र से गाइड-लाइन्स भेजी जानी चाहिए। आदिवासी जंगलों में रहते हैं इसलिए वहाँ पर जो लकड़ी है या दूसरी वस्तुये हैं उनके उपयोग के लिए एक कॉर्पोरेशन बनाया जाना चाहिए। जंगल की लकड़ी काट कर सेल नहीं होनी चाहिए बल्कि उस लकड़ी से फार्माचर या दूसरे फिलिंड गूबस बनाने की व्यवस्था की जानी चाहिए ताकि आदिवासियों को वहाँ पर रोजी रोटी मिल सके। अगर सरकार ने उनकी रोजी रोटी का प्रबन्ध नहीं किया तो उनमें असंतोष बढ़ता जायेगा। यदि यह असंतोष ज्यादा बढ़ा तो इस देश में क्रांति आ जायेगी और वे लोग दूसरों को ढूँढ़ ढाँढ़ कर मारने लगेंगे। इस क्रांति को अगर रोकना है तो सरकार को उन लोगों के लिए पूरी व्यवस्था करनी चाहिए जिससे उनकी रोजी रोटी का इन्तजाम हो सके इसके प्रतिरक्षित हरिजनों तथा आदिवासियों को अधिक संख्या में नौकरी में लिया जाये। जो हरिजन आदिवासी नौकरियों में हैं उनकी खानगी रिपोर्ट, सी आर बिगाड़ दी जाती है। इसको रोकने का भी प्रबन्ध किया जाये। उनकी सी आर ठीक बंग से रखी जाये। मुझे इतना ही निवेदन करना है।

**श्री ज्ञानेश्वर प्रसाद यादव (खगरिया) :**  
उपाध्यक्ष महोदय, प्रान्तसूचित जाति एवं प्रान्तसूचित जन-जाति के आयुक्त द्वारा जो रिपोर्ट इस सदन में प्रस्तुत की गई है उस पर बोलते हुए मैं सभा का ध्यान इस और आकृष्ट करना चाहता हूँ कि स्वर्गीय बापू ने हरिजनोदार का नारा ही नहीं दिया बल्कि हरिजनोत्थान के लिए बहुतेरे कार्य भी किये। उनके नेतृत्व में

## [श्री जानेश्वर प्रसाद यादव]

इस देश का जो सबसे पिछड़ा और कमज़ोर वर्ग या वह यह महसूस करते नगा कि वास्तव में अब हमारे उत्थान की बात भी होने लगी है। लेकिन मुझे दुख के माथ कहना पड़ता है कि स्वर्णीय बापू के मरने के बाद उनके जो बेटे राज्यों में राज्य करने के लिए बैठे उन्होंने उनकी दशा मुश्वारने के लिए क्या किया—यह बात मैं आज जानना चाहता हूँ। वास्तव में आज जगह जगह हरिजनों में उत्तेजना की भावना दिखाई देती है। आज उनमें जो रोप उत्पन्न हो रहा है उसका ठीक कारण दुहा जाये तो पना चलेगा कि पिछले तीस वर्षों में सरकार की जो उनके प्रति उत्तेजापूर्ण नीति रही है वही उसका कारण है। हरिजन समुदाय, जिसको गांधी जी ने हरिजन कहा था वह आज वास्तव में समाज से सबसे पिछड़ा, असहाय और कमज़ोर वर्ग बनकर रह गया है। हमारे मंविधान के जनक, डा० अम्बेडकर ने जब मंविधान में हरिजनों के आरक्षण की बात कही थी तो देशवासियों को इस बात की आशा थी कि कांग्रेस सरकार के द्वारा हरिजनों, अनुसूचित जाति और अनुसूचित जनजातियों को उसके मूलाधिक नोकरियों में स्थान मिल सकेंगे। यदि पिछले तीस वर्षों में दुकूमत के द्वारा उनको आरक्षण के मूलाधिक नोकरियों में स्थान दिये गये होते तो आज उनकी दशा आप और हमसे अच्छी होती। लेकिन दुमधिय से आरक्षण के नाम पर उनका राजनीतिक शोषण किया गया। आरक्षण के नाम पर उनके माथ एक प्रकार से सौतेली मां जीसा व्यवहार किया गया। कहने के लिए तो आरक्षण की बात कही गई, नोकरियों में रिजर्वेशन की बात कही गई लेकिन जब हम आयुक्त की रिपोर्ट को देखते हैं या दिन रात हर खेत में जो देखते हैं उसके अनुसार जो इस देश की सबसे बड़ी पवित्र क्षेत्रिक रेलवे है वहाँ पर अंगी या मेहतर को छोड़कर कलास फोर में भी हरिजनों का पूरा प्रतिनिधित्व नहीं है, कलास और कलास दू

और कलास बन की तो बात ही करना अर्थ है। आज इस देश की 60 करोड़ जनता इस बात को अच्छी तरह से जानती है कि हरिजनों का जिस प्रकार से शोषण कांग्रेस की दुकूमत में किया गया है उस प्रकार का शोषण कोई भी दूसरी दुकूमत नहीं कर सकती।

दूसरी बात मैं यह कहना चाहता हूँ कि, एक और तो हरिजन आदिवासी भूमि नेंगे हैं उनको नोकरिया नहीं मिल रही है, वे भूमि भी रह सकते हैं लेकिन वे प्यासे नहीं रह सकते। आज आंकड़े इस बात को बता रहे हैं कि कांग्रेस की दुकूमत में पिछले तीस वर्षों में पीने दो नाल बस्तियों में पीने के पानी की व्यवस्था भी नहीं की गई। ये अधिकाश हरिजनों के ग्राम हैं जहाँ पर पीने के पानी की आज तक व्यवस्था नहीं की गई है। मैं चाहता हूँ कि इस दिशा में सरकार और कम से कम जनता सरकार कोई कदम उठाए। यह ठीक है कि जनता सरकार उन की नोकरियों के लिए या उन की आजीविका के लिए योजनाएं बना कर काम देने की बात सोच रही है लेकिन उस में ममता लग सकता है। इसलिए मैं यह चाहूँगा कि जनता सरकार और हमारे गृह मंत्री जी उन के पीने के पानी की समस्या को हल करें और जो भी सहायता वह दे रही है, उस के लिए यह हिंदायत दे दी जाए कि वह उन हरिजनों के गांवों में चर्च हो जहा पर उन के लिए पीने के पानी की दिक्कते हैं।

दूसरी बात, उपाध्यक्ष महोदय, मैं आप के माध्यम से यह कहना चाहता हूँ कि आज जनता पार्टी के बारे में हरिजनों पर अत्याचार की बातें कही जाती हैं और जास तौर से जो माननीय सदस्य आमी बोल रहे थे उन्होंने कहा कि गृह मंत्री श्री चरण सिंह तो हरिजनों के विरोधी मंत्री हैं। यह बात गलत है और मैं माननीय सदस्यों से कहूँगा कि वे इस बारे में आंकड़े देखें। आंकड़े स्वयं हैं। जो माननीय

सदस्य ऐसी बात कहते हैं व लाइब्रेरी में जा कर आंकड़े देख लें और मैं यह कह कह सकता हूं कि इस सात दिनों की जनता सरकार ने, जनता सरकार को अभी 7, 8 महीने ही शासन में आये हुए हैं, हरिजनों के लिए क्या किया है। हमारे शासन काल में उन के ऊपर कितने अत्याचार हुए हैं और कांग्रेस की हुक्मत में उन पर कितने अत्याचार हुए हैं, इन आंकड़ों को वे मिला लें और उस के बाद वे इस तरह की बक्कास करें। उन के जमाने में उन पर काफी अत्याचार हुए हैं और उन को रोकना कांग्रेस के बस की बात नहीं थी क्योंकि कांग्रेस को नौकरशाही चलानी थी। कांग्रेस ने हमारे लिए कोई कानून बनाए थी, तो नौकरशाही के कारण उन का इस्पतीमेटेशन नहीं किया गया। उन कानूनों का कार्यान्वयन करने वाले कोन लोग थे। वे आई० ए० एस०, आई० पी० एस० और कलाम 1, कलाम 2 अफसर थे और वे किन के बेटे हैं। ये बड़े-बड़े भूतियों और मामंतों के बेटे हैं और इन लोगों के कारण काफी गड़बड़ियां हुई हैं।

मैं विहार की बात प्राप्त को बताता हूं। इस बात का बहुत डिडोरा पीटा गया कि कांग्रेस ने जिन राज्यों में हरिजनों को जमीनें बांटी है, उन में उन हरिजनों को बेदखल किया जा रहा है। मैं आप के माध्यम से इस बात को बता देना चाहता हूं कि भागलपुर जिले में साड़े चार हजार एकड़ जमीन साहूओं के परिवार से ली गई और वह जमीन भूमिहीनों में बांटी गई। मैं यह कहना चाहता हूं कि उस में से एक हजार या डेढ़ हजार एकड़ जमीन ऐसी थी, जिन में नदियां हैं, नाले हैं और पहाड़ हैं। ऐसी जमीनें उन को दी गई। एक बात मैं यह भी कहना चाहता हूं कि एक और तो कांग्रेस ने उन लोगों को जमीन दी और दूसरी और भारतीय कान्युनिस्ट पार्टी ने हर एक जमीन के लिए रातों-रात पट्टेदारी की दरक्खास्त दे दी। लगभग साड़े चार हजार एकड़ जमीन जो बांटी गई थी, उस के लिए 19 हजार दरक्खास्तें पट्टेदारी के अन्तर्गत दी गई और इस का

नतीजा यह हुआ कि गरीब हरिजन भ्रमनी जमीन को रक्खा करने के लिए लड़ नहीं पाया। इतनी ही नहीं, उपाध्यक्ष महोदय, कहीं कहीं पर तो केवल कागज के टुकड़ों पर ही इन लोगों को जमीन दी गई। जनता पार्टी की सरकार के विहार के उप-राजस्व मंत्री ने इन बातों को देखा और जो खामियां थीं उन को ठीक कर दिया और लगभग 700 ऐसे हरिजन ये जिन को केवल कागज पर ही जमीन दी गई थी लेकिन उन्होंने उनको उन जमीनों पर दखल दिलाया और ऊपर से खेती करने के लिए उनको पैसा भी दिया लैसिन हमारी जो नौकरशाही है वह गड़बड़ करने से बाज नहीं आती है।

उपाध्यक्ष जी, अभी अभी 11 अगस्त बर को विहार में पांच सौ लोगों को जमीन बांटी गयी। उनमें से साड़े तीन सौ पर्चिवार ऐसे थे जो कि गेर हरिजन थे। मैं यह नहीं कहता कि जो गेर हरिजन भूमिहीन हो उसे जमीन न दी जाय लेकिन नौकरशाही ने जनता सरकार को बदलाम करने के लिए ऐसे लोगों को जमीन दी जिनके पास पहले ही जमीन दी इसलिए मैं अपने गृह राज्य मंत्री जी से अब जरूरत नहीं करता कि अगर आपने नं. कर्माशाही पर चेक नहीं लगाया तो आप चाहे कितने ही प्रयत्निशील कानून बनायें, कितने ही प्रयत्निशील कदम उठायें आप हरिजनों को नौकरशाही के शिकाजे में मुक्ति नहीं दिला सकते।

उपाध्यक्ष जी, मैं आपके माध्यम से कहना चाहूंगा कि आज तक हरिजनों के लिए कितने ही प्रकार के कानून बनाये गये लंकिन उनमें से किसी पर अमल नहीं हुआ। इस सम्बन्ध में मैं एक उदाहरण आपके सामने रखना चाहता हूं। जो गरीब हरिजन यांवों में रहने हैं उनको कांग्रेस की हुक्मत न पिछले तीस सालों में सुधार्थी को नाम पर योड़ी थी राहत की मात्र दी थी लेकिन मृशु दुख के साथ कहना पड़ता है कि उस अनटचेविलटी एकट के अधीन कहीं किसी पर आज तक मुकदमा नहीं चलाया

## [ श्री ज्ञानेश्वर प्रसाद यादव]

गया। आप मारे देख म देम नीजीत, कही किसी पर मृक्षमा चलाया गया हो या किसी व्यक्ति जो मजा दी गयी हो। इसका मतलब यह नहीं है कि बांगूर म देख मेरुद्यारुन नहीं है। लेकिन नामराजाही गलत रिपोर्टिंग नहीं यह करनी चाही है। यह नीरस्त्राहा चाहे कामें हासम की हो या जनना पार्टी की गरजारी हो।

उपायकारी जी, मेरे अन्य धेत्र की ओर आपका ध्यान आरुण्ट करना चाहगा। भाननीय गृह मंत्री जी इस ओर विशेष ध्यान दे। आज कामें और कम्प्युनिट पार्टी के लोग जनना मरजार को बदनाम करन के लिए, चौधरी चरण मिह का बदनाम करने के लिए तरह तरह के आगों लगा रहे हैं। इसी सदर्भ मेरे कहना चाहूंगा कि मेरे धेत्र म भागलुरु के अन्तर्गत नगाड़िया नौनियापट्टी म महेन्द्र डोम नाम का एक हरिजन पिछने तीस माला म अप। परिवार साथ रहता आ रहा था, वहाँ कम्प्युनिट पार्टी के विशेष की मीरीराम मिह ने जमीदार से मिल कर उम जमीन को विकादा दिया और उम हरिजन को उस जमीन से बंदखल करने की नेटा को। वह जपान वहाँ के कम्प्युनिट पाटी के आपिस ८ वर्ष म है। इन विशेष महायज ने उम हरिजन को बुलवा कर जर्वेस्टी उम हरिजन को पचास रुपये देने वाली चेटा की ओर कहा कि तुम उम जमीन को खानी कर दो। उम हरिजन से जबर्गन सादे कागज पर अगूठे का निशान लगवा दिया। जब मुझे यह पता चला तो मैंग १८० डी० ३०० और १८० को लिखा और १८० ३०० और १८० ने यानदार को लिया। १८ अगस्त को एफ० आई० आर० लिखी गयी धारा १०७ और १४४ के अधीन कायेवाही की गयी। लेकिन नौकरशाही ने फिर

गडबडी की। इस मुकदमा मेरे वह कम्प्युनिट विधायक अभियुक्त थे। उनके विरुद्ध किसी धारा ५ प्रत्यागत न तो वारन्ट इस्यु किया गया और न सभन इस्यु किया गया। डॉक्यूमेंट हमन जिल अधिकारी को लिखा है। उन्होंने इस कि कोई भी व्यक्ति है, जो विधायक हो या कोई अन्य व्यक्ति हो, बांगूर के अदीन मव बराबर है। दूसरा। मार्ग बट्टा १०८ है। यह वारन्ट इस्यु किया गया, यह अपराधियों को जारीकीट दिया गया जिनमें विधायक भी सम्मिलित है। अब उनके विरुद्ध मुकदमा, जल रहे हैं और अपराधी अब जमानत पर है। न बताना चाहता है कि नामराजाही, अपराजेय हरिजनों के उत्थान के मामलों में, उनकी शिकायतों को दूर करने के मामलों में अवरोधक तत्व के रूप में कार्रवाई नहीं है और इस पर आपको कड़ा अक्षम रखना चाहिये। इस ओर यह मंत्री जी को विशेष ध्यान देना चाहिये और उनके दखल चाहिये। इसके बारे में पुराना रखेंगा है वह बदल।

आप ने लोक सभा तथा विधान सभाओं में चुनावों न हिँग्जनों न हां आमिरायियों के लिए आरक्षण की व्यवस्था दी है। लेकिन जिन गांवों में बुनायान न हो संस्था म हरिजन रहने वाला पर आम पचायनों के चुनावों में हरिजन। लिए, आमिरायियों के लिए आपने आरक्षण की व्यवस्था नहीं की है, वहाँ पर रिमी प्रवार की मुविधा उनको नहीं दी गई है। इसका नर्तजा यह होता है कि गांव का पटवारी, गांव का प्रधान, कोई भूपति अगर हरिजन वंश माथ जोर जबर्दस्ती करता है, उस पर जल्म छहाता है तो वह बेचारा पचायत ने जा कर फरिगाद भी नहीं कर सकता है और अगर करता है तो उसकी सुनवाई नहीं होती है। मैं चाहता हूं कि आम पचायनों में, नगरपालिकों में लोक सभा तथा विधान सभाओं की तरह से इनके लिए आरक्षण की व्यवस्था होनी चाहिये।

आपको देखना चाहिये कि इनकी दशा सुधरे और इन पर किसी भी प्रकार के अत्याचार या जोर जबर्दस्ती न हो ।

पठिलक अंडरट्रैकिंग, मैमी पठिलक अंडरट्रैकिंग और प्राइवेट लांगों द्वारा संचालित जितने कारब्नांने चल रहे हैं वहां पर भी आपको इन निम्न आरक्षण की व्यवस्था करनी चाहिये । मैं यह भी चाहता हूँ कि जितने परियर्जन वर्ते हां हैं उनकी पूर्ति पहले की जानी चाहिये, पहले उनके निम्न जो आरक्षन स्थान हैं और जो पहले से चैर आ रहे हैं उनकी पूर्ति इन जातियों के लागतों में से की जानी चाहिये और जब इनका बोटा पूरा हो जाए, तब दूसरे लांगों की नियक्तियाँ हों । इम प्रकार के कदम आप उठायेंगे तब कही जा कर इनका उत्थान हो सकेगा, इनको सांस लेने का भीका मिल सकेगा और ये लोग मरम्मत मकेंगे कि जलना सरकार हमारे लिए कुछ कर रही है ।

अन्त में मैं इन्हाँ ही कहना चाहता हूँ कि जो जवाने इनको दी जाए वह कागजों पर ही न री जाए, विलाउ उनका कब्जा भी इनको दिलाया जाए । माथ ही पंचायता, नगर पालिकाओं में इनके लिए आरक्षण की व्यवस्था की जाए और निजी कागजानों, परिवार और मैमी पठिलक अंडरट्रैकिंग में जो परियर्जन हैं उनके ग्रामेंट रहने इनकी भरती हो बाद में दूसरों की हो ।

15.18 hrs.

#### STATEMENT RE. DAMAGE TO RAILWAY TRACK ON SOUTHERN RAILWAY DUE TO CYCLONE

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): Sir, I rise to make a statement to apprise the House of the widespread damage to railway track and suspension of

train services on the Southern Railway due to the cyclonic storm which hit parts of Tamilnadu on November 11th and also of the steps being taken by the Railways to restore through communications which are so vital for the general flood relief work.

I, accompanied by the Member, Engineering, Railway Board, and the General Manager of Southern Railway, visited the flood affected areas yesterday and made an aerial survey of the places where breaches in railway track had occurred disrupting communications. I also inspected, on foot, the railway colonies and station yards in the Tiruchirapalli area, particularly at Srirangam. During my aerial survey, I covered the sections from Tiruchirapalli to Thanjavur, Nagappatinam, Nagore, Kodikkarai, Karaikkudi, Dindigul, Sainudran, Karur and back to Tiruchirapalli.

The cyclonic storm left a train of destruction in its wake. Railway communication lines were seriously disrupted, rivers and streams in the Cauvery basin flooded and the railway tracks flooded and breached at a number of locations affecting rail services from the night of the 11th instant. Heavy damage was caused to the track, station buildings, etc. especially Nagappatinam, Thiruvarur, Kodikkarai, Pudur, Karur and Golden Rock. A major bridge across Amravati river, consisting of 20 spans of 50 ft. each, has been seriously damaged and 6 piers along with their adjoining girders and track washed away. Flooding of track has occurred at a number of locations between Villupuram and Tiruchirapalli on the main, as well as the chord lines, Tiruchirapalli-Dindigul, Tiruchirapalli-Karur and Dindigul-Palani Sections. Extensive breaches to track around Tiruchirapalli had isolated Tiruchirapalli from all directions. A number of railwaymen's colonies have been inundated forcing the inhabitants to take shelter on railway platforms etc. About 25,000 railway families

[Prof. Madhu Dandavate]

have been affected. The estimated loss to the Railways due to the cyclone is approximately Rs. 1.5 crores.

As a result of the above damage, train services on the following sections had to be suspended from 12th instant:

- (i) Tiruchchirapalli-Erode (B.G.)
- (ii) Vridhachalam-Tiruchchirapalli (M.G.)
- (iii) Tiruchchirapalli - Dindigul (M.G.)
- (iv) Dindigul-Palani (M.G.)
- (v) Vridhachalam-Salem (M.G.)
- (vi) Mayuram-Karaikkudi (M.G.)
- (vii) Thanjavur-Nagore (M.G.)
- (viii) Thanjavur-Mayuram (M.G.)
- (ix) Tiruturapundi-Kodikkarai (M.G.)

I am happy to inform the House that due to the untiring efforts of the Railwaymen, who have been working round the clock, it has been possible to restore by yesterday through communications between Madras and Tiruchchirapalli and to Madurai via Karaikkudi and Manamadurai. This restoration, which has been done in record time, will greatly assist the Civil authorities in the distribution of essential commodities such as foodgrains, POL products etc. Restricted Passenger train services have also been introduced on these sections.

The Tiruchchirapalli-Dindigul Section, which has been damaged at various places along the track, with lengths of breaches aggregating to 5 kms. in a stretch of 50 kms. will be restored in three to four weeks time. On the Broad Gauge section between Erode and Tiruchchirapalli temporary bridging work will be taken up in hand on the Amravati river. This will be completed in 4 weeks' time so that rail traffic on this section can be restored. After my inspection of the flooded railway colonies, I am satisfied that prompt relief measures have been taken by the Railway Administration to alleviate the sufferings of

the affected railway staff. Advance pay has been given to needy employees and I have also sanctioned Rs. 1,00 lakh from the Railway Ministers' Relief Fund and other Railway Welfare Funds, which will be utilised for the relief of the worst affected class IV Railway employees.

On return to Madras from my visit to the flood affected areas, I met the Chief Minister of Tamil Nadu, Shri M. G. Ramachandran, and apprised him of the progress in the restoration of all rail communications. I have also assured him that the Union Government will render all possible assistance to the people and Government of Tamil Nadu in meeting the situation created by the cyclone and floods. Honourable Members are aware that some more colleagues of mine in the Union Cabinet are visiting the State and an official team will also go there to assess the damage and recommend the quantum of assistance. As far as the Railways are concerned, I may assure the House that all possible efforts are being made to restore normal train services as expeditiously as possible.

SHRI SAMAR MUKHERJEE (Howrah): There is a disturbing news that another cyclone is likely to strike Madras coast today.... (*interruption.*)

MR. DEPUTY-SPEAKER: If all of you persist in speaking, nothing will go on record. No discussion on the statement.

PROF. MADHU DANDAVATE: Sir, I do not want to disturb the proceedings, but the anxiety being expressed by my colleague, Shri Mukherjee, is a genuine one and people are very much worried. The news had appeared that a cyclone is likely to hit Madras by this evening. That was the newspaper report. I was in Madras yesterday. On the previous day, the same warning was given. And our latest information is that the cyclone is at a distance of 250 miles from

289 S.C. & S.T. Commissioner's Report (M) and Madras and all precautions are being taken by the State Government to see that necessary action is taken.

SHRI C. N. VISVANATHAN (Tirupattur): I talked to the Chief Minister this morning. Is the hon. Minister giving us the afternoon news?

PROF. MADHU DANDAVATE: Yes.

SHRI C. N. VISVANATHAN: Then it is all right

PROF. MADHU DANDAVATE: This is the latest news that I got 10 minutes ago

15.26 hrs.

MOTION RE: TWENTIETH, TWENTY-FIRST AND TWENTY-SECOND REPORTS OF THE COMMISSIONER FOR SCHEDULED CASTES AND SCHEDULED TRIBES

AND

DISCUSSION ON THE EMPLOYMENT OF SCHEDULED CASTES AND SCHEDULED TRIBES IN SERVICES AGAINST RESERVED QUOTA—Contd.

श्री राम सेवक हुआरी (रोसड़ा): उपाध्यक्ष महोदय, अनुसूचित जाति और अनुसूचित जनजाति कमिशनर की रिपोर्ट पर मैं जपनी राय जाहिर करना चाहता हूँ।

रिपोर्ट में कहा गया है कि जो आरक्षण अनुसूचित जाति और अनुसूचित जनजाति के लिये था, उसकी पूर्ति नहीं की गई और यह सिर्फ एक ही विभाग से नहीं, केन्द्रीय सरकार से ले कर राज्य सरकार तक वे जितने भी विभाग थे, उन में जो आरक्षण की पूर्ति होनी चाहिये थी, वह नहीं हो सकी।

मैं जनता सरकार के माननीय मंत्रियों से आग्रह करना चाहूँगा कि हरिजनों की

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KARTIKA 27, 1899 (SAKA) Employment of 29<sup>o</sup> SC & ST against Quota (Dis.)

उपेक्षा जो निष्ठा<sup>o</sup> 30 वर्षों में की गई, क्या आप भी वैसा ही करना चाहते हैं, उन्हीं ग्रास्तों पर चलना चाहते हैं? यदि नहीं, और दुनियादी तौर पर उनकी समस्याओं का समाधान करना चाहते हैं तो इस सरकार को कुछ करना होगा।

पिछली सरकार ने पूरे भारत को ही नहीं, दुनिया को यह दिखाने के लिये कि हमने हरिजनों को जमीन दी है, बल्कि मजदूरों को मुक्ति दिलाई है, इसका बूढ़ा प्रचार किया। लेकिन मैं इस के सम्बन्ध में यह कहना चाहता हूँ कि हरिजनों को यह सुविधा नहीं दी गई, बल्कि उन को और ज्यादा परेशानियों में डाला गया। इस का कारण यही था कि जमीन का वितरण जिस दुनियादी ढंग से होना चाहिये था वह नहीं हो सका। जिस सीरियस के कारणों से जमीन ली जानी चाहिये थी, मालिकों के कब्जे से हटाना चाहिये था, उन को न हटा कर, कागज के आधार पर हरिजनों के बीच में बांटा, गैर-मजल्दा और आम-ज्वास जमीनों को सरकार ने घपने कब्जे में न लिया, हरिजनों के बीच दिखावटी एवं दिये गये, उनको धोती और चादर दी गई, ताकि हरिजनों को संतोष हो कि उन को जमीन मिली है। वास्तविकता यह है कि कुछ जमीनें तो पहाड़ी और गलाखकर की जैत वाली जमीन थी और ऐसी जमीनें थीं, जिस में गंगा का पानी है, बहुत सी जमीनों में कुछ उपज ही नहीं सकता था, जिस जमीन का कोई नामोनिशान ही नहीं था। उन्होंने यह सिर्फ उन के संतोष के लिये नहीं किया था, दुनिया और भारत के लोगों को दिखाने वे लिये किया था, कि कांग्रेस की दुर्दम द्वारा हरिजनों के लिये कार्य कर रही है, लेकिन मैं समझता हूँ कि वास्तविक रूप में जो हरिजनों को देना चाहिए था, वह नहीं दिया गया। इसी के कारण आज ये घटनाएं घट रही हैं और खून खराबा

## [श्री राम सेवक हजारी]

हो रहा है। इसका यही कारण है कि शैर-जिम्मेदारों ना और शैर-कानूनी दंग में उन से उनकी जमीनें लेकर हरिजनों में वितरण किया गया।

आज जब आपात स्थिति से लोग निकले हैं तो इनपनी दबी हड्डी मावना को व्यक्त कर हरिजनों पर जुल्म कर रहे हैं। यह इस सरकार की नहीं, पिछली सरकार की देन है कि आज हरिजनों पर अत्याचार हो रहा है। मैं सरकार से जानना चाहता हूँ कि क्या वह बुनियादी तौर पर चाहती है कि हरिजनों को जमीन दे, उनकी सहायता करे? यदि हाँ, तो उस को फिर से विचार करना होगा। और जो जमीनें आबादी के लायक हैं, जिन पर जमीदारों के कब्जे हैं, उन के कब्जे से उन्हें निकाल कर हरिजनों को देना पड़ेगा। यह नहीं कि जमीन उन के कब्जे में हो और कागड़ी दंग से हरिजनों ने नाम जमीन दिखा दी जाय। आज हरिजनों में दम नहीं है कि वह जमीदारों से लड़ सके।

MR. DEPUTY-SPEAKER. I think he can continue on the next day.

MR. DEPUTY-SPEAKER: Now it is 3.30 p. m. We take up the private Members' Business. Shri Yadavendra Dutt.

15.29 hrs.

COMMITTEE ON PRIVATE MEMBERS, BILLS AND RESOLUTIONS

SIXTH REPORT

SHRI YADVENDRA DUTT (Jaunpur): I beg to move:

"That this House do agree with the Sixth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 18th November, 1977."

\*Published in Gazette of India Extraordinary, Part II, section 2, dated 18-11-77.

†Introduction with the recommendation of the President.

MR. DEPUTY-SPEAKER: The question is:

"That this House do agree with the Sixth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 18th November, 1977."

The motion was adopted.

MR. DEPUTY-SPEAKER: Now, Bills to be introduced. Shri Chandrappan.

15.30 hrs.

COCONUT BILL\*

SHRI C. K. CHANDRAPAN (Cannanore): I beg to move for leave to introduce a Bill to provide for the establishment of a Board for the development, promotion and protection of the coconut cultivation and to set up coconut based industries and for these purposes to levy a cess to create a coconut fund and for matters connected therewith.

MR. DEPUTY-SPEAKER The question is:

"That leave be granted to introduce a Bill to provide for the establishment of a Board for the development, promotion and protection of the coconut cultivation and to set up coconut based industries and for these purposes to levy a cess to create a coconut fund and for matters connected therewith."

The motion was adopted.

SHRI C. K. CHANDRAPAN: I introduce the Bill.

CHILDREN, STUDENTS AND YOUTH (RIGHTS AND WELFARE) BILL\*

SHRI C. K. CHANDRAPPAN (Cannanore): I beg to move for leave to introduce a Bill to provide for the establishment of a Board to safeguard the rights of children, students and youth, to look after their welfare and to levy a cess and for matters connected therewith.

MR. DEPUTY-SPEAKER. The question is:

"That leave be granted to introduce a Bill to provide for the establishment of a Board to safeguard the rights of children, students and youth, to look after their welfare and to levy a cess and for matters connected therewith."

*The motion was adopted.*

SHRI C. K. CHANDRAPPAN: I introduce the Bill

CONSTITUTION (AMENDMENT) BILL\*

(Insertion of New Article 342A)

SHRI C. K. CHANDRAPPAN (Cannanore): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

SHRI C. K. CHANDRAPPAN: I introduce the Bill

CONSTITUTION (AMENDMENT) BILL\*

(Insertion of New Article 326A)

SHRI C. K. CHANDRAPPAN (Cannanore): I beg to move for leave

to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

SHRI C. K. CHANDRAPPAN: I introduce the Bill.

INCOME-TAX (AMENDMENT) BILL\*

(Amendment of Section 10)

SHRI KANWAR LAL GUPTA (Delhi Sadar): I beg to move for leave to introduce a Bill further to amend the Income-tax Act, 1961.

MR. DEPUTY SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Income-tax Act, 1961."

*The motion was adopted.*

SHRI KANWAR LAL GUPTA: I introduce the Bill.

ANDAMAN AND NICOBAR ISLANDS (ALTERATION OF NAME) BILL\*

SHRI SAMAR GUHA (Contai): I beg to move for leave to introduce a Bill to rename the Andaman and Nicobar Islands as Shahid and Swaraj Dweep.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to rename the Andaman and Nicobar Islands as Shahid and Swaraj Dweep."

*The motion was adopted.*

SHRI SAMAR GUHA: I introduce the Bill.

\*Published in Gazette of India Extraordinary, Part II, section 2, dated 18-11-77.

†Introduced with the recommendation of the President.

**SALARIES AND ALLOWANCES OF  
MINISTERS BILL\***

SHRI P. K. DEO (Kalahandi): I beg to move for leave to introduce a Bill to consolidate and amend the law relating to the salaries and allowances of Ministers.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to consolidate and amend the law relating to the salaries and allowances of Ministers."

*The motion was adopted.*

SHRI P. K. DEO: I introduce the Bill.

**HIGH-COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT  
BILL\***

(Insertion of New Section 23E)

श्री गोपकराम स्थानी (बहराहच) : मैं प्रस्ताव करता हूँ कि उच्च न्यायालय स्थायाधीश (सेवा की जरूरी) प्रधिनियम 1954 का श्रीर मंजूरी दिलाने करने वाल विधे-यक को पुरः स्थापित करने की प्रनुभवति की जाये।

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954."

*The motion was adopted.*

श्री गोपकराम स्थानी : मैं विधेयक को पुरःस्थापित करता हूँ।

**NATIONAL HIGHWAYS (AMENDMENT) BILL\***

(Amendment of Section 2)

SHRI P. RAJAGOPAL NAIDU (Chittoor): I beg to move for leave

\*Published in Gazette of India Extraordinary, Part II, section 2, dated 18-11-77.

†Introduced with the recommendation of the President.

to introduce a Bill further to amend the National Highways Act, 1956.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the National Highways Act, 1956."

*The motion was adopted.*

SHRI P. RAJAGOPAL NAIDU: I introduce the Bill.

**CONSTITUTION (AMENDMENT)  
BILL\***

(Amendment of Eighth Schedule)

SHRI CHITTA BOSU (Barasat): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

SHRI CHITTA BOSU: I introduce the Bill.

**INDUSTRIAL DISPUTES (AMENDMENT) BILL\***

(Amendment of Section 12)

SHRI P. RAJAGOPAL NAIDU (Chittoor): I beg to move for leave to introduce a Bill further to amend the Industrial Disputes Act, 1947.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Industrial Disputes Act, 1947."

*The motion was adopted.*

SHRI P. RAJAGOPAL NAIDU: I introduce the Bill.

WORKMEN'S COMPENSATION  
(AMENDMENT) BILL\**(Amendment of Section 2)*

SHRI P. RAJAGOPAL NAIDU (Chittoor): I beg to move for leave to introduce a Bill further to amend the Workmen's Compensation Act, 1923.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Workmen's Compensation Act, 1923."

The motion was adopted.

SHRI P. RAJAGOPAL NAIDU: I introduce the Bill.

CODE OF CRIMINAL PROCEDURE  
(AMENDMENT) BILL\**(Amendment of First Schedule)*

SHRI K. T. KOSALRAM (Tiruchendur): I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1973."

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure 1973."

The motion was adopted.

SHRI K. T. KOSALRAM: I introduce the Bill.

TOBACCO BOARD (AMENDMENT)  
BILL\**(Amendment of Section 4)*

SHRI P. RAJAGOPAL NAIDU (Chittoor): I beg to move for leave to introduce a Bill to amend the Tobacco Board Act, 1975.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to amend the Tobacco Board Act, 1975."

The motion was adopted.

SHRI P. RAJAGOPAL NAIDU: I introduce the Bill.

CONSTITUTION (AMENDMENT)  
BILL\**(Substitution of article 335)*

SHRI K. RAMAMURTHY (Dharmapuri): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

SHRI K. RAMAMURTHY: I introduce the Bill.

CONSTITUTION (AMENDMENT)  
BILL\**(Amendment of Seventh Schedule)*

SHRI K. T. KOSALRAM (Tiruchendur): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

SHRI K. T. KOSALRAM: I introduce the Bill.

CONSTITUTION (AMENDMENT)  
BILL\**(Amendment of articles 341, and 342)*

SHRI PURNA SINHA (Tezpur): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

SHRI PURNA SINHA: I introduce the Bill.

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**CONSTITUTION (AMENDMENT)  
BILL\***

(Substitution of Chapter I of Part XVII, etc.)

**SHRI K. RAMAMURTHY** (Dharma-puri): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

**MR. DEPUTY-SPEAKER:** The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

**SHRI K. RAMAMURTHY:** I introduce the Bill.

**MR. DEPUTY-SPEAKER:** Item No. 26, Shri D. D. Desai—absent. Item 27, Shri P. K. Deo.

**DECLARATION AND PUBLIC SCRUTINY OF ASSETS OF MINISTERS AND MEMBERS OF PARLIAMENT BILL\***

**SHRI P. K. DEO** (Kalahandi): I beg to move for leave to introduce a Bill to provide for declaration and public scrutiny of assets of Ministers and Members of Parliament.

**MR. DEPUTY-SPEAKER** The question is:

"That leave be granted to introduce a Bill to provide for declaration and public scrutiny of assets of Ministers and Members of Parliament."

*The motion was adopted.*

**SHRI P. K. DEO:** I introduce the Bill.

**REGISTRATION OF POLITICAL PARTIES AND PUBLICATION OF**

\*Published in Gazette of India Extraordinary, Part II, Section 2, dated 18-11-77.

**THEIR ANNUAL ACCOUNTS BILL\***

**SHRI P. K. DEO** (Kalahandi): I beg to move for leave to introduce a Bill to make provision for compulsory registration of political parties under the Societies Registration Act, 1860 and publication of their audited annual accounts.

**MR. DEPUTY-SPEAKER:** The question is:

"That leave be granted to introduce a Bill to make provision for compulsory registration of political parties under the Societies Registration Act, 1860 and publication of their audited annual accounts."

*The motion was adopted.*

**SHRI P. K. DEO:** I introduce the Bill.

**CONSTITUTION (AMENDMENT)  
BILL\***

(Amendment of article 13, omission of article 32A, etc.)

**श्री भृगुजय प्रसाद चर्चा (सीकाना) :** उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि भारत के संविधान का और भंगोधन करने वाले विधेयक को पुरस्थापित करने की अनुमति दी जाय।

**MR. DEPUTY-SPEAKER:** The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

**श्री भृगुजय प्रसाद चर्चा :** मैं विधेयक को पुरस्थापित करता हूँ।

**CROP INSURANCE CORPORATION BILL\***

**SHRI RAMAMURTHY** (Dharma-puri): I beg to move for leave to introduce

a Bill to provide for the establishment of a Crop Insurance Corporation for the purpose of undertaking the business of crop insurance so as to protect the interests of small farmers from loss due to unavoidable causes.

MR. DEPUTY SPEAKER The question is:

"That leave be granted to introduce a Bill to provide for the establishment of a Crop Insurance Corporation for the purpose of undertaking the business of crop insurance so as to protect the interests of small farmers from loss due to unavoidable causes."

*The motion was adopted.*

SHRI K. RAMAMURTHY: I introduce the Bill

**CONSTITUTION (SCHEDULED CASTES) ORDERS (AMENDMENT) BILL.\***

SHRI G. S. REDDI (Miryalguda) I beg to move for leave to introduce a Bill further to amend the Constitution (Scheduled Castes) Order, 1950, the Constitution (Scheduled Castes) (Union Territories) Order, 1951, the Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962, the Constitution (Pondicherry) Scheduled Castes Order, 1964 and the Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution (Scheduled Castes) Order, 1950, the Constitution (Scheduled Castes (Union Territories) Order, 1951, the Constitution (Dadra and Nagar Haveli) Scheduled Castes Order 1962, the Constitution (Pondicherry) Scheduled Castes Order, 1964 and the Constitution (Goa,

Daman and Diu) Scheduled Castes Order, 1968."

*The motion was adopted.*

SHRI G. S. REDDI: I introduce the Bill.

**MAINTENANCE OF INTERNAL SECURITY (REPEAL) BILL\***

SHRI CHITTA BASU (Barasat): I beg to move for leave to introduce a Bill to repeal the Maintenance of Internal Security Act, 1971.

MR. DEPUTY SPEAKER: The question is:

"That leave be granted to introduce a Bill to repeal the Maintenance of Internal Security Act, 1971.

*The motion was adopted.*

SHRI CHITTA BASU: I introduce the Bill.

**CONSTITUTION (AMENDMENT) BILL\***

*(Amendment of Article 311).*

SHRI CHITTA BASU (Barasat): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

SHRI CHITTA BASU: Introduced the Bill.

**EMERGENCY LAW (REPEAL) BILL\***

SHRI SOMNATH CHATTERJEE (Jadavpur) I beg to move for leave to introduce a Bill to repeal the Maintenance of Internal Security Act, 1971 and the Defence of India Act, 1971.

MR. DEPUTY-SPEAKER: The question is:

\*Published in Gazette of India Extraordinary, Part II, Section 2, dated 18-11-77.

†Introduced with the recommendation of the President.

MR. DEPUTY-SPEAKER:

"That leave be granted to introduce a Bill to repeal the Maintenance of Internal Security Act, 1971 and the Defence of India Act, 1971."

*The motion was adopted.*

SHRI SOMNATH CHATTERJEE: I introduce the Bill.

15.42 hrs.

**CONSTITUTION (AMENDMENT) BILL**

*(Amendment of article 352) by  
Shri Hari Vishnu Kamath—contd.*

MR. DEPUTY SPEAKER: Now, we come to further consideration of Shri Kamath's Bill.

SHRI P. K. DEO (Kalahandi): Sir, Shri Kamath is now out of India on official duty. And so, it will not be fair to adjourn the debate on that Bill. But, the Bill could be discussed in his absence. He will continue to have the right to reply.

Secondly, two hours were allotted for the discussion of this Bill and the time has been fully consumed. So, my motion in this regard, is as follows:

"That the debate on the Constitution Bill (Amendment of article 352) be adjourned."

SHRI KANWAR LAL GUPTA (Delhi Sadar): I do not see any reason why he wants to adjourn this discussion on this Bill. Has Shri Kamath written to you any letter about this Bill?

MR. DEPUTY-SPEAKER: No.

SHRI KANWAR LAL GUPTA: If he has not written, I do not see any reason for adjourning the debate on the Bill unnecessarily.

SHRI C. K. CHANDRAPPAN (Cannanore): If we continue the discussion, he will get priority. But, if it is adjourned, he may not get it.

MR. DEPUTY-SPEAKER: Mr. Gupta, the position is this. We have

allowed two hours for this and these two hours have already been consumed. So, either we have to extend the time for which another motion is to be put or we have to adjourn it.

SHRI KANWAR LAL GUPTA: The time should be extended.

MR. DEPUTY-SPEAKER: Then, the mover is not here; he will not be able to listen to it.

SHRI KANWAR LAL GUPTA: He has already explained the position while moving this Bill. The Minister is here. If we adjourn that to-day then, I am not sure whether the Bill get the priority automatically or not.

MR. DEPUTY-SPEAKER: It has to be balloted again.

SHRI SAMAR GUHA (Contd.): If it is balloted, where is the surety that he will get the priority?

MR. DEPUTY-SPEAKER: He is bound to get the priority.

SHRI KANWAR LAL GUPTA: We do not want to adjourn this. We want that the time should be extended by another two hours.

SHRI SAMAR GUHA: Is it possible to get the priority?

MR. DEPUTY-SPEAKER: That is for the House to decide.

SHRI KANWAR LAL GUPTA: You kindly take the leave of the House.

SHRI SAMAR GUHA: Before that, I want to seek some clarification on this. Is there a possibility of his getting the priority in the ballot?

MR. DEPUTY-SPEAKER: Once it is balloted, then it may be given the priority. What do you propose to do? Do you want the time to be extended?

SHRI P. K. DEO: Mr. Kamath should get his right of reply.

MR. DEPUTY-SPEAKER: Would the Minister like to intervene?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NARSINGH YADAV): I am ready to intervene.

MR. DEPUTY SPEAKER: Then, we can extend the time by another one hour so that the Members may speak on the Bill. Even if we adjourn the debate at this stage, the position remains the same. Don't you see the point, Mr. Gupta?

SHRI KANWAR LAL GUPTA: At least when the Minister replies, if the Member concerned is not here, then you vote it. That is all.

MR. DEPUTY SPEAKER: Only another motion will have to be moved without his reply.

SHRI KANWAR LAL GUPTA: It is all right. Sir, it is an important Bill and we must know the views of the Government.

श्री यश्वन्ना प्रसाद शास्त्री (रीवा) उपाध्यक्ष जी, जो भूवर द्वाक वि विल है वे शाज यहां पर उपस्थित नहीं हैं। उन को भी जबाब देने का अधिकार है। इस लिए इसको स्थगित करिये।

श्री कंबर लाल गुप्ता : बैलेट में यह खत्म हो जाएगा और यह एक इम्पोर्टेन्ट विल है।

MR. DEPUTY SPEAKER: So, the discussion can go on for one more hour and then the Minister would take the opportunity of replying when Mr. Kamath is here. So, we are extending the time by one hour. The House has to take a decision.

SHRI P. K. DEO: I withdraw the Motion moved by me.

MR. DEPUTY-SPEAKER: So, we extend the debate by one hour and at the end of one hour Mr. Deo's Bill will be taken up.

श्री कंबर लाल गुप्ता : उपाध्यक्ष जी, मैं कामत जी को बधाई देना चाहता हूं जिन्होंने इतना सुन्दर विल भीर ऐसे विजय की प्राज्ञावश्यकता थी, सदन के सामने पेश किया। इमर्जेंसी का प्रावधान कास्टीट्यूशन में प्रारंभ से है।

15.45 hrs.

सभापति जी, आप को याद होगा कि जब इमर्जेंसी का प्रावधान बनाया गया था, उस समय कामत साहब ही अक्सेले ऐसे व्यक्ति थे जिन्होंने कहा था कि यह इमर्जेंसी किसी समय भी मिस्यूज हो सकती है। उस समय डा० प्रम्बेदकर ने कहा था कि हमें यह आत्मा करनी चाहिए कि ऐसा कोई अवसर नहीं आएगा जब इमर्जेंसी का दुरुपयोग होगा और 1950 से ले कर 1975 तक, मैं यह कह सकता हूं कि कोई ऐसा अवसर नहीं आया कि 25 साल में सरकार ने इस इमर्जेंसी का दुरुपयोग किया हो लेकिन 1975 के अन्दर 19, 20 महीने जो स्थिति रही वह ऐसी भयानक रही कि शायद वैश्वानिक तरीके से विश्वान को खग्न करने की कोशिश की गई।

The Constitution was destroyed by constitutional means.

उस समय जो सब से बड़ा भाग रहा, वह इमर्जेंसी के बलाज का रहा कि इमर्जेंसी डेक्सेयर कर दी गई और उस को बेलेज भी नहीं किया जा सकता था। इस इमर्जेंसी में जो पूरी ताजागाही की पावस हैं, वे पूरी की पूरी प्रधान मंत्री जी ने अपने हाथ में ले ली। आप ने जाह कमीशन के बारे में पढ़ा होगा और समाचार-न्यूजों में

## [श्री कवर लाल गुप्त]

एमजॉन्सी के समय के बहुत से तथ्य यह हैं। उनके आधार पर यह कहा जा सकता है कि उन 19 महीनों में जिस तरह का जीवन इस देश में रहा, वह किसी भी सिविलाइज्ड और डेमोक्रेटिक कन्फ्री में नहीं हा सकता। इसलिए मैं यह कहगा कि इसके बारे में दोबारा विचार करने की जरूरत पड़ी है। इन चीजों को सामने रखते हुए कि 19 महीने तक जो इस देश में तानाशाही का नाच हाता रहा, जिसमें लाइक का जो फारमेटल राटट है उसको भी खत्म कर दिया गया था, कानून नाम की कोई चीज नहीं रह गई थी और आज यो है उसका एक छठे के बाद क्या होगा, कहा नहीं जा सकता था, यह बिल बहुत सामयिक है। 19 महीने जो देश की स्थिति रही, उस के बाद आज देश में एक नई मोड़ लिया और शाति-पूर्वक काति आई। इसलिए यह जहरी हो गया कि इस चीज पर दुबारा विचार किया जाए।

अध्यक्ष महोदय, एक तो सबाल यह आता है कि क्या एमजॉन्सी का प्रावधान सविधान में हो या न हो। कछ लोग ऐसा सोचते वाले भी हैं कि एमजॉन्सी का आर्टिकल सविधान से बिल्कुल हटा दिया जाए। लेकिन मैं इस पक्ष में नहीं हूँ। हालांकि मैं एमजॉन्सी हालात का भूक्तानी भी हूँ, 19 महीने जेन मैं रहा हूँ लेकिन मैं यह समझता हूँ कि एमजॉन्सी के आर्टिकल का सविधान में निकालना उचित नहीं होय। हमारा देश बहुत बड़ा है। इसमें कभी ऐसी परिस्थिति आ सकती है जब कि एमजॉन्सी लगाना ज़रूरी हो जाए। लेकिन जो प्रतिक डिस्ट्राईर या कोई और शब्द है, जेरे क्यास में उनको इस आर्टिकल से हटा देना चाहिए। केवल वो

कारण से एमजॉन्सी लगानी चाहिए। एक तो जब बाहर का एपेलन हो। जब कोई विदेशी हमारे देश पर आक्रमण कर दे तब एमजॉन्सी लगानी चाहिए। दूसरे जब देश के प्रत्यंर ही आर्म्ड रिवेलियन हो जाए तो एमजॉन्सी लगानी चाहिए। इन के अतिरिक्त प्रतिक डिस्ट्राईर या कोई और जो शब्द इस एमजॉन्सी के आर्टिकल में हैं उनको हटा देना चाहिए। इतना एमडमट इस आर्टिकल में होना चाहिए।

अब सबाल यह आता है कि जब आर्म्ड रिवेलियन या एक्सटर्नल एप्रेसन होता है तो क्या एक प्रदेश से या सारे देश में एमजॉन्सी लगायी जाए। मान लीजिए यिसी एक प्रदेश के ऊपर जैसे पजाब या पश्चिम बंगाल के ऊपर विदेशी आक्रमण होता है तो यह आक्रमण सारे देश पर भाना जाना चाहिए और सारे देश में ही एमजॉन्सी लगायो जानी चाहिए। लेकिन जब आर्म्ड रिवेलियन होता है तो वह किसी प्रदेश या प्रदेशों तक ही सीमित होता है, उस सूरत में सारे देश में एमजॉन्सी लगाने ज़रूरी नहीं है, केवल उन प्रदेशों या प्रदेश में ही एमजॉन्सी लगाना उचित होगा। इसलिए मैं चाहूँगा कि इस एमजॉन्सी के आर्टिकल का भैंडिफाई किया जाए, मरक लिया जाए। फारन एप्रेसन के समय सारे देश में और आर्म्ड रिवेलियन के समय केवल उसी प्रदेश में जिसमें यह हो, एमजॉन्सी लगाने की व्यवस्था सविधान में हो। अन्यथा एमजॉन्सी लगाने की व्यवस्था को सविधान में समाप्त किया जाना चाहिए। इस एमजॉन्सी के प्रस्ताव को मह सदन एक मत से पास करे।

अध्यक्ष महोदय शास्त्री को याद होगा कि इदिरा जी ने उस समय के सविधान की व्यवस्था को भी तोड़ा। जब देश में इदिराजी

ने एमजॉसी लगाई उस समय तक उस समय की केबिनेट ने एमजॉसी के प्रत्यावर को पास नहीं किया था। केबिनेट ने वह बात पास नहीं की थी कि देश में यह स्थिति है और हम एमजॉसी लगाना चाहते हैं। सदन में ऐसा कि होम मिनिस्टर ने बयान दिया कि इस सम्बन्ध में केबिनेट की मीटिंग 26 तारीख को सुबह दूई ब्लॉक और उस समय के मंवियों को भी एमजॉसी लगाने के बारे में रेडियो से पता चला और एमजॉसी 25 तारीख की रात को लगा दी गई। रात में ही प्राइम मिनिस्टर राष्ट्रपतिजी के पास गई और उनसे एमजॉसी लगाने के आर्डिनेस पर दस्तखत करा लिये

This is the height of dishonesty. This was a fraud on Constitution. Nothing less. इसका आर्गें से क्या प्रावधान हो सकता है, इसके बारे में भी मंत्री महोदय विचार करें। कल को किर कहीं ऐसा न हो कि एक अधिक चाहे वह कापेस पार्टी का हो या जनता पार्टी का हो, इस तरह की हरकत कर बैठे। यह किसी राजनीतिक दल की चाल नहीं है जो 19 महीने तक देश में हुआ है वह दुचारा न हो इसकी हमको तैयारी करनी चाहिये। 19 महीने में जो कुछ घटनाएँ थीं हैं उनका लाभ उठाकर हमको क्या करना चाहिये इस पर हमें विचार करना चाहिये।

अगर किसी का दिमाग बिगड़ जाए और वह तानाशाह बनने की इच्छा अपने अन्दर पैदा करे, कोशिश करे तो किस प्रकार की उस पर रोक लगनी चाहिये मंजूरी इसके बारे में विचार करें। जहां तक जनता पार्टी का सवाल है वह देश में प्रजातंत्र चाहती है, प्रजातंत्रीय दंय से काम करता चाहती है, विज्ञ

दिन जनता हमें नहीं चाहेगी हम अपने आप अलग हो जाएंगे और जिस पार्टी को जनता चाहेगी वह जाकर बैठ जाएगी। लेकिन कुछ चैक्स भी होने चाहिये। मान से एमरजॉसी लग गई। तब क्या वह सालों तक चलती रहेगी? क्या उसकी कोई लिमिट नहीं होगी? मैं चाहता हूँ कि एमजॉसी के बारे में अगर आर्डिनेस होता है तो तीन महीने के अन्दर-अन्दर सदन की एप्रूवल उसको मिलनी चाहिये और वह भी सिम्पल मंजूरिटी से नहीं बल्कि तीन चौथाई मंजूरिटी से। ऐसा आपने किया तो इसमें किसी भी पार्टी को दूसरी पार्टी का सहयोग लेना पड़ेगा, उनकी सहमति के बगैर एमरजॉसी चालू नहीं रह सकेगी। उसके बाद हर चार या छः महीने बाद या तीन महीने के बाद सदन का एप्रूवल लेते रहना चाहिये। इतना ही नहीं कि एक बार एप्रूवल ले लिया और उसके बाद एक-एक साल के बाद लेते रहे। हर छः महीने के बाद कम से कम सदन के सामने वह चीज़ मानी चाहिये और सरकार को बताना चाहिये कि क्यों वह इसको जारी रखना चाहती है और तीन चौथाई बहुमत से यह चीज़ पास होनी चाहिये और तभी यह जारी रहनी चाहिये।

जब एमरजॉसी लगाई गई थी और हमारे इधर के भाई भी ऐसे चुप बैठे रहे जैसे द्रोपदी का चीर हरण हो रहा हो और तुर्योऽस्म भी सभा में हों, ब्रोणाचार्य भी बैठे हों और शांति से बैठे रहें, क्योंकि हमने उनका नमक खाया है इस बास्ते हमको चुप बैठे रहना चाहिये, ऐसी बात नहीं होनी चाहिये। पीछे इनकी हालत यही हो गई थी। मंत्री लोग शायद भय के कारण, असंक्ष के कारण या कुर्सी के लालच में, या सब मिला कर चुप बैठे रहे और किसी ने बदान नहीं की। अगर वो

## [श्री पंचर लाल गुप्त]

भारत ने जबान खोली तो शायद वह हालत न होती जो हुई, कावेस पार की भी वह हालत न होती जो हुई देश में तानाशाही न चलती और कलंक का टीका न लगता, भारत के इतिहास में यह घटना न लगता जो अब लगा है। पाठियां आती हैं और जाती हैं। इसमें कोई चुरी आत नहीं है। लेकिन इस तरह की तानाशाही अनरैलेलड भी दुनिया के डेमो-क्रांतिक देशों के लिए।

16.00 hrs.

मैं यह भी चाहता हूँ कि एमरजेंसी में भी लाइफ का फैडेमेंट राइट ज्ञात नहीं होना चाहिये। मुझे याद है कि जब मैं ने अपनी रिट पैटीशन विली हुई कोर्ट में दावर की हूँ मैं तो कभी बकील नहीं रहा हूँ, मैंने अपने मिल से कहा कि वह भेरी बकालत कर दे। वह बड़े हो गए और जैसे ही वह एकमिट हुई, शाम को मीसा का वारेंट उनके घर पर पहुँच गया। उनसे लिखा लिया गया कि मैं उनकी बकालत करूँगा तो उसके लिलाफ इसका इस्तेमाल होगा। उनसे लिखा लिया गया कि मैं उनकी बकालत करूँगा। तब जा कर वह बारेंट रद्द हुआ। कोई बकील भेरी बकालत करने के लिए तैयार नहीं हुआ। भेरी याचिका के बल यही थी कि मुझे खाना अच्छा भिलना चाहिये, रहने के लिये जगह अच्छी भिलनी चाहिये। मैंने स्वयं प्रार्थने की। मैं ने कहा कि ठीक है जो मीसा का एकट है उसके तहत मुझे जेल में रखा जा सकता है, जेल कौन सी होनी चाहिये यह सरकार तय करेगी, यह भी ठीक है लेकिन जेल में अगर मुझे ऐसी कोठरी में रखा जाता है जिसके बार कोनों में काले सांप हैं तो क्या कोई इंटरवीन करेगी या नहीं? एक सबाल मैंने यह रखा कि खाना मुझे जिसे इसकी शर्त करने का मुझे अदि-

कार है या नहीं? मीसा के तहत खाने में केवल नस्ते भाप एक आर्डर खावल देते हैं और कुछ नहीं देते हैं तो ऐसी अवस्था में क्या भाप इंटरवीन करेगे या नहीं? आपको सुनकर आश्वर्य होगा कि जस्टिस प्रकाश नारायण ने उस समय यह कहा था कि गुला साहब, आपको लाइफ का मौलिक अधिकार भी नहीं है, जीने का मौलिक अधिकार भी नहीं है। इसलिये यह कोई इंटरवीन नहीं करेगा। अब आप बताइये कि क्या हालत थी। अटौरी जनरल ने कहा था लोगों को जीने का अधिकार भी इमरजेंसी में नहीं है। मुझे याद है कि शाम जब हमारा पहली बार रंटरेंट्यू हुआ था 7, 8 महीने के बाद और जब मेरा छोटा बेटा पहली बार मिलने के लिये आया। उसने कहा पिताजी हम यहां से जाना चाहते हैं। मैं कमला नगर में रहता था, वहां से कहां जायेंगे? मैं ने सोचा शायद नई विली में रहना चाहते होंगे। तो कहने लगा नहीं। मैं ने पूछा कहां जाना चाहते हो? कहता है कि जेल से भगर भाप कुछ गये तो हम तो इस देश से जाना चाहते हैं, क्योंकि अटौरी जनरल ने सुप्रीम कोर्ट से कहा है कि अगर कोई पुलिस वाला किसी को शोली भी भार दे तो अदालत कोई कार्रवाही नहीं करेगी। यह बच्चों के दिमाग में बात थी। इसलिये जो बच्चों के दिमागों को, परिवारों के लोगों को टौरेंट किया गया, वह चीज इसमें से निकल दी जानी चाहिये। इगलैंड के अन्दर लड़ाई हो रही थी, वहां भी इस तरह का प्रावधान नहीं था। लड़ाई होने हुए भी वहां पर कुछ लोगों के अधिकार रहे। इसलिये मैं मांग करूँगा सरकार से और जनता पार्टी सहमत भी होगी, क्योंकि जनता पार्टी अत्याचार के ऊपर, लालों के ऊपर कुर्सी पर नहीं बैठना चाहती है। जनता पार्टी लाली तक कुर्सी पर रहेगी जब

एक सोनो की इच्छा होती। इसलिये जो जोबन का भौतिक अधिकार है वह इमरजेंसी में खल्म नहीं होना चाहिये।

इन शब्दों के साथ मैं माननीय कामत के विषय का समर्थन करता हूँ।

डा० रामलौ रिह (भागलपुर)  
मध्यापति महोदय, भारतवर्ष के सविधान निर्माताओं ने बहुत सोच समझ कर

सभापति महोदय एक अर्ज बहुगा वि-  
जरा सक्षेप में कहिये क्योंकि इस बीच में  
6 नाम आ चुके हैं । एक घटे में सबको  
बालने की गुजाइश होना कुछ मुश्किल है।

डा० रामलौ रिह, भारतवर्ष के सविधान निर्माताओं ने बहुत सोच समझ कर भारतीय सविधान की धारा 352 का प्रावधान स्थिति लगाने के विषय में प्रावधान था। लेकिन सविधान बनाने वाला की भावनाओं की हृद्या बरने वा अधिकार उसके बाद वापेसी भरकरा को हुआ, और भारतवर्ष में आपातकालीन की राजनीति का प्रादुर्भाव हुआ। हम जानते हैं कि यहा भारतवर्ष में काई इमरजेंसी 1975 में नहीं लगी। हमारे माननीय कवरलाल गुप्त कहते थे कि 1975 में इमरजेंसी लगी, लेकिन हमारा तो कहना है कि भारतवर्ष में इमरजेंसी शायद उठी ही नहीं। 1968 से लेकर 1971 के समय का छोड कर 1962 से जो आपातकालीन स्थिति लागू की गई थी वह 1977 में तब समाप्त हुई जब जनता सरकार बनी। इसीलिए एक ऐसी अनिवार्य और आपातकालीन परिस्थिति को सामान्यरूप में लागू कर देना भारत की राजनीति के साथ एक बेंयावृत्ति है, और इसीलिये मैं यह कहना चाहता हूँ कि सचमुच मेरे अब यह विचार करने की आवश्यकता हो

गई है कि अब 19 महीने की आपातकालीन परिस्थिति चाहिये या 19 वर्षों की, अगर शकाए और दुष्प्रकार भारतवर्ष की कही चारितार्थ हो गई तो इस बार कबर लालजी और हम लोग 19 महीने के लिये नहीं बल्कि शायद 19 वर्षों तक आपातकालीन परिस्थिति में जूझते रहेंगे। इसीलिये हमारे बयोबूद्ध कामत साहब का जो प्रस्ताव है, वह कोई प्रक्रिया के स्वरूप नहीं, बल्कि उसमें सचमुच मेरे एक निर्देश है। हम जानते हैं कि इस आपातकालीन स्थिति को भी भारतवर्ष की राजनीति के लिये उपयोग किया गया था, अपनी सत्ता को और अपने एकछव राज्य को बरकरार रखने के लिये किया गया था। मफतोंस है कि भारतीय सविधान में उसको दिल करने के लिये किसी धारा का निर्णय नहीं हुआ है।

आपातकालीन परिस्थिति एक विशेष परिस्थिति में होती है, सामान्य परिस्थिति में उमका उपयोग निश्चित हप से सविधान की आत्मा का हनन है। इसीलिये हम जो भी कहते हैं, खास कर जब आपातकालीन परिस्थिति में हम न्यायालय में नहीं जा सकते जब हम निर्विन टाल सकते हैं, विशेष परिस्थिति हो जाती है उस में हमें बहुत सोच-समझ कर इसको लगाना चाहिए। इसीलिये हमारे कामत साहब का जो सुझाव है वह कोई ऐसा नहीं है जो किसी को मान्य न हो। यह जो मती महोदय, बैठे हुए है, मैं उनके ध्यान में यह लाना चाहता हूँ कि कामत साहब का सुझाव तो बिल्कुल सर्वमान्य सुझाव है, लेकिन पहला सुझाव यह है कि सविधान की सम्बद्ध धारा में इटरनल डिस्ट्रॉक्शन की जगह आमंड इन-सैरक्शन रख दिया जाए।

## [बा० रामजी सिंह]

भारत एक बड़ा और महान् देश है, यहां छोटे-छोटे और आतंरिक डिस्ट्रैक्शन्स तो होते ही रहते हैं। अभी जब इंदिराजी दक्षिण में गई तो डिस्ट्रैक्शन हो गए, तो क्या हम इस पर एमजॉरी घोष देंगे? बाराणसी में हमारे मित्रों के डारा, उनके सहयोग से साम्राज्यिक दंगा हो गया, तो क्या हम आपात्कालीन परिस्थिति लागू कर देंगे? नहीं।

इसीलिए हमारा बिन्दन मुस्पट होना चाहिये कि इंटरनल डिस्ट्रैक्शन तो इतने बड़े देश में होते ही हैं। कौन मा ऐसा देश है, जहां इंटरनल डिस्ट्रैक्शन नहीं होते हैं? लेकिन हम आपात्कालीन परिस्थिति तभी लगावेंगे जब हमारी अखंडता और सार्वभौमिकता को किसी नरह से, जाहे वह नागरिक, काशीर या कन्याकुमारी, आनंद या बिहार, कहीं से उसको चुनौती मिलेगी। इसलिए इसको स्पष्ट करना चाहिये।

उनका दूसरा मुकाबला है कि यह दो महीने के लिए जो लगाते हैं तो वह दो महीने के लिये नहीं 1 महीने के लिये होनी चाहिये। सचमुच में—

प्रभुता पाई काहूं मद नाहि ।

सत्ता पर अगर अंकुश नहीं होगा तो सत्ता स्वेच्छाचारिणी हो जायेगी। इसलिये दो महीने की अवधि को एक महीना कर देना चाहिये।

अगर सब संसद का चलता रहे, और एक महीने तक उसकी स्वीकृति न हो तो वह यों ही समाप्त हो जायेगा, उस अवधि को कम करके 14 दिन किया गया है। यह जनता भरकार आपात्कालीन परिस्थिति की भुक्तभोगी है, इसलिये उसको कम से-कम यह सुकाव-स्वीकार करने में उदारता दिलानी चाहिये।

और उसके लिये सोमों के दश का भागी होना चाहिये।

हम जानते हैं कि आपात्कालीन परिस्थिति के प्रावधान के द्वारा हिन्दुस्तान में ही नहीं, दुनिया में तानाशाही पहुंचती है। जर्मनी में हिटलर ने भी एमजॉरी के प्राविज़न्स के द्वारा ही कास्टीट्यूशनल डिस्ट्रैक्शनिय स्थापित की और उसी प्रकार भारत में इंदिराजी ने किया। मैं कानून का पंडित तो नहीं हूं, हमारे कानून भंवी बैठे हैं, वह बतायेंगे कि इंदिराजी ने एमजॉरी को लागू करके कोई अवैधानिक काम तो नहीं किया है। लेकिन सचमुच में उन्होंने अर्थात् काम किया है, जनतंत्र का हनत किया है। इसलिए यह आवश्यक है कि कहीं कोई नई इन्दिरा गांधी भारतवर्ष की भूमि पर पैदा हो जाए और जनतंत्र का हुक्म हनत न करे, इसलिए उस पर संसद का अंकुश लगाना चाहिए। रेडिकल हूयूमैनिस्ट पार्टी के श्री एम० एन० राय ने भी कहा था कि कहीं-कहीं संसदीय प्रजातंत्र की सीढ़ी पर चढ़ कर ही तानाशाही पैदा होनी है, और उन्होंने इसके प्रति मावधान किया था। हम देखते हैं कि भारतवर्ष में इस संसदीय प्रजातंत्र के आपात्कालीन परिस्थिति के प्रावधान की निरक्षणा और स्वेच्छाचारिता की सीढ़ी पर चढ़ कर ही तानाशाही आई। इसलिए जब तक इस पर अंकुश नहीं लगेगा—जब तक संसद के दो-तिहाई मत का अंकुश नहीं रहेगा और उपस्थित सदस्यों में से तीन-चारोंही सदस्यों की स्वीकृति नहीं होगी—तब तक सत्ताधारी दल के फिर निरंकुम होने का खतरा बना रहेगा, क्योंकि सबको सत्ता की भूमि और अभिलाषा होती है।

लोग कह सकते हैं कि इसका प्रावधान कहां है। दुनिया के विभिन्न देशों के संविधानों के इतिहास को देखने से पता

चलता है कि इंगलैंड में वहाँ के राजा को आपातकालीन परिस्थिति को लागू करने का अधिकार था, लेकिन जिय मनी केस और डिफेंस आफ रेल्प एक्ट, 1914-15 में यह अधिकार सरकार और संसद को दे दिया गया है। अमरीका में भी आपातकालीन परिस्थिति, के लिए कोई प्रावधान नहीं किया गया है। वहाँ की मुश्त्रीम कोट्ट ने स्पष्ट कहा है:

"Extraordinary conditions do not create or enlarge constitutional powers."

अगर कोई सरकार मक्षम है, तो कोई विशेष परिस्थिति आने पर उसका मुकाबला करने में समर्थ होनी चाहिये। लेकिन उम के लिये मंविधान की धारग्रामों को तोड़ना-मरोड़ना और अधिक अधिकार प्राप्त करना गलत है।

आस्ट्रेलिया के मंविधान में भी आपात-कालीन परिस्थिति के लिए कोई स्पष्ट प्रावधान नहीं है। जर्मनी की राइब्ड ड्राग भी 1919 में इमरजेंसी प्राविज़न स्वीकार किया गया था। यह देखा गया है कि जहाँ भी आपातकालीन परिस्थिति के लिए प्रावधान है, वहाँ तानाशाही आई। जर्मनी के संविधान में आपातकालीन परिस्थिति का प्रावधान था, इसीलिए वहाँ दुनिया की सब से निष्कृष्ट, गहित और कुत्सित तानाशाही आई। पांस की फ़िकूत रीपब्लिक के 1958 के संविधान में आपातकालीन परिस्थिति लागू करने के सम्बन्ध में अंकुश है। प्रैजिंट उसे लागू कर सकते हैं, लेकिन इस के लिये उन्हें प्रधान मंत्री और संसद के अध्यक्ष की राय लेनी होगी।

अगर सत्र पर अंकुश नहीं होगा, तो सत्र का स्वाभाविक अंग होता है कि वह

स्वेच्छाचारी हो जाती है। इसलिए मैं सरकार और सदन को कहना चाहता हूँ कि माननीय सदस्य, श्री कामत, ने जो साधु प्रस्ताव प्रस्तुत किये हैं, वे उन्हें स्वीकार कर लें, और कानून मंत्री उन के विषेयक को स्वीकार कर के यश के भागी बनें।

SHRI SOMNATH CHATTERJEE (Jadavpur): Mr. Chairman, Sir, we wanted the Bill to be discussed today, because the Government is now formulating its views on the proposed amendments to the Constitution. This is an Article, we feel, on which this House should express its views in no uncertain manner. We have seen that this Article in the Constitution was utilized, rather mis-utilized, to bring about a situation in this country which was wholly unreal. Article 352 was taken recourse to by a power-hungry executive authority, by a dictator in this country for the purpose of introducing a fake Emergency, because the rationale behind Article 352 was not present when this proclamation was issued in June 1975. We find that Article 352 has become a method of introducing dictatorship in this country, in a constitutional manner. The fundamental question that we have to keep in mind is that our Constitution provides an Article viz. Article 352 by making misuse of which a dictatorship can be introduced in this country. And for 19 months the people of this country had the most sordid experience. We have seen that every stream of life in this country was polluted. Parliament was made a rubber-stamp. We have seen how the Judiciary was decimated. We have seen how the Executive was made to kow-tow to the desires nepotism, jobbery and corruption of a single individual and her family. We have seen how a half-educated, arrogant and perverted young man was sought to be put up in this country as the Royal Prince, and how the whole

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Administration was dancing to his tune. The revelations which are coming before the Shah Commission should be more than an eye-opener in this context. We have seen how even in the university campuses, Emergency powers were mis-utilized. We have seen that in industry, trade, trade-union movement, everywhere draconian measures were taken under the garb of Emergency powers. We ought to think whether we should have, in our Constitution, a provision which is the method of Constitutionally introducing a dictatorship in this country. We now ought to realize that this nation has learnt a life's lesson. If we don't—if we have the opportunity and if we don't—have that political will to realize that there is a possibility of a recurrence of such a situation in future, not only shall we fail ourselves, but we shall also fail the posterity and the future of this country.

There is no definition anywhere of the word 'internal disturbance'. Any and every situation could have been described as relating to internal disturbance. Even a Cabinet was bypassed. We have seen it. Even the modicum of complying with the rules of business was not there. A person individually decides to declare Emergency. If the President cannot stand up against him, if he cannot even insist on a Cabinet decision—as we have seen today—the country comes under an Emergency. Even then it was a duplicate Emergency. There was an Emergency which was on, from 1971, on account of the actual war on this country. You were there, Sir, when the external war was on. When there was that aggression, this House unanimously approved the proclamation of Emergency. Because we realised that it was a genuine threat to the independence of this country, not a single Member failed in his duty, but we saw to our dismay how that emergency continued indefinitely, although the war lasted only 13 days. We had been asking, in this House, for the

withdrawal of the proclamation of the emergency of 1971, but there was no response. It was sought to be justified on the ground of economic considerations.

Then came the internal emergency, a duplicate emergency, a hoax that was perpetrated on the people. It was realised that it was not for the benefit of the people of this country that this second proclamation was issued. It was for the benefit of a single individual and her progeny. It was to keep up the morale of a party which was reeling under corruption. It was to try to save and protect an administration and a Government which was of corruption by corruption for corruption. This was the object of the second emergency.

And in the process, when blood was tasted, more and more power was sought to be taken. We are seeing every day in the papers how MISA, COFEPOSA and DIR were misused, how the nation was paralysed, how even the ethos of this nation was paralysed. The trade union movement was completely stopped, the student movement was stopped. As I said, Parliament because a handmaiden for the purpose of introducing and carrying out ruthless legislation. We found how, under the garb of emergency provisions, the other Constitution Amendment Bill came, how the Prime Minister's election was sought to be kept above the law. The people of this country have no right to work, no right to a subsistence living, but at least they had the right of liberty, but that right too was taken away.

We have seen what a perverted outlook they developed because of the emergency provisions. The Attorney-General of this country, who is paid out of the exchequer, which is contributed by the people of this country, was solemnly arguing on behalf of the then Government that there was no right of liberty, no right to life in this country, and that was upheld. So

should we have anything in this Constitution which can help bring about such a situation again in this country? Therefore, my appeal to the hon. Minister and to the Government is to see that this blot on the Constitution is removed and removed as early as possible.

In so far as Mr. Kamath's Bill is concerned we are not supporting it in its present form, because we do not know how insurrection will be defined, how it will be construed. We can certainly understand actual war in which some of the people have to make a sacrifice even of their fundamental rights, but what is armed insurrection or armed rebellion or armed revolution, whatever it is? Nobody would know what it means. Supposing there is a disturbance like the PAC trouble in U.P. during the tenure of the last Government, would that justify the declaration of an emergency under article 352? Or, if there is what is known as the Naxalite movement, would that justify the declaration of an emergency? These are the questions which are still agitating the minds of the people.

I believe the Government is considering them, and they ought to think in the greatest depth as to whether these Powers should be made available to any Government, present or future. You do not know what sort of Government may come in future. There are machinations going on. All sorts of attempts will be made. Industry, big business, monopoly houses etc. are not happy with the change of Government. There are people with vested interests. Unfortunately the performance of this Government in economic field has not been such as to enthuse the people. We do not know what will happen if you allow such a draconian power to remain available to the people who have got the least sense of proportion or the least sense of concern for the people and who could take recourse to it for their per-

sonal interest. This state of affairs has to be altered. That is our submission. We had seen during the last regime how all other different provisions of law had been ignored, how official position had been misused for the sake of the Prime Minister and her progeny, how her cohorts were shielded, how innocent people were harassed. Everything was for the sake of emergency. People were hoodwinked. We have seen how consciously an attempt was made to put a halo round an individual. We have seen how an individual was projected to be an infallible in this country and how she was equated with the country as a whole. We have seen that. At the same time, we had watched in the last House how the then Members of the Ruling party were vying with each other to drumbeat the so-called achievements of that dictator and how they were competing with each other in exhibiting spineless sycophancy and thumping their desks to extol the depredations which had been shamelessly committed on the Constitution of India and the democratic way of life in this country. A Parliament which was brought under thumb was approving all sorts of infamous legislations. We were protesting in vain. The Parliament was treated to be a pliant instrument for the purpose of carrying out all sorts of illegal provisions and passing all sorts of dictatorial laws. Therefore, we were saying that people's representatives will decide on merits but unfortunately, we had not been able to stand up to that position during the last emergency. We have seen how in the so-called constitutional manner a rape was committed on the Constitution. Therefore, the sooner we completely obliterate it from the Constitution, the better for the country.

People have learnt the lesson, of their life. We have to generate public opinion. But if we leave such power in the hands of executive which has no hesitation to use it for party purposes or for personal purposes the future of this country will again be un-

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certain and there may be dark days again. Therefore, our submission is that Article 352 has so far been utilised in this country not with the object with which it was introduced in the Constitution by the authors of the Constitution. There was a belief and it was stated on the floor of the Constituent Assembly that when the country's security will be really and genuinely at stake, then and then only this will be taken recourse to.

The mass media was completely brought under thumb. It was sought to be given to the people that there were such disturbances that the country's administration could not be run; its integrity was being threatened and its security was going to be threatened. That was the propaganda that was going on. On that falsehood, a structure was built up. The whole object was not of the good of the country and of the benefit of the people. Therefore, on behalf of my Party, we do request the Government immediately to bring about necessary changes in the Constitution of India and so far as Article 352 is concerned, we do not believe in giving power and trying to put restrictions on it. It is because those restrictions become meaningless restrictions. Do away with the source of power which has been corrupted, which has been misused and which has been utilised not only for the sake of building an empire but also a financial empire.

Since we are not concluding the consideration of this Bill today, I would request the hon. Minister to kindly consider it. Let the people of this country be saved from the misuse of the Constitution. Unless you do away with the provision of Emergency from the Constitution itself there may be many Indira Gandhis who may be waiting to do the same. Don't ignore that.

SHRI CHITTA BASU (Barasat): Mr. Chairman, Sir, I have got my mixed reaction to this Bill moved by my hon. friend, Shri H. V. Kamath.

I have got my mixed reaction because of the fact that although I agree with him and I, naturally, share his anxiety to provide for certain safeguards against the misuse of article 352 of the Constitution of our country, yet I have got also a feeling that this very article is not necessary to be there in the Constitution of our country particularly in view of the fact that it has been misused or mis-utilised to the extent possible.

*"Shri Kamath is not present in the House. I would have liked to take this opportunity to remind him of his staunch opposition that he voiced in the Constituent Assembly when the Constituent Assembly was debating on this particular article. I only want to reproduce from his speech what he said at that time. I must say it is not Mr. Kamath's view which has been reflected in this Bill. I do not say it in a spirit of disrespect or disregard for him I quote:*

"The closest approximation, to my mind, is reached in the Weimar Constitution of the Third Reich which was destroyed by Hitler taking advantage of the very same provisions contained in that Constitution. That Weimar Constitution of the Third Republic exists no longer and has been replaced by the Bonn Constitution. But those emergency provisions pale into insignificance when compared with the emergency provisions in this chapter of our Constitution."

This shows that he was very clear in his mind, even at the stage of drafting of the Constitution and at the time of the inclusion of the emergency provisions under article 352 which was then article 275 of the draft Constitution of our country, that even the emergency provisions included in the Weimar Constitution paled into insignificance as compared to our emergency provisions. Naturally the House will understand the feeling of Mr. Kamath as a member of the Constituent Assembly then.

Again, he says:

"I, therefore, earnestly appeal that this Chapter should not be passed in a hurry. It should be amended in such a way that not merely the liberty of the individual but also the freedom and powers of the constituent units are not unduly suppressed. We should alter and revise the Chapter so as to see that the liberties guaranteed in this Constitution are real."

Mr. Kamath comes to the House to replace internal disturbances by armed insurrection. He was very clear at that time in his mind what was meant by armed revolt. He said on 2nd August, 1949 in the Constituent Assembly as follows:

"Let us remember that Constitution can be subverted not merely by agitators, rebels and revolutionaries, but also by people in office, by people in power."

Therefore, he himself admitted at that time that the Constitution cannot only be subverted by so-called armed insurrection, or armed revolt or armed rebellion, as you may say, but it can very well be subverted by those who are holding power even in a non-violent way.

Therefore, I am not in complete agreement with the provision he wants to make in order to provide more safeguards against the misuse of this Article. As a matter of fact I like to make it very clear that in any democratic country there is no provision of emergency of this nature as has been very ably pointed out by friends sitting on the opposite side. I do not like to dilate on that point. In many countries, there is no such provision of emergency to be in the Constitution itself. But, having regard to the fact that our country was a victim of aggressions from neighbouring countries, there may be a necessity of having some provision of this kind of emergency only in order to meet the threat of external aggression. Therefore, what I want to make it clear is this. Even if the Article

352 is to be retained, it can be utilized only on the occasion and sole occasion of external aggression. On no other consideration, whether it is internal disturbances or whether it is armed insurrection or armed rebel, there should not be such a constitutional provision in our country.

Mr. Kamath has not taken pains to explain what he really meant by armed insurrection. I do not know how you have defined the words 'armed' and again 'rebellion'. I am in complete agreement with Mr. Somnath Chatterjee when he says that these very words either "internal disturbances" or "armed insurrection" or "armed rebellion" can be very well utilized in the very same way as Mrs. Gandhi used to destroy democracy and imposed dictatorship in our country. Therefore, I am very clear in my mind about it. If there is, at all, a necessity of having an emergency provision that must be confined only to a situation when the country is faced with external aggression. On no other situation, there should be any use of that particular provision for emergency.

I am also in agreement with providing certain safeguards. I am happy to see that Government itself is working on providing certain safeguards against misuse. In that connection Government should also consider the proposals which are emerging from this House on the occasion of this debate.

There is a provision in the Constitution:

"Notwithstanding anything in this Constitution,— (a) the satisfaction of the President mentioned in clause (1) and clause (3) shall be final and conclusive and shall not be questioned in any court on that ground;

(b) subject to the provisions of clause (2), neither the Supreme Court nor any other court shall have jurisdiction to entertain any

[Shri Chitta Basu]

question, on any ground, regarding the validity of—

(i) a declaration made by Proclamation by the President to the effect stated in clause (1); or

(ii) the continued operation of such Proclamation."

This should be deleted. The satisfaction of the President as to whether there has arisen a situation or condition for the promulgation of the Emergency cannot be questioned in any court of law. This still finds a place in the Constitution of our country. I would urge on the Government that, in formulating their position in the matter of reframing of article 352, they should apply their mind and see that this kind of provision which prohibits questioning the validity of the satisfaction of the President is omitted. The courts should have jurisdiction to see whether the situation did really arise as warranted, for the promulgation of the Emergency.

I am happy to see that the Government proposal contemplates this:

"A provision may also be introduced that the proclamation of emergency would cease to be operative whenever a resolution to that effect is adopted by the Lok Sabha by a simple majority of the Members of the House present and voting. It may also be provided that Members of the Lok Sabha not less than one-tenth of its total membership could requisition a meeting of the Lok Sabha for the purpose of considering the continuance of a proclamation of emergency."

This is a welcome safeguard in the matter of curbing the possibility of misuse.

Before concluding, what I would urge upon the Government is that there should not be any Emergency provision in our Constitution, and if at all the need is felt then that should be restricted only to the situation arising

out of external aggression—the emergency provision should not be used for any other situation. Also in the matter of the right of the President to promulgate such an Emergency, other safeguards should also be provided for. Some of them have been suggested by our friend, Mr. Kamath; some have been suggested by some other Members also; and some of them may also emerge from our future dialogue.

With these words, I conclude; and I would request that Government should apply its mind and formulate a comprehensive provision in this regard.

MR. CHAIRMAN: The hon. Members will remember that the time for the discussion of this Bill moved by Mr. Kamath was it extended by one hour, which will be over at 4.48 p.m. Is it the pleasure of the House that the time be further extended by another hour—for the discussion of this Bill?

SEVERAL HON. MEMBERS: Yes.

MR. CHAIRMAN: So, the time has been extended by another hour. Chowdhry Balbir Singh.

चौबरी बलबीर सिंह (होशियारपुर):  
सद्बापति महादेव, श्री कामत साहब ने बिल पेश किया है कि इस देश में फिर से इमर्जेंसी लागू न हो सके, लेकिन कुछ बातें उन्होंने ऐसी कही हैं कि इस देश में समस्त हमला अग्र हो जाये तो एमर्जेंसी लागू की जा सकती है। पहली एमर्जेंसी लागू तो एक जावर ने कहा—

नेता घासे की लाडी है, ठीक पढ़ी तो ठीक, नहीं तो कोरों की झोली में कुछ घासु कुछ भीख।

देश की सरकार अग्र ठीक ढंग से चल रही ही तो देश में समस्त हमला कैसे हो पायेगा? आवादी के बाद 3 लक्षणों हुई हैं—  
1962, 1965 और 1971 में। अग्र

तीनों बार एमजॉरी लागू भी की गई है तो उस समय अपोजिशन का एक भी बेवर पार्लियामेंट या किसी भ्रसेम्बली का बेवर पकड़ा नहीं गया, तो वहां तो कुछ भी नहीं था। लेकिन इसमें सारे देश के अपोजिशन के नेताओं को, जिन्होंने 1962, 1965 और 1971 में सरकार के साथ कान्फ्रेंस से कन्फ्रेंस मिला कर लड़ाई में हिस्सा लिया था, इसी सदन में जिन्होंने प्रतिज्ञा की थी कि हम से जो छीना गया है, हम पूरी कोशिश से उसको वापिस लेंगे, उन सब को जेलों में बन्द कर दिया। उन लोगों ने जो भी सरकार उस बक्त थी उसका साथ दिया था।

1965 में आपको याद होगा, जब हमला हुआ तो यहां पर आर० एस० एस० के वालिन्ट्यसं ने जौको पर पहरा दिया, पुलिस का काम भी शुरू किया। मैं कोई आर० एस० एस० का हिमायती नहीं हूँ, लेकिन यह बात कहने के लिए तैयार हूँ, जब देश को कोई खतरा था तो इस देश का हर आदमी उस खतरे के खिलाफ, जो भी सरकार उस समय थी, उसके साथ था।

अब जो यह बात है कि अगर सशस्त्र हमला हो जायेगा तो एमजॉरी लग जायेगी, तो कोई भी प्रधान मंत्री अगर जाहेगा कि एमजॉरी लागू करनी है, जैसे कि इन्दिरा जी ने लागू की थी, तो किसी भी जगह सशस्त्र हमला कराया जा सकता है। 200, 400 आदमी लगा कर बन्दूक से हमला सा करा दिया। हिंटलर ने क्या किया था? उसने पार्लियामेंट में आग लगवा दी थी और कितने उसके मुख्यालिक थे, उन सब को पकड़ कर जेल में बन्द करवा कर गोली से मारकर खत्म कर दिया था।

तो यह एक नया रास्ता न निकाला जाये कि सशस्त्र हमला देश में हो जाये तो एमजॉरी लग जाये। अगर देश की सरकार

ठीक ढंग से काम करेगी तो किसी की जुर्त नहीं होगी, देश के लोग उसे बदौशत करेंगे। इसमें अभी कभी रद्द गई हैं। कामत साहब से कोशिश तो की है इन कमियों को ठीक करने की, लेकिन इसमें भी हमें सोचना चाहिए कि कभी देश में अगर ...

SHRI P. K. DEO: May I point out Sir, that there is no quorum in the House?

MR. CHAIRMAN: The bell is being rung....

There is no quorum yet. Let the bell be rung again. Now, there is quorum. The hon. Member may continue.

बांधवीर सिंह : सभापति महोदय, मैं कह रहा था कि इस में भी जो यह दर्ज किया है कि हिन्दुस्तान के अन्दर इंटर्नल सशस्त्र हमला अगर हो जाये तो एमजॉरी लागू की जायें, मैं तो इस के भी खिलाफ हूँ। यह कोई अच्छी बात नहीं है। मैंने पहले ही कहा है कि 1962 में, 1965 में और 1971 में इस देश पर हमला हुआ तो आप को पता है कि सारा देश एक आवाज से सरकार के पीछे या और इस हद तक पीछे या इस सरकार के कि अटल बिहारी वाजपेयी साहब ने इंदिरा गांधी को दुर्गा का भी खिलाव दे दिया था। वह दुर्गा भी या ताड़ा भी यह तो आने वाले तवारीखदा बताएंगे। मैं तो अपनी बात इसलिए कहता हूँ कि उस समय इस सदन के अपोजिशन के जो बहुत बड़े नेता ये उन्होंने भी उस बक्त सरकार के पीछे अपना सारा समर्थन दिया और उस इंदिरा को दुर्गा का रूप दे दिया। उस ने दुर्गा का रूप घारण किया था ताड़ा का यह अब अटल बिहारी साहब बता सकते हैं ....

विदेश मंत्री (धी अटल बिहारी वाजपेयी) : सभापति महोदय, मैं बता दूँ।

## [श्री अटल बिहारी वाजपेयी]

यह तथ्य नहीं है कि बंगला देश की लड़ाई के समय मैंने श्रीमती इंदिरा गांधी को दुर्गा कहा । मेरा भावण इस सदन में हुआ था । यह कार्यवाही का हिस्सा है । मैंने दुर्गा नहीं कहा । मैं जानता हूँ दुर्गा का क्या महत्व है ।

श्री अटल बिहारी वाजपेयी : इस सदन में नहीं, बाहर आप ने लेकर दिया था ।

श्री अटल बिहारी वाजपेयी : न मैंने बाहर कहा, न भीतर कहा । न ऊपर कहा, न नीचे कहा, न दायें कहा न बायें कहा ।

श्री सौमत राय (बैंकपुर) : इंदिरा गांधी द्वारा दुर्गा का आप के साथ कुछ ताल्लुक है, कहा जाते थे यह बात अलग है ।

श्री अटल बिहारी वाजपेयी : सभापति महोदय, आप सदन में उम समय भौजूद थे । यह स्पष्टीकरण मैं दे चुका हूँ । बात यह हूँ कि उस दिन सदन में कोई हमारे आनंद के बेन्द्र थे जिन्होने उन को महियामुर मर्दिनी कहा था और कुछ अद्वारों में वह मेरे नाम से छप था । मैं ने दुर्गा नहीं कहा । मैंने उन दिनों मैं इंदिरा जी की इज्जत करता था और मैं ने उन की प्रशंसा की । इस को कहने में मुहर कोई संकेत नहीं है । उन्होंने जब अद्वारा काम किया तो मैंने उन की तारीफ की लेकिन जब गलत काम किया तो उन को उकाड़ कर फेंक दिया ।

श्री अटल बिहारी वाजपेयी : मैं यह कह रहा था कि इस देश के हर भावधी ने जब देश पर कोई अतरा भाया है तो सरकार का साथ दिया है आहै अंदित नेहरू उस समय गढ़ी पर रहे हों, जाहे लाल बहादुर शास्त्री रहे हों जाहे इंदिरा गांधी रही हों और बाहर के देशों को देखे तो इन्हें मैं जब संकेत बर्डेवार हुई तो अपोजीशन की सरकार में शामिल किया गया

था लीबर आफ वि अपोजीशन सरकार में उतने ही जिम्मेदार भोजूदे पर थे । तो यह बात है कि मूल पर हमला हो जाये तो देश के लोग एक आवाज से सरकार के साथ जड़े हो जाते हैं । 1971 में जो हमला हुआ उस समय पंजाब में अपोजीशन की सरकार थी, अकाली दल और कृष्ण की कोलीशन सरकार थी । बाकी सारी पार्टियों ने मिल कर सरकार बनायी थी । उस बक्त एंजाब ही सबसे ज्यादा उस हमले का शिकार हुआ था । लेकिन मैं यह फल के साथ कहना चाहता हूँ कि पंजाब के लोग एक जबान से इकट्ठ हो कर उस लड़ाई में शामिल हुए थे । हम लोग शामिल हुए । हमारा अपना लड़का हवाई फौज में कृष्ण पर काम कर रहा था ।

10.59 hrs.

[SRI M. SATYANARAYAN RAO in the Chair].

लेकिन इंदिरा गांधी का बेटा उस समय अपनी तिजोरीयों भरने में लगा हुआ था । जब पंजाब के द्वारा सारे देश के जवान फौज में अपनी जान हथेली पर रख कर लड़ रहे थे उस बक्त जितने कांग्रेस के मिनिस्टर थे और इंदिरा गांधी का अपना बेटा ये सारे के सारे ऐसे इकट्ठे करने में लगे हुए थे । इंदिरा गांधी का बेटा अपने मातृत्व कारबाने के लिए सोगों से ऐसे इकट्ठे कर रहा था या मातृत्व के हिस्से बेचने के लिए लोगों पर दबाव डाल रहा था । ये सारे काम उस समय हो रहे थे और हमारे बेटे उस समय कँट पर लड़ और, मर रहे थे । हमारे बेटे यहाँ मरे । मरने वालों के जो वालिदैन थे उन्होंने कोई आंखों में आंख भर कर नहीं कहा था ।

17.0 hrs.

उन्होंने कहा था कि हमें फल है कि हम अपने देश के लिए लड़ते हैं और अपने देश की रक्षा के लिए कुरवानी देते हैं । इसलिए

यह इमर्जेंसी जो है वह एक बहुत बड़ी भयानक बीमारी है। कास्टीट्यूट असेम्बली में जब इस पर बहुत दूरी थी तो यह कहा गया था कि कभी इसका गलत तौर पर इस्तेमाल नहीं किया जायेगा। लेकिन गलत तौर पर यह इस्तेमाल की गई है। इसलिए इमर्जेंसी की जो बीमारी है वह कभी भी इस देश में नहीं आनी चाहिए। किसी भी समय किसी आदमी का इस गदी पर बैठकर दिमाग खराब हो सकता है। जब यहां पर अपोजीशन मजबूत नहीं थी और कांग्रेस की अपनी अन्दरूनी गडबड थी तो हिन्दुस्तान को पाकिस्तान की तरफ से और किसी तरफ से खतरा हो जाता था और यह खतरा तो कभी भी मिट नहीं सकता है। जिनके हाथ में राजमत्ता हो वे अगर कास्टीट्यूशनल तरीके से किसी दूसरे को राजसना देने के लिए तैयार न हों या उनके दिमाग में फिनूर आ जाये तो जैसा कि एक शायर ने कहा है :

आता है नाखुदाओं की नीयत में जब फिनूर उठता है साहिलों से तूफा कभी कभी।

जब भी कभी देश के नेता का दिमाग खराब हो जाये तो वह अपनी गदी को बचाने के लिए और इस देश को भाड़ में छोंकने के लिए इमर्जेंसी का सहारा ले सकता है। इसलिए हमें इस प्रकार का कोई भी सहारा नहीं देना चाहिए और किसी भी मेंबर को इसकी यहां पर हिमायत नहीं करनी चाहिए जिसको कि किसी भी समय कोई नेता दिमाग खराब होने पर इस्तेमाल करते और इस तरह से इस देश के करोड़ों लोगों की जिंदगी और आजादी खतरे में पड़ जाये।

जब पहले मुमीम कोर्ट में इस सिलसिले में सालिस्टर जनरल बहस कर रहे थे और उस समय हमारे जाति भूषण जी मुकदमा लड़ रहे थे तो जब ने पूछा था कि अगर कोई मिनिस्टर पर्सनल दृग्मनी की बजह से किसी को गोली मार दे तो क्या वरने बाले के घर बालों को खीट में आने का हक होता तो

सालिस्टर जनरल ने बड़े ही मर्वनाक ढंग से कहा था कि जितनी देर तक इमर्जेंसी राया है, किसी भी आदमी को जिदगी का हक भी महसूज नहीं है। इसलिए संविधान में कोई भी ऐसा अधिकार नहीं देना चाहिए जिसके जरिए से एक आदमी का अदालत में जाने का अधिकार छिन जायें। चाहे एक्टनेल हमला हो या इंटर्नल कभी भी इस ढंग की इमर्जेंसी नहीं आनी चाहिए कि हमारा जो न्यायालय में जाने का अधिकार है वह बला जायें। न्यायालय किसी बात पर अपनी राय न दे सके—ऐसा मौका कभी भी नहीं आना चाहिए।

मैं आपके जरिए इस सदन से वर्वास्त करूंगा कि कामत साहब ने जो बिल यहां पर पेश किया है उसमें से "इंटर्नल एप्रेशन थीर" "आईडं इनसरेक्शन के जो लघु है उनको खत्म कर देना चाहिए। अगर कभी एक्टनेल इमर्जेंसी का खतरा होता है तो उसमें भी मुमीम कोर्ट और हाई कोर्ट का एजेक्यूटिव आईडं पर अपनी राय देने का अधिकार कभी छीना नहीं जाना चाहिए। इन शब्दों के साथ मैं सदन ने अपील करूंगा कि इस देश में कभी भी ऐसा मौका नहीं आना चाहिए कि न दलील, न अपील, न बकील, यह बात कभी नहीं होनी चाहिए। आपने जो मुझे श्री कामत साहब के बिल पर बोलने का मौका दिया उसके लिए आपको धन्यवाद देता हूँ।

SHRI C. K. CHANDRAPPA (Cannanore): I am thankful to Shri H. V. Kamath for introducing this Bill because it provides an opportunity for the hon. Members of this House to express their views on the question of emergency. Mr. Kamath's Bill seeks to include in the Constitution certain new provisions by which the declaration of emergency can be brought under certain specific conditions and safeguards provided therefor. By his Bill he wanted to ensure that the House has more frequent opport-

[Shri C. K. Chaudrappan]

unity to discuss about emergency and then to decide whether to extend it or to withdraw it. Another amendment suggested by him is in relation to that portion relating to internal disturbance. He wants to substitute the words 'Internal disturbance' for the words 'Armed Insurrection', for the word 'disturbance' he wants to substitute the word 'insurrection'. Would it serve the purpose? we have gone through the nightmarish experience of emergency in this country? we have seen, however good might be the intentions with which emergency was declared, it might be misused by the executive and by the political leadership in the country for carrying on their nefarious political ends. After having seen all these things, I think, what will satisfy this country would be that in the Constitution there should be a provision that this emergency would be in the context of the country being threatened by a war or a part of the country being threatened by a war or external aggression.

But, in no context, should it be permitted in future; we should not allow emergency to be declared in the country even if it is in the name of armed insurrection. During the elections we heard the spokesmen of the Janata Party denouncing the emergency and proclaiming to the nation that once they come to power they will see to it that in future no power on earth would be able to declare an emergency in India. They promised Constitutional amendment to that effect—I don't know whether it is practicable or not, that is another matter. They declared that they will be such an amendment whereby no ruler in this country in future could declare an emergency. But what we have seen now is that the Janata party is climbing down from that position and they are now coming to say that emergency could be imposed in case of internal armed rebellion in the country.

Now, it is open for discussion. Whoever sits on that side of the Treasury

Benches, the rules, of this country will interpret any movement as just an armed insurrection and if that movement is against their power and authority, they will fall heavily on it and kill it. I do not think that in our country we have such bad experience of the Executive's misusing the powers of emergency for curtailing the democratic rights thereby destroying democracy. This is not happening only now. In emergency it happened. If you remember the events of this country in the days of 1948-51, you can see how the Communists were butchered like anything—not in dozens but in thousands—and the Communist Party itself was banned as also so many mass organisations in this country where not much of a democracy was there from those who were speaking day in and day out about democracy.

But, to-day, under the Janata Rule, you can see that in Bihar, in the name of Kaldut operation, 29,000 prisoners are behind the bar without facing trial undertrial prisoners. This is a fact. Even those people who were fighting against unemployment, 500 of them, were put behind the bars and they are still behind the bars.

So, what I am saying is that even without emergency when the bourgeois is in power, if they find that there is an element of threat against them from any quarter, whether there is emergency or not they will come down on it very heavily and they will put it down. So, there is no need for emergency for that matter.

It is in this background that I am looking into the provisions of the constitutional amendment proposed here. In our opinion, there should not be any provision in the Constitution under which the emergency can be declared on the pretext of armed rebellion or armed insurrection.

We support emergency only if it is declared in the context of an external threat or in the context of an aggres-

sion by a foreign power on our country. Look as the conditions of the last Lok Sabha when Mrs. Gandhi was in power. She could have got the two-thirds majority in the House if it was required. If the discussion was open in the House every month instead of two months, she could have done it. That was because she had the required majority.

SHRI P. K. DEO: You might have supported it.

SHRI C. K. CHANDRAPPAN: Without your vote she had the requisite majority. In this Bill, Shri Kamath is trying to introduce such provisions by which the Government could be restrained from the misuse of emergency on the pretext of an internal disturbance or armed rebellion. In our opinion, such restraints on emergency would not bear much fruit. Therefore, I am concluding by saying that we support the emergency only under conditions of war and under conditions that there is an external threat, and we do not support any emergency—whatever safeguards are provided—in a situation which will be explained in the name of internal disturbance, armed rebellion or armed insurrection. This is our position.

SHRI PABITRA MOHAN PRA-DHAN (Deogarh): Mr. Chairman, Sir, anybody who is in-charge of something requires some power to protect that. If no power is given to the person who is incharge of any property he will not be there for the purpose. Any government which is in power should have some authority according to which—as and when it is required—it will utilise that authority to save the nation either from foreign aggression or from internal insurrection. That is the general policy of any society. It is for this reason that there is provision of Article 352 in our Constitution. Article 352 is very clear about Emergency and other actions. So many persons belonging to different parties, caste and

creed for two years and six months and decided certain policies about emergency. I think, it does not require any amendment as those provisions and principles are very clear.

We are now afraid of the experience which we had during the last twenty months of emergency during Congress rule under the leadership of Smt. Indira Gandhi. Now, the point is whether this Article 352, as it is to be kept, or it be amended as Mr. Kamath desires, I would like to say that if persons of Indira Gandhi's mind, attitude and calibre come to power with such followers as the existing Congressmen, the same thing will happen. The amendment suggested is that instead of two months it will be one month; instead of thirty days it will be fourteen days. Further, instead of bringing the matter to Parliament every six months, it will be brought frequent. Even if these amendments are accepted and people of Indira Gandhi's desire, aspirations and attitude come to power, they will do it. My point is that Indira Gandhi did not do it alone with the authority of Article 352. She did it because she had the brute majority in the Lok Sabha. As and when she desired she brought the changes and amendments in this Constitution. She also brought the changes in the Penal Code, election laws and also in the Constitution. So, even if we carry out the amendments suggested by Shri Kamath such persons as Mrs. Indira Gandhi and the Congressmen will do it. So, I do not find any reason as to why we should be so much critical about the original Article 352. Well, to give clarity to the Constitution you may say it is 14 days instead of one month, I have no objection. But you must be very very clear and cautious.

[Shri Pabitra Mohan Pradhan]

about brute majority of a single ruling party. As country must not be ruled by a party in power with more than 2/3 majority. If the country is legislated by a Parliament with 2/3 majority and if those legislatures are subservient to the leader like Shrimati Indira Gandhi, than undoubtedly emergency will be imposed off and on. So, while appreciating the mind, the desire and good intention of Mr. Kamath, I do not find that there will be any good result even if we make any amendments or changes in article 352 of the Constitution. But there is one thing in regard to internal resurrection. Why should we be afraid of internal resurrection? At least I am afraid of internal rebellion. Even after 30 years' of independence our people think that democracy is nothing but dictatorship for any person or party. Whoever likes to do anything, desires to act any way, is prone to do such things, whoever wishes to write anything, writes the same, whoever likes to say anything, does it whether it is legal or illegal, whether it is decent or indcent; whether it is a discipline or indiscipline. In the first instance, this is prevalent among the politicians, intellectuals and educated persons and then other people follow them. Therefore, after independence, democracy has become mobocracy, individual and mass dictatorship. These educated, intellectuals, party bosses and party rank and file are as the root of this mobocracy and mass-indiscipline. They behave in such irresponsible, illegal, irregular and unconstitutional way so that persons in power willy nilly, resort to such strong action like the one, that is, Emergency which was imposed by the previous Government. So, our Law Minister must think in terms of not making amendments in the constitution, but taking some such steps so that no authority will find opportunity to become dictator as Mrs. Indira Gandhi became. With these words, Mr. Chairman, I conclude.

SHRI SAUGATA ROY (Barrackpur): Sir, I am happy for getting an oppor-

tunity of discussing an amendment to the Constitution because this is just a rehearsal of the Constitution Amendment Bill. The Constitution Amendment Bill will be brought forward by the Government in this session.

Sir, the Government has already circulated to our party the draft proposals to the Constitution which we are discussing in our party. But I think it may not be proper for me to refer at this stage on the Floor of the House the details of the Amendments proposed to the Constitution by the Government. But it may be said that the amendments proposed by Mr. Kamath are very similar to the amendments that are being proposed by the Government with some additions and alterations. Sir, there we come to the crux of the problem, that is, the approach of the Janata Party on the Constitution Amendment Bill. The hon. Law Minister is telling here and I also heard many of the Janata Party leaders eloquent speech about never allowing the atmosphere of fear that was pervading this country. I have heard them wax eloquently about the things that happened during Emergency and when it comes actually to amending the Constitution, they want to keep the same tradition of imposing internal emergency with minor changes here and there. So, it seems to me that at least the Janata Party and its Governments are coming down to brassstacks, coming down to the reality that such a provision is possibly necessary in order to preserve the integrity of the country. Mine is not a speech in justification of the Emergency.

SHRI UGRASEN (Deoria): Wrong interpretation.

SHRI SAUGATA ROY: I have got your government's amendment proposals. You are keeping those powers in your hands; do not forget that you have not become rebellious overnight. Any government may need

such powers but the safeguards against abuse rests with the government, with the political parties and the people of the country. Mere constitutional safeguards cannot prevent an such excess as happened during the last internal emergency, they cannot be prevented merely by having constitutional safeguards. Even if Mr Kamath's Bill is enacted into law, what prevents the janta party government declaring any mass movement as armed rebellion and coming upon that in the same way. It is on the goodwill of the government, goodwill of the opposition the strength of the people in the country that one has to depend to prevent recurrence of such things, not on constitutional provision alone.

At this stage I want to say that the amendments that Mr Kamath had moved are minimal and marginal they make no change in the original constitution. Instead of internal disturbance we have 'armed rebellion'. What you called internal disturbance before you call armed rebellion henceforth. Instead of two months, you have one month. If you have a majority you call anything armed rebellion and after one month you pass it and you get it renewed after six months. In this country the recurrence of the things that happened during the emergency cannot take place in the face of a conscious alter public opinion, through responsible opposition which will not indulge in such situations as had happened in our country in 1974, an opposition which will not give a call for lawlessness, an opposition which will not call upon the police and the military to disobey orders. I want to say that it is possible for our party, Congress Part, today to create internal disturbances in the country but we do not think that it is what we should do because this new government has come to power and it must be allowed to run its full term and fulfil its pledges to the people so that people see what happens. A democratic society can only be preserved through conscious, enlightened public opinion, through conscious en-

lightened organisations and not through anarchistic mass movements and irresponsible mass movements, not through lawlessness and violence. The democratic society's strength is democratic society itself, democratic polity, democratic people themselves. This is the point I want to put across. Janata Party has talked large and long and waxed eloquent about freedom being restored to the people. What do we see in MP? The Janata Party government headed by an erstwhile Jan Sangh Chief Minister has got a mini-MISA, in the same way they have got powers to detain people without trial. In Sheikh Abdullah's Kashmir another law (An Hon Member Maxi-MISA) Government has still got so much powers under COFEPOSA Draconian powers remain. Let the government have powers, let the government have constitutional provisions and safeguards. We will not allow this government to go autocratic or tyrannical. We as an opposition have that capacity to resist any effort of the Janata Party to become tyrannical. That is the best safeguard for democracy today. As a large party we will function as a responsible opposition. We will not object when it comes to actual constitutional amendment. I can tell the Law Minister before hand that we will not object to his proposal for amendments of the Constitution in regard to internal emergency. We have no objection if you keep those powers. But I only remind you let no situation like that develop again. Let not the government go off the track.

Let not the Government's head be bloated with pride, let not the Government with its majority try to throttle the opposition, let not the Government swerve from democratic behaviour, let not this Government think that it is here to rule for ever and let it remember the events of the last six months in this country and remember that the people of this country can, and if given power, possibly change any system, however tyrannical, how

[Shri Saugata Roy]

ever autocratic however powerful it may be and whatever majority it may have. As long as the people of the country are there, I think, a few constitutional safeguards alone are not necessary. The present Government should keep this democracy alive and vibrant.

श्री राम सेनक हजारी (रोसड़ा) : सभापति महोदय, माननीय सदस्य, श्री कामत, ने संविधान के आर्टिकल 352 का संशोधन करने के लिए जो विषेषक रखा है, मैं उस के बारे में अपने विचार प्रकट करना चाहता हूँ।

संविधान के निमिताओं ने जिस भावना और उद्देश्य से संविधान की रचना की थी, उसे देखते हुए उन्हें यह विश्वास न था कि इस देश में हिटलर जैसा कोई आदमी पैदा होगा, जो संविधान की धरियां उड़ावेगा। मैं आप के माध्यम से विषय के लोगों से कहना चाहता हूँ कि उन्होंने जो कुकम्भ किये और संविधान की जो अवहेलना की, भारत की जनता ने उन्हें उस की सजा दे दी है। मैं सरकारी पक्ष के लोगों से भी कहना चाहता हूँ कि संविधान की भावना और उद्देश्य की देखते हुए उस में कोई संशोधन करने की ज़रूरत नहीं है। अच्छे विचारों के लोग, जिन्हें देश और लोकतंत्र के प्रति प्रेम होगा कभी भी ऐसा काम नहीं करेंगे, जो पिछले सरकार और कांग्रेस के लोगों ने किया है इस लिए देश के लिए जो बहुत पवित्र की है, जिस की शपथ हम लेते हैं, उस में कोई परिवर्तन हमें नहीं करता चाहिए।

एक कहावत है कि एक आदमी ने बैंध जी से पूछा कि आप ने मुझे बैंगन खाने से मना किया है, तो आप स्वयं ख्याल रहे हैं। बैंध जी ने कहा कि यह तुम्हारे लिए बर्जित है, मेरे लिए बर्जित नहीं है। यह कहावत श्रीमती इन्दिरा गांधी पर चरितार्थ

होती है। उन्होंने संविधान में परिवर्तन किया और देश की स्थिति को बिनाइ और कहा कि हम यह काम देश की प्रगति और विकास के लिए कर रहे हैं, जब कि वास्तव में उनका उद्देश्य केवल अपनी कुर्सी को बचाना था जिस की सजा देश की जनता ने उन्हें दे दी है इस लिए मैं इस पक्ष में नहीं हूँ कि संविधान में कोई रहो-बदल या परिवर्तन किया जाये।

हिटलर भी तानाशाह था, लेकिन इस के बावजूद उस में एक गुण था। उस ने अपनी एक पुस्तक में लिखा कि मूले मानूस नहीं है कि देश में भेरे नाम से कोई सम्पत्ति हो लेकिन यदि जर्मन राष्ट्र मे कही भी भेरे नाम से कोई सम्पत्ति है, तो वह जर्मन राष्ट्र की सम्पत्ति है। श्रीमती इन्दिरा गांधी ने हिटलर की नकल की, लेकिन हिटलर मे जो गुण था, वह उन में नहीं था, क्योंकि अपने बेटे के लिए और अपनी सत्ता को बचाने के लिए जो कुकम्भ उन्होंने किया और जिस तरह से सत्ता का दुरुपयोग किया, वह देश और दुनिया के सामने विद्यमान है। इसलिए मैं आप के माध्यम से यह कहना चाहूँगा कि संविधान की जो मर्यादा है जो उस में भावनाएं हैं उन को देखते हुए उस को ज्यों का त्यों रहने दीजिए। साथ ही जो संविधान के साथ अन्याय किया गया, जूँस किया गया, जो गलत ढंग से उसका अनुपालन किया गया, उसमें परिवर्तन लाया गया, आप जो आज जनता पार्टी के रूप में सत्ता में आए हैं आप से हिन्दुस्तान की 60 करोड़ जनता यह उम्मीद नहीं रखती है, इसलिए आप ऐसा नहीं करेंगे और आगे आगे बाले बूसरे लोग भी जब कभी सत्ता परिवर्तन इस देश में होंगा तो उन के लिए भी यह एक हड्ड तक हिंदूमत के रूप से है कि यह गांधी का देश है, यह सुभाष चन्द्र बोस का देश है, यह रवीन्द्र नाथ टौरोर का देश है, इस देश में कभी भी तानाशाही नहीं चल सकती है, नहीं पनप सकती है। यह

सबक लोगों को यिस गवा है और आगे चल कर सत्ता में आने वाले लोगों के लिए भी यह सबक रहेगा। इसलिए आप इसमें परिवर्तन करों चाहते हैं। मैं कहना चाहूँगा कि इसकी मर्यादा और इसकी गतिशी को बरकरार रखने के लिए आप इसमें कोई परिवर्तन मत कीजिए और इसको उद्यों का तर्जे रहने दीजिए।

इन्ही भावनाओं के साथ मैं आशा करता हूँ कि जो हमारी सरकार है वह संविधान को समर्चित मर्यादा को कायम रखेगी।

SHRI C. N. VISVANATHAN (Tiruppattur): Sir, I am rising to explain the policies adopted by my party, i.e. AIADMK, during the emergency. Many people in the House may think that we supported the emergency and Mrs. Indira Gandhi. But actually if one reads the speeches of the members of our party in this House during the emergency, when the forty-second amendment Bill and other Bills were discussed one will understand our policies. Actually, Mr. Maya Thevar opposed the Advocates Amendment Bill. Our party also opposed the dilution of fundamental rights and we said that fundamental rights should not be changed. When emergency was declared, the former Chief Minister of Tamilnadu, Mr. Karunanidhi, actually used the emergency weapon against our party and arrested one J.P.R. without any cause and kept him in jail for 14 months. When M.G.R. became Chief Minister and when he came to Delhi to meet the Central Ministers, at the Delhi airport, the question was put to him as to why he is supporting the Janata Government now and why he was silent during the emergency. The reply he gave was, "This government has given the liberty to speak and write. So, we are supporting the Janata Government. But during the emergency,

there were no fundamental rights and the right to speak or write was banned."

At the same, we are not fully opposed to the emergency because there are some good things. The good things may be less than the evils. In north India, so many leaders who have worked for the nation suffered. But in the south, that thing did not happen. We did not know much about the evils of the emergency period. At the same time, we have to see the good things of the emergency. Trains were running punctually. Offices functioned properly. Blackmarketeers were arrested. Smugglers who deprived the country of valuable foreign exchange were arrested. We should not forget these things. With the present laws, we cannot arrest the smugglers who are taking advantage of the loopholes of the law and escaping. I am an advocate and I know how the loopholes in the law are coming to the help of the smugglers, tax-evaders and other economic offenders. Rich people are evading payment of thousands of crores of income-tax and other taxes due to the exchequer. The Constitution is indirectly helping those who are taking the law into their own hands and evading taxes. Even now we cannot collect thousands of crores of taxes. Because of the constitutional liberties, because of the Fundamental Rights and because of the writs in the courts they have taken advantage of the loopholes and they are escaping. We must do something definitely in this regard. There should be some amendment of the Constitution whereby nobody should escape through the constitutional loopholes.

I may humbly submit that I also support the Bill moved by Mr. H. V. Kamath. This evil should not be continued or repeated in India by anybody, not only by Mrs. Indira Gandhi, but by anybody. Nobody should be allowed to perpetrate this evil and cut out the

[Shri C. N. Visvanathan]  
 Fundamental Rights at any cost. So the Constitution must be changed accordingly.

श्री द्वार्ता चन्द्र (कांगड़ा) : सभापति महोदय, इमर्जेंसी के मुतालिक भारत की जनता को पिछले 19 महीनों में जो अनुभव हुआ है उससे जनता पार्टी सरकार को लाभ उठाना चाहिए। एक्सटर्नल इमर्जेंसी की जो बात कही जाती है, वह तो दुष्प्रय का कभी हमला हो या ज़िसकी सम्भावना हो उसको दोकने के लिए अगर सरकार ऐसा इंतजाम करता चाहे तो कर सकती है लेकिन कामत साहू ने जो बिल रखा है उसमें लिखा है "आमंड इनसरेक्शन" — प्रधार इस देश में आमंड रेवेलियन हो तब इंटर्नल इमर्जेंसी घोषित की जानी चाहिए, इस प्रकार का प्राविधिक संविधान में रखने की बात कही गई है लेकिन मैं समझता हूँ पिछले तीस साल का जो हमारा अनुभव रहा है एडमिनिस्ट्रेशन का ज़िसमें कांग्रेस की हुक्मत रही उसमें ऐसे बाकायात प्राये जैसे विहार और तेलंगाना में बायलेंट मूर्मेन्ट्स हुए तो क्या उस बहत इमर्जेंसी घोषित की गई थी? उस बहत इमर्जेंसी नहीं लगाई गई थी। जो कामन ला प्राक दि सच्च वे उनके मातहत ही उन मूर्मेन्ट्स की अरेस्ट किया गया थी और लोगों का जो विश्वास था उसको पुरायमन हालात पर रखा गया मैं समझता हूँ इस प्रकार का इंटर्नल इमर्जेंसी का प्राविधिक भी रखना हमारे लोकतंत्र पर थीर हमारी डिमोक्रेसी पर एक बांग सा रहेगा क्योंकि उसका मतलब यह होगा कि हम लोगों को अपने ऊपर

विश्वास नहीं है। इस देश के लोगों को यह अधिकार है कि अगर कोई सरकार ठीक इंतजाम नहीं कर सकती तो उसको पांच साल के बाद बदल दिया जाये। जब लोगों के पास इनी बड़ी ताकत है तो सरकार को खुद ताकत रिटेन करने की क्या ज़रूरत है? अफसोस तो इस बात का है कि हमारे देश में जो सियासी पार्टियाँ हैं उनको जिस तरीके से लोगों को पुरायमन तरीके से प्रीच करना चाहिए और डिमोक्रेसी की बैल्यून का आभास, कराना चाहिए वह काम तो कम करती हैं, लोगों के मसलों को हन्त करने के लिए बायलेंस पर तैयार करने की कोशिश ज़्यादा करती हैं।

ममी परसो तरफ से हमारे भाई ने कहा कि जनता पार्टी ने यह बायदा किया था, वह बायदा किया था, कहा था कि इमर्जेंसी की आटिकल 352 को हम संविधान से निकाल देंगे लेकिन मैं उनसे पूछना चाहता हूँ कि जब इस किसी की ओर इस देश में लाय की गई थी, जब इसका नाजायज इस्तेमाल किया गया था, किसने ही लोग जेलों में ही मर गये थीर कितने डिसेविल हो गए, हजारों घर बरबाद हो गए तब वे कहा पर सोये हुए थे जो आज यहाँ पर होरो बन रहे हैं। उनको जब आनी चाहिए, जिस समय इंटर्नल इमर्जेंसी लागू की गई, लोगों पर प्रतिबन्ध लगाये थे और संविधान की अधिकार्या उड़ाई गई, फ़ंडामेंटल राइट्स को छीन लिया गया उस बहत वे सोये हुए थे और आज कहते हैं कि फ़ंडामेंटल राइट्स के प्रोटेक्शन की ज़रूरत है। तुम्हीं कोई मैं गोलकताव केस में जो फ़िल्म हुआ था उसमें बताया गया था कि जो फ़ंडामेंटल राइट्स हैं उनको क्षेत्रवान नहीं किया जा सकता, उन पर पांचवीं नहीं लगाई जा सकती लेकिन

बाद में उसको भी बदल दिया गया। मैं समझता हूँ यहां की जनता को सेफार्ड चाहिए ताकि कभी दूरक्षमत में कोई ऐसा एलिमेण्ट न आ जाये जो डिमोक्रैटिक सिस्टम में लोगों की सुश्रीमेसी को खत्म कर दे। मैं इतना ही कहना चाहता हूँ कि इंटर्नल इमज़ैंसी की भी कोई ज़रूरत नहीं है। सिं एक्सटर्नल इमज़ैंसी की प्राविज़न ही रहनी चाहिए। हमारे देश में ऐसे कानून हैं, जिनके मातहत हम डकैती और कल्पन करने वालों को सजा दे सकते हैं। ऐसे आर्डीनरी कानून हमारे पास हैं लेकिन प्रगर उनसे काम नहीं चलता है तो कोई दूसरा इस तरह का कानून पास कर सकते हैं लेकिन मेरा कहना यह है कि इंटर्नल इमज़ैंसी लगाने की कोई ज़रूरत नहीं होनी चाहिए।

इतना कह कर मैं समाप्त करता हूँ।

SHRI P. K. DEO: I beg to move:

"That the debate on the Constitution (Amendment) Bill (Amendment of article 352) be adjourned."

MR. CHAIRMAN: The question is:

"That the debate on the Constitution (Amendment) Bill (Amendment of article 352) be adjourned."

The motion was adopted.

15.46 hrs.

CONSTITUTION (AMENDMENT)  
BILL

(Amendment of article 124)  
by Shri P. K. Deo.

MR. CHAIRMAN: We will now take up Mr. P. K. Deo's Bill.

SHRI P. K. DEO (Kalahandi): I beg to move:

"That the Bill further to amend the Constitution of India, be taken into consideration."

Sir, if you go through the Statement of Objects and Reasons, you will be convinced that no persuasion is required to accept this simple Bill. The Statement of Objects and Reasons says:

"The Constitution of India does not lay down any procedure for the appointment of the Chief Justice of the Supreme Court, though the Constitution is clear regarding the procedure of the appointment of other Judges of the Supreme Court. Any citizen of India who has been a Judge of a High Court or of two or more such courts for five years or has been an Advocate of a High Court or of two or more such courts for at least ten years and is considered by the President as a distinguished jurist is eligible for such appointment. The appointment of the Chief Justice of the Supreme Court is within the discretionary powers of the President who acts on the advice of the Council of Ministers. It is, therefore, high time that the procedure for the appointment of the Chief Justice of the Supreme Court is laid down."

You will agree with me, Sir, that there should be some guideline for the appointment of the Chief Justice of Supreme Court. I have said that the guideline should be in consonance with the practice that has been followed, and has been well accepted in this country. If you analyze the appointment of the Chief Justice of the Supreme Court, you will find that there have been only two occasions when there was departure from this established practice. The first was when Justice Gajendragadkar became the Chief Justice, superseding Justice Imam, because unfortunately, the latter was incapacitated. He simply could not function as a Judge,

[Shri P. K. Deo]

because of his physical disabilities and because he had several strokes which resulted in the deprivation of his speech and in loss of memory. At that time nobody raised his little finger. During the second occasion, it was a political decision. On the 25th April 1973, this country received the news of the Government's decision to supersede three eminent Supreme Court Judges viz. Justice Shelat, Justice Hegde and Justice Grover, with shock and disbelief. Those Judges were superseded. They, of course, resigned in the best traditions of the Judiciary, of public life and of propriety. But the reaction throughout the country was swift, spontaneous and almost unanimous. Probably no decision of the Government in recent years has aroused such a deep resentment and protest as was evident at that time. During the hearing of the great constitutional case, Keshavananda Bharati's case, in which judgment was delivered just a day before Justice Sikri retired, the Attorney-General, Mr. Niren De, appearing for the Union of India and as Counsel for Kerala State, expressly referred in open court, both orally and in writing, to alternative political action if the Supreme Court ruling did not favour Government at that time.

The passing over of the three senior-most Justice raised issues which far transcended considerations of injustice to three individuals. It evoked reactions from the Bar. With a few exceptions of committed lawyers like R. K. Garg, who is a Communist card-holder, and Rajni Patel, President of the Bombay Provincial Congress Committee and a few others, there was a unanimous vote in practically every Bar Association condemning Government's action. Never has the Bar shown such unanimity and reacted so strongly on an issue like this since independence. It was, I would say, their finest hour.

The first public expression of resentment came from the Chairman of the Bar Council of India, my distinguished colleague, Mr. Ram Jethmalani, who is not here at the moment, who described the action as the most shock-

ing display of executive arrogance. He has vindicated his stand and proved how true he was by trouncing the former Law Minister, Mr. H. R. Gokhale, in the elections from one of the most enlightened constituencies in this country. The country's eminent jurists like Setalvad, Chagla, Sha, K. T. Desai, V. M. Tarkunde and N. A. Palikhivala condemned this attempt to undermine the court's independence.

On 26th April, the Supreme Court Bar Association by a resolution described the action as a political one when one considered the timing and the manner of the appointment. Then followed Bombay, Chandigarh, Bangalore, Madras, Srinagar, Patna, Allahabad, Jabalpur and Gauhati and even the bar associations of the subordinate courts throughout the country.

On 3rd May lawyers throughout the country boycotted the courts. On 4th May the Supreme Court Bar Association served notice on the Union Minister of Steel, the late, lamented Mr. Kumaramangalam, and the then Law Minister, Mr. H. R. Gokhale, to show cause why they should not be expelled from the Bar Association of the Supreme Court for their perverse stand. This is the chronology of the entire events.

But here the question is one of principle. What is the question? Was it on considerations of calibre, merit or suitability that these three distinguished Judges were superseded or did they pay the price for their independence and intellectual integrity? On this point there was a marathon debate in this House on the 2nd and 4th May, 1973 and this House heard some of the best speeches barring the Treasury Benches and their communist friends. They came out in their true colours. The cat was out of the bag and the colour of the cat was red. Nothing could be more appropriate when Mr. Mohan Kumaramangalam started quoting from the 14th Report of the Law Commission in order to build the case. It reminds me of the phrase 'devil quoting from scriptures'. The very same

report totally destroys the Government's case. It is noteworthy that the Chairman of the Law Commission, Mr. Setelvad and three other signatories i.e. Mr. Chagla, Mr. Sikri and Mr. Nani Palkinwala, made public statements condemning the Government's decision. Their contention was "if Government have followed the recommendation in the report those three judges could not have been superseded".

Quoting from that Report of the Law Commission confirms Supreme Court's role as courageous protectors of citizens rights. I am quoting:

"It (the Supreme Court) was called upon to stand as a protector of the fundamental rights of the citizen against executive and legislative action. The importance of the Court as the unholder of the rule of law and as the bulwark of the citizen's rights in a democratic constitution containing a bill of rights was emphasised by Chief Justice Kania at its inaugural sitting...."

Justice Hegde, Justice Grover and Justice Shelat distinguished themselves upholders of rule of law and citizen's right. Now, if they admirably fit as judges of the Supreme Court, can they not fit to be Chief Justice? The Law Commission recommended that the most suitable person did not mean suitability from the view point of the executive. If qualities needed by the Law Commission were the criteria, this was the strongest possible case for not superseding them for their fearlessness, sturdy independence and administrative competence. Justice Shelat and Hegde had already served with great distinction as the Chief Justice of the Gujarat High Court and the Delhi High Court respectively and there has not been the slightest allegation that Justice Grover lacked administrative competence. Any way the

utterances in Parliament by the Minister were most shocking. Mr. Mohan Kumaramangalam further stated that we must have "forward-looking judges and not backward-looking judges" and the Chief Justice should be one who would "help" the Government and "whose political philosophy would be the most suitable from the executive viewpoint." I appreciate his boldness and I appreciate him for not mincing words, for having called a spade a spade, for painting the Government in their true colour. They wanted a committed judiciary—typical of communist countries—committed to the philosophy of one and only party.

18 hrs.

MR. CHAIRMAN: It is now 6'O Clock. How much time will you take?

SHRI P. K. DEO: I will conclude in 5 minutes.

MR. CHAIRMAN: You can continue next time.

SHRI P. K. DEO: I will take only 5 minutes. I would like to conclude today.

MR. CHAIRMAN: I will have to ask the House. After 6'O Clock, you cannot continue unless the House agrees.

SOME HON. MEMBERS: We do not want to sit beyond 6'O Clock.

MR. CHAIRMAN: You may continue your speech next time. The House stands adjourned till 11 A.M. on Monday.

18.01 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Monday, November 21, 1977/Kartika 30, 1899 (Saka).*