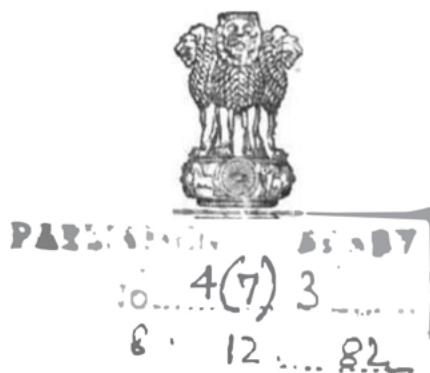


Sixth Series, Vol. VIII No. 13

Friday, December 2, 1977  
Agrahayana 11, 1899 (Saka)

# LOK SABHA DEBATES

(Third Session)



(Vol. VIII contains Nos. 11 to 20)

LOK SABHA SECRETARIAT  
NEW DELHI

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*No. 13, Friday, December 2, 1977 / Agrahayana 11, 1899 (Saka)*

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## LOK SABHA DEBATES

I

2

### LOK SABHA

Friday, December 2, 1977/Agrahayana 11, 1899 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR SPEAKER in the Chair]

### WELCOME TO IRANIAN PARLIAMENTARY DELEGATION

MR. SPEAKER: Hon. Members, at the outset, I have to make an announcement.

On my own behalf and, on behalf of Hon'ble Members of the House, I have great pleasure in welcoming His Excellency Mr. Jafar Sharif Emami, President of the Iranian Senate, Madam Sharif Emami and the Hon'ble Members of the Iranian Parliamentary Delegation who are on a visit to India as our honoured guests. The other Hon'ble Members of the delegation are:—

- (1) Mr. Mohammad Reza Jalili Naini
- (2) Dr. Nasrollah Mozhdehi
- (3) Mr. Eissa Tadayon
- (4) Mr. Nour Ali Sahabi
- (5) Madam Motalieh Naini Taba
- (6) Mr. Mustafa Jaferi
- (7) Mr. Ali Reza Shafaei
- (8) Mr. Nasser Khodabandeh.

The delegation arrived here early this morning and will be in India till the 9th December. They are now sea-

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ted in the Special Box. We wish them a happy and fruitful stay in our country. Through them we convey our greetings and best wishes to His Imperial Majesty the Shahanshah Aryamehr, Esteemed Parliament, Government and the people of Iran.

### ORAL ANSWERS TO QUESTIONS

MR. SPEAKER: Question No. 244. Shri Md. Hayat Ali is not here. Next question.

SHRI O. V. ALAGESAN: Sir, it is a very important question.

MR. SPEAKER: What can I do? I cannot put the question. It is not permitted under the rules.

SHRI K. LAKKAPPA: Sir, there is a convention that the Speaker can put the question.

MR. SPEAKER: I cannot put the question. Q. No. 245.

हृषि उपकरणों, उर्वरकों और कीटनाशक ग्रीष्मधियों पर उत्पादन शुल्क

\* 245. श्री लक्ष्मी नारायण शायक : क्या विस मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्पादन ग्रृह में वृद्धि होने से कृपि उपकरण, उर्वरक और कीटनाशक ग्रीष्मधिय महंगी हो गई हैं जिसके कारण किसानों को नवीनतम कृपि उपकरण और खाद, बीज आदि व्यवहार में कठिनाई होती है तथा इसमें उत्पादन प्रभावित होता है और यदि हाँ, तो क्या सरकार का विचार इन मर्दों पर से उत्पादन शुल्क हटा लेने का है ताकि हृषि उत्पादन में वृद्धि हो सके, और

(ब) गदि हा नो का इस आशय की ओवणा दिसम्बर, 1977 के अस तक कर दी जायी ?

वित्त मंत्रालय में राज्य बंडी (भी सतीश शुल्क) : (क) और (ब). उर्वरको पर उत्पादन-शुल्क ने 17 मार्च 1972 में लगा कर अभी तक कोई बढ़ि नहीं की गयी है। लेकिं जो आजार-उत्पादन विजली से नहीं चलाये जाते हैं अर्थात् जिनका प्रयोग ट्रैक्टरों के माध्यम से विजली में खुदाई करने वाले यत्रों के माध्यम से नहीं किया जाता है, उन पर कोई उत्पादन-शुल्क नहीं लगता।

कृषि के शुल्क नाम योग्य आजार-उत्पादनों तथा कोटनामक पदार्थ पर शुल्क वीं दर में केवल एक प्रतिशत मात्र की मामूली सी बढ़ि 18 जून, 1977 से की गयी है। इसलिए यह आरणा सही नहीं है कि उत्पादन-शुल्क में इस माध्यम की बढ़ि से ये बस्तुएँ महीनी हो गयी हैं। इन बस्तुओं पर लगन वाले उत्पादन-शुल्क को हटा लेने का कोई प्रस्ताव अभी सरकार के विचाराधीन नहीं है।

कृषि क्षेत्र की आवश्यकताओं और समस्याओं का पूरा-पूरा ख्याल रखने के बारे में सरकार पूरी तरह जागरूक है। और इनों कारण जिन-जिन मामलों में शुल्क से छट देना आवश्यक समझा गया वहाँ छटे दी गयी है। जैसे अभी हाल ही में सरकार ने 3 अक्टूबर, 1977 को कुट्टी काटने की मसीन के फलों पर जो 10 प्रतिशत शुल्क लगता था, उसे हटा दिया है। इसके प्रलापा तिहाई मुरार फास्टेट उर्वरक पर देय शुल्क की दर को 15 प्रतिशत से घटा कर 1 अक्टूबर, 1977 से 7½ प्रतिशत कर दिया है। माथ ही 12 हाईवार तक के छोट ट्रैक्टरों पर 15 प्रतिशत की दर में लगने वाले शुल्क को भी पूरी तरह से हटा लेने का फैसला किया है।

भी सक्षमी मार्गीय नायक : माननीय अध्यक्ष महोदय जनता पार्टी ने ओवणा की है

कि हम ग्रामों का ज्यादा उन्वान बरेगे। ग्रामों में आजार-उत्पादन क्षेत्र हो रहते हैं, तो किंवद्ध कारण है कि 18 जून, 1977 को विधि आजार-उत्पादन और कोटनामक दबाइयों पर एक प्रतिशत की बढ़ि शुल्क में की गई। मैं मन्त्री महोदय से जानना चाहता हूँ कि क्या आपनी ओवणा के अनुसार, जासन ने जो शुल्क बड़ा बढ़ा दिया है, उसे के हटा देंगे? साथ ही मैं यह कहता हूँ कि विजली के पर्याप्त से ग्रामों में कुश्यों और नालों में जो सिचाई होती है, उस पर जो शुल्क लगता है उसको भी क्या बे हटा देगे।

भी सतीश शुल्क : यह जो 18 जून, 1977 में लगाया गया था, इस सम्बन्ध में जो भी तथ्य थे, मन्त्री महोदय ने उनका गमन-उत्तर उस समय दे दिया था निर्दित उसके पावात त्रिपुरा मुरार फास्टेट पर हमने जो छट दी, उसकी बजह से 1 करड 30 लाख रुपये का रेवेन्यू लाया होने जा रहा है। इस सम्बन्ध में जो भी माननीय महान्य ने बड़ा है, मैं समझता हूँ कि जो भी प्राप्तियां दिय गये हैं वे काफी पर्याप्त हैं। मुख्यमंत्रियां जम की जा एकम-फैक्टरी प्राइस थी, उसको बन्द मई मिनिस्टी ने 1245 रुपये से घटा कर 1198 रुपये दिया है। बजट भी पावर-ट्रिविल पर्पल पर 10 परसेन्ट से 5 परसेन्ट कर छट है। मालामाल में न्यूफल्चर्स, जो छाटे छोटे लोग हैं जिनमें 30 लाख रुपये से नीचे की मैन्यूफल्चर है, उनको भी छट दी गई है। जो बिना विजली के ग्रामों में अंजार बनाते हैं उनको विल्हेम छट दी गई है। तो मैं समझता हूँ कि जब विजली वा उपयोग नहीं होता, वहा बिल्कुल छट है, 30 लाख में कम मैन्यूफल्चर वालों को बिल्कुल छूट है और उसके 30 अग्र एक परमेन्ट से दो परमेन्ट कर दिया यानी अग्र 100 रुपये की बीज है तो 101 रुपए की बजाए 102 रुपये की होगी, उसको कम करने के बारे में अभी हमारे पास काफ़ी प्रस्ताव नहीं है।

**श्री सतीश अग्रहायन :** धर्म ज्यादा से ज्यादा उपयोग विज्ञानी का क्रिसान कर रहे हैं। कुछों पर भी विज्ञानी पर्याप्त लगते हैं और नालों पर भी लगते हैं। आपने जो विज्ञानी पर पर्याप्त लगते हैं उन पर से नहीं हटाया। हम चाहते हैं कि विज्ञानी से जो उपकरण चलने हैं, उन पर भी आर शुल्क को हटाने की कृपा करें।

**श्री सतीश अग्रहायन :** पावर फ्रिक्षन पर्याप्त पर 10 प्रतिशत से 5 प्रतिशत वर दिया है।

**श्री अनन्द बचे :** अभ्यर्त्व महोदय, मैं मन्त्री महोदय से यह जानना चाहता हूँ कि वैकवट्ट ग्रन्थाज, हिन्दी ग्रन्थाज और बोहंड पर स्थित जो जिन्हे हैं, वहाँ के किसानों में कॉटिलाइज़स के जो कोम्पनी लो जाती हैं, उस पर कुछ स्पेशल मटमोड़ी देने की बात मानकार सोच रही है? इनकी कोई योजना है?

**श्री सतीश अग्रहायन :** कॉटिलाइज़स पर मटमोड़ी देने का प्रयत्न हम से सम्बन्धित नहीं है।

**SHRI K. LAKKAPPA:** Mr. Speaker, Sir, the hon'ble Minister while replying could not explain the question that has been put, namely, to slash down the excise duty on all important inputs of agricultural production. Sir, in Southern States the Central Excise levy is so high that farmers cannot do modernization in agriculture. As a result thereof there is a vast exodus of people from agriculture to other professions.

They are all dealing in clothes or other things; they are trading in them. It is very important that even a small cultivator should go into modern agriculture. During the last ten months, remunerative prices have not been given to the farmers. They are not removing the excise duty and other taxes. How can they invest in inputs for increased production. During the

last ten months production in agriculture has gone down to a considerable extent.

**MR. SPEAKER:** What is the question?

**SHRI K. LAKKAPPA:** Would the Ministry consider complete abolition of excise duty on agricultural inputs, pesticides, fertilisers? Will they evolve a new policy because large sections of people are engaged in agriculture?

**MR. SPEAKER:** You cannot convert the question into a debating hour.

**SHRI K. LAKKAPPA:** Large sections of the people will be ruined if there is duty like this. Therefore I am asking for complete abolition of excise duties.

**MR. SPEAKER:** The longer the question, the shorter can be the answer.

**SHRI SATISH AGRAWAL:** The duty on fertilizers has not been imposed by this government; it was imposed by the Congress Government in 1969-70.

**SHRI K. LAKKAPPA:** I am asking the present government. What is it doing?

**SHRI SATISH AGRAWAL:** For my hon. friend's information, I may say that the duty was increased from ten per cent to 15 per cent in 1972-73; it is not this government which increased it.....(Interruptions). Whatever facts and figures have been given, they were with us. Whatever the government will deem proper in the interest of the farmers, that will be considered at the appropriate time. On this question nothing else is to be added to my answer.

**डा० बापू कालवाते :** जनना पार्टी की प्राविधिक नीति स्टेटमेंट अब्दी तय हुआ है; इस में हमने कहा है कि तोत सालों में हम एक्साइज ड्यूटी को खत्म करेंगे; मैं पूछना चाहता हूँ

कि इस दृष्टि से सरकार ने कौन से कदम उठाने की बात तय की है?

**श्री सतीश अध्यक्ष :** जनता पार्टी ने जो हम सम्बन्ध में निर्णय लिया है उस पर सरकार को निर्णय लेना है और जब सरकार का निर्णय हो जाएगा उसके बाद उसकी घोषणा सदन में भी कर दूशा।

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** The hon. Member wants to know what steps are being taken in regard to various proposals made in the Janata party economic policy statement. Naturally that statement will be given full consideration by the government, including this particular point about what reduction shall be made in fertilizer. I think that in the statement it is stated that even if it is to be abolished it is progressively over a period of time. These matters will be given full consideration and in due course we shall inform the House of what we have decided.

**SHRI V. ARUNACHALAM:** The Tamilnadu Government has granted some concession in the price of fertilisers and pesticides to the farmers of cyclone hit areas. In addition to that, as a gesture on the part of this Government, will this government come forward to reduce the price of fertilisers and pesticides by about 25 per cent to the farmers of cyclone hit areas for this year at least?

**SHRI SATISH AGRAWAL:** The fixation of prices is not being done by the Finance Ministry.

**MR. SPEAKER:** His question is, are you going to give any concession to Tamil Nadu and Andhra?

**SHRI H. M. PATEL:** I have already said that these things are going to be considered as to what assistance is needed to those who are affected in

any serious way by any calamity. These points will also be given fullest consideration and whatever concessions are necessary, they will be given.

**श्री रामचंद्र सिंह :** ग्रामी बित मन्त्री ने जो कहा है कि जनता पार्टी ने जो हम सम्बन्ध में नीति बनाई है उस पर विविध विचार करेंगे, "इन डूब जोर्स" जो आपने कहा है, तो कार्यक्रम में वरा आप कह मरके हैं कि कब तक हम पर निर्णय ले सकेंगे?

**SHRI H. M. PATEL:** I regret I cannot give the exact date, etc. now. But I can assure him that we are trying to take decision as quickly as possible.

**Loss suffered by S.T.C. due to non-supply of salt to Bangladesh**

\*246. **SHRI M. A. HANNAN AL-HAJ:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether S.T.C. entered into an agreement with Bangladesh for supply of salt to Bangladesh;

(b) if so, whether S.T.C. did not supply the salt and asked the private parties to supply the same;

(c) if so, the reasons therefor and losses S.T.C. has to suffer for non-supply of the salt by itself; and

(d) what was the exact quantity to be supplied and what quantity has since been supplied and the reason for not supplying the balance?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BAIG) (a)**

Yes, Sir.

(b) to (d). S. T. C. had entered into a contract on 25-7-1977 with the Government of Bangladesh for supply of 50,000 tonnes of salt to that country during 1977-78. On account of non-

availability of export surplus due to fall in production during the current year subsequent ban imposed by Government on the export of salt, S.T.C. could not make any supplies and invoked force-majeure clause in the contract. The question of asking any private party to supply salt on its behalf or suffering any loss on this account therefore, does not arise.

श्री एम० ए० हनान अलहाज़ : अध्यक्ष महोदय, मैं यह जानना चाहता हूँ कि एम० टी० सी० से 7 डालर से लेकर 12 डालर तक के कन्ट्रैक पर साइन किया है, तो केन्द्र 13 डालर का जो कन्ट्रैक 'ना, उस पर साइन क्यों नहीं किया ?

एम० टी० सी० की माफ़त हज़मा जो एक्सपोर्ट करने हैं, क्या उसमें उनको 1 परमेट कमीशन मिलता है अर्ति जो हज़मा में मेम्बर नहीं है, उनके माध्यम से एक्सपोर्ट करने पर 5 परमेट कमीशन मिलता है ? हज़मा वालों के पास एक्सपोर्ट के लिये कोई स्कावट नहीं है जबकि नान-मेम्बर पर 1 हज़ार टन यी रोक है, उपरे ज्यादा वह मालाई नहीं कर सकते हैं, क्या यह बात महीं है ?

श्री आरिक बेग : जहा तक एम० टी० सी० के बाहर एक्सपोर्ट करने का ताल्लुक है, एम० टी० सी० अपने आप एक्सपोर्ट फर्ती है, या जो पारिया एम० टी० सी० के माध्यम से अरना सामान बाहर भेजती है, उस पर एम० टी० सी० को 5 परमेट कमीशन मिलता है ।

श्री एम० ए० हनान अलहाज़ : 5 परमेट तो नहीं मिलता है, 1 परमेट ही मिलता है । जो नान-मेम्बर है उनके माध्यम से एक्सपोर्ट करने पर 5 परमेट मिलता है । नान-मेम्बर को एक्सपोर्ट न करने देने की बजह से 4 परमेट का बाटा सरकार को पड़ जाता है ।

7 से 12 डालर के कन्ट्रैक पर जो साइन किये गये यह क्यों हुए ? इसमें सरकार को कितनी कारोन एक्सपोर्ट का बाटा हुआ ?

श्री आरिक बेग : इसका सवाल से ताल्लुक नहीं है ।

श्री हुकम चन्द्र कद्दवाय : माननीय मन्त्री जी ने बताया कि उत्पादन कम होने के कारण हम सप्लाई टीक से नहीं कर सके, क्या यह बात सही है कि नमक पर आपने इतनी डिट्री लगा दी है, जिसके कारण उत्पादन-कतारियों को काफ़ी कठिनाई है ? इसके बारे में उन्होंने जो जापन सरकार को दिये हैं, क्या उन पर सरकार ने कोई ध्यान नहीं दिया है ?

क्या यह भी महीं है कि एम० टी० सी० के दारा जो अन्य देशों को माल भेजा जाता है उसमें प्राय शाटा ही होता है, जबकि प्राइवेट लोगों को ऐसा बरने पर मुनाफ़ा ही होता है ? क्या इसकी कोई जाच की गई है कि सरकार को बाटा क्यों होता है और प्राइवेट लोगों को मुनाफ़ा क्यों होता है ?

आपके 11 एकमाडज डिट्री लगाने से नमक का जो उत्पादन कम हुआ है, क्या आप इस पर विचार करेंगे ?

श्री आरिक बेग मैं माननीय मदन्य को यह सूचना देना चाहता हूँ कि नमक पर कोई एकमाडज डिट्री नहीं है ।

श्री हुकम चन्द्र कद्दवाय : यह गलत बात है—आपने अन्य प्रकार भी डिट्री लगाई है, उसमें लगाया है—क्या आप इसमें इकाइ कर मिलते हैं ? अध्यक्ष महोदय, मेरे प्रश्न का उत्तर नहीं आया है, मुझे उत्तर दिलाइंग । आप जो व्यापार करते हैं—उसमें बाटा होता है, जबकि प्राइवेट बापारी व्यापार करते हैं तो उसमें “मुनाफ़ा होता है”—इसका बया कारण है ?

बालिज्य तका नागरिक पूर्ति और सहकारिता भंडी (श्री शोहन आरिक) : नमक पर गवर्नरमेंट की तरफ से कोई एक्साइट डिट्री नहीं है । इकलपमेंट सैम है, जिसका बह छूट मामूली है । ऐसा होता है कि नमक का उत्पादन

ज्यादा होना या कम होना बारिश पर निर्भर है। अगर ज्यादा बारिश होती है तो नमक का उत्पादन कम होता है, अगर कम बारिश होती है तो नमक का उत्पादन ज्यादा होता है ज्यादा बारिश होने से नमक बह जाता है।

माननीय मंत्री सभ्य ने दूसरी सवाल यह पूछा है कि एस० टी० सी० में घाटा क्यों होता है? यह बात सही नहीं है, शायद आपने देखा होगा कि एस० टी० सी० को अच्छी रीति से मुनाफ़ा होता है। एस० टी० सी० की नीति यह रहती है कि हमारे मन्त्र में जो आवश्यक बस्तुएँ हैं, वे अच्छी रीति से मिले, उचित दाम पर मिले—इसमें एस० टी० सी० खुद कुछ आठा उठा लेती है।

**SHRI C. N. VISVANATHAN:** The Minister says in his reply, "on account of non-availability of export surplus due to fall in production during the current year...." etc. May I know whether the government has taken any concrete step to improve the availability of salt? In Tamilnadu we are producing a lot of salt in Tuticorin, Kovalam and other areas, but the STC is not interested in purchasing it. For salt production, no big factories are necessary—Small people can produce salt in the coastal areas, as is being done in Tamilnadu. Even though the governments of Shri Lanka, Malaysia and Singapore like to buy salt from India the STC in Tamilnadu is not functioning up to the mark and is not taking steps to purchase salt in Tamil Nadu for export. Instead of taking steps to improve salt production, the government has unnecessarily banned export of salt. May I know what steps the government is taking in this regard?

**SHRI ARIF BEG:** My ministry is not concerned with the production of salt. Therefore, the question does not arise. (Interruptions).

**SHRI C. N. VISVANATHAN:** Let the Cabinet minister reply.

**SHRI MOHAN DHARIA:** The Ministers of State have recently taken charge and if we give them some opportunity, it will be possible for them to get accustomed to answering questions. If the hon. members are not satisfied, I shall intervene. Salt production is no doubt the responsibility of the Industry Ministry, but we reply here on behalf of the government as a whole. Last year, it was expected that salt production will be of the order of nearly 80 lakh tonnes, but unfortunately it came down to about 45 lakhs tonnes.

And that was the difficulty. There was a complaint right from the Chief Minister of West Bengal that the prices of salt were going higher and in that context, as we have already declared in this House that we do want exports, but not at the cost of our domestic consumers and it is in this context we have to take the decision, but by any chance if there is additional salt which could be exported, I shall be only happy to export the salt.

**SHRI C.N. VISVANATHAN:** I never asked about West Bengal.

**MR. SPEAKER:** No, he wants to answer your question: "Why you have not taken steps to increase production?"

**SHRI C.N. VISVANATHAN:** The Minister said that prices of salt in West Bengal were raised. But what about Tamil Nadu? We are producing tonnes together.

**MR. SPEAKER:** He said that Tamil Nadu is a part of India.

**SHRI MOHAN DHARIA:** My hon. friend will please realise that Tamil Nadu is a part of the country and when I said 45 lakhs of metric tonnes, I meant production of the whole of the country and when I said about the demand of the consumers, it is for the whole of the country. So, in some parts there may be more production and in other parts there may be less production but ultimately we have to

take care of the country. But I can assure my friend that if there is any possibility of having the distress sale, they can bring to my notice. Immediately we shall make certain arrangements.

**SHRI VAYALAR RAVI:** It is not a question of salt production. But what I say is that all trade in salt carried on by STC is only with the Bangladesh Government. May I know from the hon. Minister whether he reviews this policy because in Bangladesh the private trade is flourishing and because the export and import of that country is through the private trade only. Our trade is suffering because we are carrying on our trade in regard to certain items only through the STC. Do you propose to reconsider this proposal of carrying on the entire trade through STC or through private parties?

**SHRI MOHAN DHARIA:** So far as salt is concerned, it is both through STC and also through private traders. It so happened that until 2-9-1977 an export of about 2.36 lakhs tonnes had taken place entirely by private exporters and the outstanding contracts involved amounted to 3.73 lakhs of tonnes. Here, my hon. friend wants that the whole thing should be canalised. It all depends from item to item. The decisions are taken having regard to the interests of the country as such and if at all we feel that in the interest of the country a particular item should be canalised, we shall not hesitate in canalising that.

**श्री राम कावार बेरदा :** ग्राम्यक महोदय, बंगला देश के साथ जो नमक के मामले में समझौता हुआ था, उसकी पूर्ति आरत सरकार नहीं कर सकी है क्योंकि उत्पादन कम हुआ है। ऐसे विवरण लेव में सांचर ही है और उसमें काफी वादा में नमक बिलता था जिसका अब बहां वार स्टोरीजन नील आर रुकावर बजार-बेकार-हो-नाम है। अनन्ता स्टोर ने 10-लाख में लाई को रोकार-बेसे की दस

उपने ओवाना पक्क में कही है और बार-बार इस हाउट में भी इस बात को कहा है। कुछ कॉम्प्राइंटों की बाबू ह से नमक का उत्पादन विल्कुल बमात हो गया है। ऐसी महोदय से जानता आहता हूँ कि क्या उन्होंने उचित मंत्रालय से इस बारे में कोई समाज मशविरा किया है और अगर किया है तो उसके क्या परिणाम बिले हैं और उसमें क्या प्रगति है।

**श्री मोहन बारिहा :** उद्योग मंत्रालय से हमारा हर समय सम्बन्ध रहता है और एसेपोर्ट और इम्पोर्ट के बारे में भी उनसे बास्तवित करने हैं। नमक का उत्पादन केसे बढ़ाया जाए, उसके सिए भी उद्योग मंत्रालय काफी प्रयत्न कर रहा है।

#### Basis on which Hotels are Star-Categorised

**\*247 SHRI MANORANJAN BHAKTA:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the basis on which hotels are star-categorised at present;

(b) the number and names of hotels of different star-categories in the country; and

(c) whether Government propose to change the present criteria of classification of hotels into different star-categories and if so full details thereof and the action taken so far?

**पर्वत-ओर-नायर बिलाल अंगी (श्री तुलसेश्वर-कौशिक) :** (क) क्योंकि होटलों के वर्गीकरण के लिए जिन मानदण्डों का यन्त्रणा आर-बर्च-हमें तक किया जा रहा था, वह ने पुस्ते पढ़ लूँगे हैं, असीसे इस अवधि तकहा-तुलसेश्वर-बिलाल आहत है।

(क) इस समय पर्वेट विभाग की अनुमोदित सूची पर 280 होटल हैं जिनमें से 152 होटलों का विभिन्न भेणियों में वर्गीकरण किया जा चुका है। वर्गीकृत होटलों (152) की श्रेणी तथा नामों को विज्ञाने वाला एक विवरण सम्पादन पटल पर रखा है। [संस्कारण में रखा जाया। देखिये हमें दस्ता एस. टी. ०—२४३/७७]

(ग) होटलों का वर्गीकरण बताना नाम "स्टार प्रणाली" पर ही करते रहने का प्रस्ताव है। परन्तु, विभिन्न स्टार वर्गों के मानदण्डों में संसोधन करने की ज़रूरत है। मानदण्डों का पुनरीक्षण होटल उद्योग के परामर्श में किया जा रहा है।

**SHRI MANORANJAN BHAKTA:** There is acute shortage of hotel accommodation for people from the low income group, throughout the country. We are always having 5-Star, and 3-Star and other Star-based hotels. What does the Government propose to do for the accommodation of low income groups at different places?

**श्री पृष्ठोत्तम कौशिक :** कम आय वाले यात्रियों के लिए सस्ते आवास की अवस्था करने के बारे में सरकार सक्रिय विचार कर रही है। जैसा कि मैंने पहले भी कहा है, हमारी योजना है कि देश के चार मैट्रो-पालिटन सिटीज़—दिल्ली, बम्बई, मद्रास और कलकत्ता—में सस्ता आवास उपलब्ध करने की दृष्टि से जनता होटल बनाने का काम शुरू किया जाये। इस दिशा में कितनी प्रगति हो पायेगी, यह इस बात पर निर्भर करता है कि प्रसानिग कमीशन से कितनी धनराशि उपलब्ध होती है। लेकिन दिल्ली में पायलट प्राइवेट के रूप में 1250 कमरों के एक जनता होटल का कार्य शुरू करने के बारे में सक्रिय विचार चल रहा है। उन्मीद है कि हम यह काम बहुत सही तरीके से करेंगे।

**SHRI MANORANJAN BHAKTA:** The Minister has specifically stated that he is speaking about having the Janata hotels in big cities. My constituency is Andaman and Nicobar Islands; and there are other remote areas; where inland tourists used to go. In some cases, tourists even from other countries are coming. What is the proposal before the Government for accommodating people from low income groups in such outlying areas?

**श्री पृष्ठोत्तम कौशिक :** देशीय मैट्रोटर में हम जो प्रयास कर रहे हैं, मैंने उसका जिक्र किया है। जहां तक विभिन्न राज्यों में सस्ते होटल बनाने का प्रश्न है, हमने राज्य सरकारों को लिखा है कि वे इस तरह के सस्ते होटल बनाने के लिए पग उठायें। केन्द्रीय सरकार की तरफ से उन्हें महायता देने पर भी विचार किया जायेगा। यह भी प्रयत्न किया जायेगा कि उन्हें वित्तीय संस्थाओं से भी ज़रूर प्राप्त हो सकें। मैं यह भी कहना चाहता हूँ कि अगर निजी सैक्टर के लोग भी सस्ते आवास के होटल बनाने तो लिए आये आते हैं, तो प्राय-मिक्रो के प्रायार पर उन्हें सहायता तथा मुखियायें देने पर विचार किया जायेगा।

**SHRI MANORANJAN BHAKTA:** The Minister has spoken about State governments; but what about the Union Territories? They are directly under the Central Government. What does the Central Government propose to do about them?

**श्री पृष्ठोत्तम कौशिक :** मस्ता आवास बनाने का विचार इस सरकार के आने के बाद शुरू हुआ है। (अवक्षान) मानवीय सदस्य शायद मुझे टोकना चाहते हैं। लेकिन मैं कहना चाहता हूँ कि पहले यह काम बहुत व्यापक पैमाने पर शुरू नहीं हुआ था। द्रुतिस्त साज बनाने के बारे में कुछ काम बढ़ाया था। कुछ यूथ होस्टल भी बने थे और युवा पर्वेटकों और सामाज्य लोगों को डारमिटीज़ में

सस्ता आवास देने की कोशिश हुई है। लेकिन इस लोग में पर्याप्त कार्य नहीं हुआ है। यदि हम लोग व्यापक वैमाने पर सस्ता आवास उपलब्ध करने का प्रयास कर रहे हैं।

जहाँ तक यूनियन टैरीट्रीज का सम्बन्ध है, यह तो वित्तीय स्थिति पर निर्भर करता है कि हम वहाँ कितनी व्यवस्था कर सकते हैं। लेकिन हमारी कोशिश यह है कि सम्पन्न लोगों के लिए जो व्यवस्था हुई है, उकि कम एप्स्लूट क्लास के लोग उनमें ज्यादा हैं, इसलिए उनमें लिए सस्ते आवास की ओर अधिक व्यवस्था करने की हमारी कोशिश है।

श्री रामचंद्री लाल मुमन : मंत्री महोदय ने चार महानगरों ने बारे में सरकार की नीति को स्टॉट किया है। आगरा देश के हिमाचल में ही नहीं विश्व के हिमाचल में भी एक पर्यटन स्थल है और दुनिया भर के लोग वहाँ जाने हैं और जो ताजमहल को देखने जाता है वह फनहुसु सीकरी भी देखने व्यवस्था जाना है। इस तरह के जो ऐतिहासिक स्थल हैं वहाँ पर कोई आवास व्यवस्था नहीं है। क्या आप वहाँ पर सभी होटलों की व्यवस्था करेंगे? यदि सरकार ने पास इन्हें माध्यम नहीं है कि वह स्वयं कर सके तो क्या जनता को जो वहाँ होटल बनवाना चाहती है सरकार सस्ती जमीन उपलब्ध कराएंगी और साथ ही साथ सरकारी वित्तीय मस्तिष्कों से कम व्याप्र पर क्रृत दिलाने की व्यवस्था करेंगी?

श्री पुश्पोलम कौशिक : निजी उद्योग में से जो लोग इस काम के लिए आगे आएंगे उसमें लिए जो मदद हम कर सकते हैं सरकारी संस्थाओं से क्रृत आदि दिलाने की व्यवस्था की जाएगी। इस समय किसी स्थान में होटल बनने के बारे में कोई निश्चित आश्वासन नहीं दे सकता है। इतना चक्र कह सकता है कि प्राथमिकता के आधार पर जो भी आधिक साधन उपलब्ध होंगे निश्चित रूप से हमारी

कोशिश होगी कि सस्ती आवास व्यवस्था हम करें।

श्री रामचंद्री शास्त्री : देवरिया जिले में कुशीनगर जो लाड़ बुद्ध का निर्वाण स्थल है वहाँ पर भारत के ही नहीं विश्व के बौद्ध शास्त्र है। वहाँ पर जो होटल है उसका किराया 35 रुपये प्रतिदिन है जो कि भ्रांतों का होटल के बराबर है। उस धर्मस्थल के महत्व को देखते हुए और इसको देखते हुए कि देश में ही नहीं दुनिया के विभिन्न देशों के लोग भी वहाँ बहुत आते हैं और 35 रुपये प्रतिदिन के आवास के नहीं दे सकते हैं, सरकार सस्ते आवास की वहाँ पर जल्दी व्यवस्था करने की कृपा करेगी?

श्री पुश्पोलम कौशिक : मैंने निवेदन किया है कि जहाँ तक बौद्ध पर्यटन केंद्रों का सम्बन्ध है सरकार निश्चित रूप में उनमें बारे में विशेष ध्यान देगी। उनमें लिए मास्टर प्लान बना रहे हैं। कोशिश यह है कि जितनी जन्मदी हो सके हम वहाँ सभी आवास की व्यवस्था कर दें।

SHRI K. RAMAMURTHY: This question relates to star hotels. The Janata Government have announced a policy decision that they are going to implement prohibition throughout the country in four or five years. But, at the same time, I find that in awarding stars to a hotel, the attachment of bar is given extra marks. Will the Government come forward with a policy to scrap this condition of awarding extra marks to those hotels attached with bars?

श्री पुश्पोलम कौशिक : यह तो सरकार की जो मध्य निवेदन नीति बन रही है उस पर निर्भर करता है जो भी नीति होगी उसके मुताबिक हमें काम करना पड़ेगा।

**SHRI K. RAMAMURTHY:** If the Government want to introduce prohibition, how is it that they themselves impose a condition of awarding stars on the basis of the bar attached to the hostels?

श्री पुरुषोत्तम कौशिक : किसी होटल में मरम्माने के लिए कामिल कर देने पर कोई स्पेशल कलासिफिकेशन नहीं दिया जाता है।

**SHRI YESHWANTRAO CHAVAN.** This question is not exactly about hotels. I notice that an increasing number of school and college students come to see the capital of India, particularly during the session period or on other important occasions. I have come across many instances, when they had to stay on the platform of the Railway station because they had no other place to go. Will the Minister be pleased to make some arrangements, I would not call them dharamsalas, but some arrangement of that style, not one star or two star hotels but dormitories where the students can stay for two or three days. Will he make some such arrangements in the capital city of Delhi?

श्री पुरुषोत्तम कौशिक : मैंने बहुत खुशी हुई है कि माननीय सदस्य का मुकाबला इस विषय में हमको मिला। निश्चित रूप से सच्चार इस पर विचार कर रही है। यहां पर्युष होस्टल्स हैं, पूर्य होस्टल्स प्रोग्राम्योजन भी है और वहां पर बराबर या पर्यंतों के छहरने का प्रबन्ध होता है। जो पूर्य पूर्य में भी आते हैं, तो मैंने बताया कि उनको भी टीरिक 15 रुपये होगा। एक साथ अगर उन्हें आते हैं, तो एक कमरे में उनको और सत्ती जगह मिले, इसकी भी व्यवस्था की जा सकती है।

कैमिंग साइट्स भी यहां पर हैं, जिनका उपयोग दूरिस्त्र से किये जा सकता है। लेकिन जैसा मैंने नियेदन किया कि

सरकार बराबर ओर दे रही है कि यथ मरम्मेट को ठीक हो गे से बढ़ाने के लिये आवास व्यवस्था की आवश्यकता है जिससे एक जगह से दूसरी जगह जाया जा सके। मैं माननीय सदस्य को ध्यावस्त करना चाहता हूँ कि यथ मरम्मेट को बढ़ाने के लिए, यथ सोने के लिए सत्त्वं आवास की व्यवस्था जितनी जर्नी हो सकी हम करें।

**SHRI RAGAVALU MOHANARANGAM:** I come from one of the historical places. You have not allowed me to ask a question.

**MR. SPEAKER:** Every party has been given a chance. Your party has also been given.

**SHRI RAGAVALU MOHANARANGAM:** Even the size of the Member does not count!

**MR. SPEAKER:** That I know!

**SHRI RAGAVALU MOHANARANGAM:** My question will be very brief.

**MR. SPEAKER:** I have called the next question. No further discussion

**Memorandum from All India P & T and other Central Government Pensioners' Association**

**\*248 SHRIMATI PARVATHI KRISHNAN:** Will the Minister of FINANCE be pleased to state:

(a) whether he has received a memorandum from the All India Posts and Telegraphs and other Central Government Pensioners' Association regarding the restoration of pension from 3/8th level to 4/8th level after full recovery of Death-cum-Retirement Gratuity amount paid in lieu of 1/8th reduction; and

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

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

(b) In 1950, Death-cum-Retirement Gratuity was carved out by reducing pension from 4/8th to 3/8th of emoluments on the recommendation of the First Pay Commission and the amount so reduced was paid in lump sum to the retiring Government servant on the basis of its actuarial equivalent. However, the Pay Commission had at that time suggested this actuarial equivalent only to work out the quantum of Death-cum-Retirement Gratuity. Since then, the quantum of Death-cum-Retirement Gratuity has been increased on several occasions without any reduction in the amount of pension. On the recommendation of the Second Pay Commission, the rate at which Death-cum-Retirement Gratuity was calculated was increased from 9/20th of one month's emoluments to 10/20th, without a further reduction in the scale of pension. The maximum amount of gratuity was also raised from Rs. 22,500/- to Rs. 24,000/- subject to a limit of 15 months' pay. Again, the Third Pay Commission raised the maximum gratuity from 15 months' to 16½ months' pay and the overall limit of Rs. 24,000 was raised to Rs. 30,000. The latest position is that the maximum pension payable to a Government servant on retirement is 33/80th of the average of 10 months' emoluments and the maximum Death-cum-Retirement Gratuity, is 16½ months' emoluments, subject to the maximum limit of Rs. 30,000. It has also been decided to do away with the reduction of 2 months' pay from the Death-cum-Retirement Gratuity which was hitherto enforced as the employee's contribution towards family pension.

It would thus be clear that Death-cum-Retirement Gratuity is not the commuted value of a portion of the pension, and is a part of the scheme for retirement benefits to Central Government employees. It has, therefore not been possible to accept the

suggestion for restoration of 1/8th of the pension. The Association has also been informed accordingly.

SHRIMATI PARVATHI KRISHNAN: Is it not a fact that the death-cum-retirement gratuity scheme is a compulsory commutation and that by virtue of this the basic rate of 40/80 pension after full liquidation of death-cum-retirement gratuity stands a good claim for restoration? Therefore, why is it that those very few pensioners who happen to live beyond a certain age in their old age, cannot be given compensation or help by Government by final restoration of their pension? Virtually Government is taking money from them.

SHRI H. M. PATEL: These matters have been considered by three Pay Commissions and they have, as a result of the consideration, gone on raising the gratuity element. In the matter of retirement benefit, if it is suggested that this is in the nature of commutation of a portion of pension...

SHRIMATI PARVATHI KRISHNAN: Compulsory.

SHRI H. M. PATEL: There is no compulsion in this. Even when people commute their pension, if they live longer they cannot say that their commutation be treated as cancelled and they should continue to be given full pension. That is not a correct view and we have resisted this particular kind of request. The whole scheme is not on the question of commutation. It was taken up on a national basis by the Pay Commissions as to what the quantum of gratuity should be and successively while the pension remained unaltered, the gratuity has gone on increasing. Therefore, the Government has all along considered this question, the total quantum of retirement benefit which should be appropriate for the Government servants to have.

SHRIMATI PARVATHI KRISHNAN: It is well known that gratuity, by the very word of it, does not mean pension. Gratuity, if you go into the Gratuity Act, is a free gift for service. That being the case, how can the Minister keep on saying that you take the gratuity but please do not live beyond a certain number of years and if you live beyond a certain number of years, you will have to starve? After all, it is a small number who is affected. They should be given adequate consideration and adequate compensation and the pension should be given to them. Government should not be unfair or immoral by taking money from those who happen to live longer.

SHRI H. M. PATEL: I am glad that the hon. Member is living up to her normal attitude in these matters by saying that it is immoral and she has gone to the extent of saying that these pensioners are starving. This kind of exaggeration has no argument at all. As I explained, the question that the Government considers is only from the point of view of what is the reasonable quantum of retirement benefit which should be given and the retirement benefit in this case has been changed in this form.

SHRI RAGAVALU MOHANARANGAM: Whether it is a fact that thousands and thousands of employees who are working in the P & T are stagnating in their maximum pay and they have not got any promotion even after putting in 25 years of service. At the same time, they are not given any extra payment. What is the reason for that?

SHRI H. M. PATEL: It seems to me that they want the entire scheme of pension to be revised and, if so, certainly, it can be considered. But what I would say is that the pension scheme, as at present conceived, is perfectly fair and has been so accepted even by the Pay Commission.

SHRI RAGAVALU MOHANARANGAM: I am not asking about pension; I am asking about the pay-scales...

MR. SPEAKER: That does not arise.

PROF. P. G. MAVALANKAR: The hon. Finance Minister will agree that we have already launched the idea of a Welfare State and an increasing number of health services which imply that longevity is going to be higher and higher. I hope, he will have to agree with me on this point. If that is so, should the Government not think in terms of relaxing and revising some of the age-old and rigid rules of pension and gratuity and bring them in tune with the new expectations of life in this country? Secondly, would he also not agree with me that although the Government on one hand goes on giving periodically hikes to regular Government servants while they are in employment in terms of additional D.A. etc., a large number of retired Government servants remain almost stuck up at a particular pension amount? I do not know whether the Minister himself gets a pension or not. A large number of retired Government servants get stuck up at a particular pension amount. They are never considered for any hike although a number of Pay Commissions go on giving hikes to regular Government servants while they are in employment.

Sir, you are coming from Bangalore. You know Sir that Bangalore, Pune, Ahmedabad, Bombay and many other places are full of a large number of retired pensioners, some of whom, and even beyond the age of 80, are doing useful service by writing articles for newspapers and letters to Editors and all sorts of things. They are doing good work. Therefore, in the interest of democracy also, the Government should see that these old seasoned people giving their experience through some of these things are paid adequately so that they can live honourably. What is the Government's attitude to that?

SHRI H. M. PATEL: The hon. Member has made a small speech in sup-

port of the pensioners. As a pensioner, I am very glad that he is taking interest in the welfare of the pensioners. May I point out to him that we do take into account the fact of longevity, etc. and there is a continuous revision of the commutation table, etc. As regards dearness allowance, pensioners do get certain increases in their pensions taking into account higher cost of living index. But having said that, when you refer to the fact that our aim is a Welfare state—certainly, it is our aim—we have to cut our coat according to the cloth available, that is, the resources of the country must always be kept in mind. Whatever welfare activity that the Government may undertake, it must also take into account the resources of the country. I think, this cannot be forgotten.

**SHRI JYOTIRMOY BOSU:** The Minister is talking about resources. How much is the uncollected tax arrear at present?

**M.R. SPEAKER:** That is not to be answered

**SHRI H. M. PATEL:** I will not answer that.

#### Export Targets for Engineering Goods

\*249. **SHRI CHITTA BASU:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the Engineering Export Promotion Council have fixed the export targets for engineering goods for the Eastern Region at Rs. 120 crores and Rs. 140 crores for 1977-78 and 1978-79 respectively;

(b) if so, whether Government consider it necessary to improve the rate of capacity utilisation to fulfil the target; and

(c) if so, the steps Government have taken or propose to take for speedy improvement in this regard?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BAIG):** (a) The Eastern Regional Committee of the Engineering Export Promotion Council has fixed an export target of Rs. 50 crores for 1977-78 and Rs. 175 crores for 1978-79.

(b) Capacity availability is not a constraint in the way of fulfilment of the targets. But, better capacity utilisation will improve the viability of firms, and, hence, their capability for increased export efforts.

(c) Improved capacity utilisation depends on factors like availability of power, availability of raw materials, good labour relations, effective management operations, etc. The Ministries of Government concerned with these matters are continuously taking steps to bring about improvement.

**SHRI CHITTA BASU:** I think the hon. Minister is quite a knowledgeable person in this respect also. May I know whether he is aware of the fact that the entire eastern region of our country accounted for 66 per cent of the total export of our engineering goods about a decade ago, namely, 1960 and it had dropped down to a figure of only 15 per cent in the year 1975-76? Whether he is also aware of the fact that during the last ten years, the export of engineering goods in the country increased by 14-fold whereas in the case of eastern region, it has increased only by three-fold. Having regard to all these things, I also want to give other facts about the total manufacturing units in West Bengal. As far as those units are concerned, there was a decline in export from 23.5 per cent to 16.9 per cent. So far as production capital is concerned, it was 30 per cent ten years ago. Now it has dropped down to 22.2 per cent. So far as employment potential is concerned, it was 33.2 per cent ten years ago. Now it has dropped down to 19.6 per cent. In view of all this, may I know from the hon. Minister, what concrete, particular and specific steps Government

has so far taken or proposed to take in the interest of the country as a whole? I also want to know what particular steps Government has taken or proposes to take in the matter of revitalising the engineering industry as a process of rejuvenating it which I may be permitted to say.

**SHRI ARIF BEG:** It is true that due to many problems in that area, production has come down. Government has taken many steps for the improvement of these conditions. Slackness in demands was being experienced by the engineering industry for about two years. In the past, this slackness in demand had been experienced by other industries as well. There is the example of the textile industry. The lower purchasing power in the hands of the people and the relatively lower production in the five years plan has been responsible for.....

**MR. CHAIRMAN:** The answer is not to the question.

**THE MINISTER OF COMMERCE & CIVIL SUPPLIES AND COOPERATION (SHRI MOHAN DHARIA):** I do appreciate the concern of the hon. Member and I need not go into the political history of the last ten years why production has come down in West Bengal and in the eastern region. Mr. Chitta Basu knows the reasons much better than I do. (*Interruptions*) There are several problems. One problem is of input, power, communications and the other inputs required for the industrial growth. The second is the labour relationship. The third is the proper management in every sphere. There was a sudden setback. But as the export has increased within two years, it is obvious that gradually the industrial movement has started picking up and so also export. That is the reason why, as has been stated in the original reply, as against the export of Rs. 66 crores last year, this year, it is planned to have an export to the tune of

Rs. 150 crores. For the next year it is Rs. 175 crores. This very fact that additional exports are envisaged reflects that it is because of certain steps taken by the Government that the production has started yielding results. And it shall be the endeavour of the Government to see that this eastern sector does not suffer any longer.

**SHRI CHITTA BASU:** There are small engineering industries particularly in Howrah and other places. What particular steps Government propose to take for the rejuvenation of those small engineering industries?

**SHRI MOHAN DHARIA:** Here also it is the policy of the new Government to give all possible protection to the small scale units. My colleague, Shri George Fernandes, has stated on the floor of the House the various steps being taken by the Government to give all possible protection to small units. If I may quote, the number of exporters which was 177 has gone up to 290, and by and large most of them are in the small scale sector.

#### WRITTEN ANSWERS TO QUESTIONS

##### Special Monetary Grant to States

\*244. **SHRI MOHD. HAYAT ALI:** Will the Minister of FINANCE be pleased to state:

(a) whether some State Governments have approached the Central Government for a special monetary grant;

(b) if so, the names of the States and the amount demanded;

(c) whether the West Bengal Government have also requested for the same grant in order to solve some outstanding problems of the West Bengal; and

(d) the reaction of Government thereto?

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

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

(c) The Government of West Bengal requested for Rs. 49 crores to cover part of the gap in resources for the Annual Plan 1977-78.

(d) In most cases, the State Governments have requested for Central assistance to cover gaps in resources or to meet the expenditure necessitated by natural calamities. Gaps in resources have resulted from shortfall in mobilisation of additions, 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 Plans. To enable the States to maintain the 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 Plan assistance. It is expected that the States will be able to cover the remaining half of the gap through their own efforts such as economy in non-Plan expenditure, improvement in receipts, collection of dues, etc. The position is proposed to be kept under review.

Advance Plan assistance to meet expenditure necessitated by natural calamities is decided on the recommendations of the Central Teams which visit the affected States. In the current year, Central Teams have visited Assam, Gujarat, Haryana, Himachal Pradesh, Karnataka, Orissa, Rajasthan and Uttar Pradesh and West Bengal and the amounts of advance Plan assistance recommended by them have been allocated to the States. A Central Team has just concluded its visit to Andhra Pradesh, and another Central team is at present studying the situation in Tamil Nadu. A Central Team will be sent to Kerala shortly.

#### Statement

##### *Requests from State Governments for Special Central assistance*

State	Amount (Rs. crores)
1. Andhra Pradesh	30.00 Exclusive of amount for Cyclone relief.
2. Assam	74.37
3. Bihar	135.00
4. Gujarat	116.39
5. Haryana	109.03
6. Himachal Pradesh	8.89
7. Karnataka	— Unspecified amount for covering gap in resources.
8. Kerala	21.00 Exclusive of amount for cyclone relief.
9. Madhya Pradesh	79.00 and unspecified amount for drought relief expenditure incurred last year.

	State	Amount (Rs. crores)
10. Maharashtra	36.00	
11. Manipur	10.00	
12. Orissa	76.59	
13. Punjab	2.00	
14. Rajasthan	80.03	
15. Tamil Nadu	41.15	Exclusive of amount for cyclone relief.
16. Tripura	19.25	
17. Uttar Pradesh	75.00	
18. West Bengal	49.00	

**Irregular Advances made by Allahabad Bank**

\*250. SHRI KANWAR LAL GUPTA: Will the Minister of FINANCE be pleased to state:

(a) whether Government have received any complaint of irregular advances made by Allahabad Bank;

(b) if so, the details thereof along with the names of the companies to whom such advances were made and the amount given as loan to them;

(c) whether it is a fact that some advances were made at a lower rate and against stock of fertilizers, which were ultimately found containing sand and salt; and

(d) if so, the details thereof and the action taken by Government?

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

(b) The information sought relates to the affairs of the constituents of the bank which cannot be divulged in accordance with the practices and usages customary among bankers and also in accordance with the provisions in the statutes governing public sector banks.

(c) and (d). Allahabad Bank has reported having one advance account wherein a cash credit limit was sanctioned against pledged stocks which were ultimately found to contain sand and salt

Allahabad Bank has also reported having filed a First Information Report with the Police authorities against the proprietor of the borrowing firm as soon as the irregularity came to its notice. Detailed investigation in the entire case was also carried out by an officer from the Head Office of the Bank and, based on his findings, necessary action has already been initiated against the concerned staff at various levels. A Civil Suit has also been filed by the bank against the proprietor of the borrowing firm for the recovery of its dues. The bank has also taken steps, such as, creation of an equitable mortgage of the immovable properties of the borrower in favour of the bank, to safeguard its interests.

**Foreign Aid negotiated with World Bank**

\*251. SHRI EDUARDO FALEIRO: Will the Minister of FINANCE be pleased to state:

(a) what is the total amount of foreign aid negotiated or being nego-

tiated by the Government with the World Bank;

(b) in what manner and for what purposes will those several loans and grants be utilised; and

(c) what steps have been taken to prevent the foreign donors from determining the allocations of resources for projects and programmes in the high priority sector and to prevent the foreign private capital from laying down the terms and conditions for the development of the export-oriented industrial sector?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). The total amount of aid indicated by the World Bank/International Development Association for their fiscal year July 1, 1977 to June 30, 1978 at the time of the Indian Consortium meeting held in July 1977 is of the order of US \$1100 million.

This order of commitments from the Bank Group will be utilised for development purposes in the form of specific projects in the fields of irrigation, power, agriculture, railways, and other priority sectors.

(c) The selection of projects and programmes to be posed to the foreign donors and allocations of resources for them is made by the Government, keeping in view our own national priorities and objectives. The terms and conditions of external assistance for such projects and programmes are as mutually agreed upon at the time of negotiations. The terms and conditions of foreign private investments are laid down by the Government and not by the foreign investors.

#### More Airbuses for Indian Airlines

\*252. SHRI G. V. KRISHNAN. Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Indian Airlines has decided to go in for some more airbuses; and

(b) if so, the details regarding the performance of airbus which is already in possession and the details regarding the amounts earned so far?

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

(b) The Airbus 300 B2 aircraft, during its operation, has been found economical in operation and technically reliable. The gross revenue earned from April, 1977 to September 1977 amounts to Rs. 21.12 crores, whereas the total cost of operation is estimated at Rs. 18.78 crores, leaving an estimated profit of Rs. 2.34 crores.

#### Demands of Employees of General Insurance

\*253. SHRI K. A. RAJAN:  
SHRI SAMAR MUKHERJEE:

Will the Minister of FINANCE be pleased to state:

(a) whether the General Insurance employees all over the country went on a two-hour strike on October 14, to press their demands;

(b) whether the negotiations opened with the representatives of unions by the management failed to bring about any satisfactory results to the employees; and

(c) if so, the details thereof and what efforts have been made by Government to arrive at an early settlement?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) to (c). Yes, Sir. All sections of General Insurance employees including officers went on two hours strike on 14-10-1977 to press their various demands which, inter alia included payment of bonus for the years 1974 and 1975 at the rate of 15 per cent and for the year 1976 at

the rate of 20 per cent, restoration of provident fund cut, restoration of sick leave rules and security of employment and ensuring minimum wage level to development employees. The discussions held from 5th to 11th October, 1977 on their various demands, between the management of the General Insurance Corporation and the representatives of unions/associations of employees remained inconclusive. However, the demands of the employees in the light of the discussions held are being looked into by the General Insurance Corporation in consultation with the Government keeping in view the existing wage-structure and other conditions of service etc. of employees in similarly placed public sector undertakings.

**Use of 'Dharamsalas' as Tourist Housing Facility**

\*254. SHRI SUKHDEO PRASAD VERMA:

SHRI AHMED M. PATEL:

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

(a) whether at the recently held conference in Delhi of the State Tourism Ministers, the question of using 'Dharamsalas' as tourist housing facility was discussed; and

(b) if so, what are the details thereof and the necessary action likely to be taken to improve the condition of the 'Dharamsalas'?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOT-TAM KAUSHIK): (a) and (b). Yes, Sir. Discussions were held during the conference of State Ministers of Tourism in August, 1977 in Delhi regarding utilisation by tourists of the accommodation provided by Dharamshalas and Sarais constructed in the country by different agencies. Since the subject required more detailed consideration the State Chief Ministers have been requested to conduct a comprehensive survey of Dharamshalas in their States and based on the findings,

make planned efforts for their improvement. It has also been suggested that the religious trusts/institutions concerned may be requested to utilise their funds in constructing new Dharamshalas where necessary. To achieve this objective, the State Governments have been requested to consider: (a) amending/enacting appropriate laws; (b) extending financial assistance; (c) constituting region-wise committees to programme the construction of new Dharamshalas and improvements to the existing ones.

**Fish catch from Coastal areas of Tamil Nadu and Kerala**

\*255. SHRI K. T. KOSALRAM: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) how much of catch of prawn fish was obtained from the coastal areas of Tamil Nadu and Kerala and how much foreign exchange was earned therefrom during the three previous operations, separately;

(b) whether Government are aware that most of prawn from Tamil Nadu is exported from Cochin; and

(c) if so, whether Government propose to consider giving necessary facilities for exporting prawn fish through Tuticorin or Negapatam Port?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BAIG): (a) A statement is laid on the table of the House.

(b) At present, most of the prawns from the coastal areas of Tamil Nadu are exported from ports in Tamil Nadu itself. However, depending upon the availability of sailings and refer space frozen prawns etc. processed in Tamil Nadu are occasionally exported from Cochin.

(c) At present Madras is the major location for export of frozen prawns from Tamil Nadu. There is very lit-

tile scope for developing Tuticorin and Nagapattinam ports for export of prawns as the volume offered for export at these places is not adequate

for reefer vessels to call at these ports. A self contained fishing harbour at a cost of Rs. 210 lakhs has already been constructed at Tuticorin.

#### Statement

Year	Catch of Prawn		Foreign exchange earnings from export of prawn through ports	
	in Tamil Nadu	in Kerala	in Tamil Nadu	in Kerala
	(in tonnes)		(Rs. in crores)	
1974 . . . . .	8,106	60,829	7.62	40.96
1975 . . . . .	12,033	77,962	11.49	55.96
1976 . (Provisional)	10,350	34,533	21.76	81.44

#### Representative Office of American Bank in India

\*256. SHRI M. N. GOVINDAN NAIR: Will the Minister of FINANCE be pleased to state:

(a) whether Government have allowed an American bank to convert its representative office in the capital into a fulfledged branch; and

(b) if so, the name of the said bank and other details in this regard?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). The Bank of America was originally permitted by the Reserve Bank of India to open a branch in New Delhi in June 1969. Instead of a branch, it opened a Representative Office in New Delhi in February, 1970. In June, 1977, the Bank of America was permitted to convert its Representative Office at New Delhi into a branch.

#### Reduction in the Price of Coffee Powder

257. SHRI S. S. SOMANI:  
SHRI D. B. CHANDRE  
GOWDA:

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

(a) whether there has been some reduction in the price of coffee powder; and

(b) if so, the steps taken by Government to reduce the price of coffee particularly the price per cup to make it easily available to the common people?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BAIG): (a) Yes, Sir.

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

#### Statement

The Coffee Board has taken the following steps to ensure the supply

of coffee to the public at reasonable rates:

(i) In 1976, 38,000 tonnes of coffee was released for internal consumption as against 51,538 tonnes which was exported. During the year 1977, when production will exceed 100,000 tonnes, it is estimated that 45,000 tonnes will be made available for internal consumption and 58,000 to 60,000 tonnes will be exported. This will ensure adequate supplies in the internal market.

(ii) The system of internal distribution adopted by the Coffee Board ensures release of adequate quantities of coffee mainly through pool auctions and direct distribution to retailers, Co-operative Societies and local sale depots etc.

(iii) Blended coffee powder is being sold through the propaganda units of the Coffee Board at the rate of 11.60 per kilo (inclusive of sales tax and packing charges). Coffee Board has fixed the maximum retail rates per kilo for coffee sold through Co-operative Societies, authorised dealers, receiving allotment of Coffee from the Coffee Board.

(iv) Inspections are made of Co-operative Societies and local sales depots etc. to ensure that coffee is sold at retail prices fixed by the Board.

As a result of these measures, the prices at which coffee powder is being sold has remained steady and have shown a slight decline, as of late.

#### भारतीय रूपये का अवमूल्यन

\*258. श्री रीतसाल प्रसाद बर्मा : क्या विन मंत्री यह बनाने गी कृपा करेंगे कि :

(क) वर्ष 1947 से 1976 तक की विदेशी रुपये में कितनी बार किस दर से और किस के नेतृत्व में भारतीय रूपये का अवमूल्यन हुआ;

(ख) इसके परिणामस्वरूप भारत पर विदेशी रुपये में, देशवार, कितनी वृद्धि हुई; और

(ग) अमरीकी डालर, इंडिया पौंड और रूपी रुपये की तुलना में भारतीय रूपये के मूल्य में कितनी वृद्धि हुई है ?

विस तथा राजस्व और बंकिंग मंत्री (श्री एच० एम० पटेल) : (क) वर्ष 1947 से 1976 तक की विदेशी रुपये का अवमूल्यन दो बार किया गया था। पहला अवमूल्यन, जो 30.52 प्रतिशत का था, मितम्बर, 1949 में किया गया था, जब स्वर्गीय श्री जवाहरलाल नेहरू प्रधान मंत्री थे। दूसरा अवमूल्यन जो 36.5 प्रतिशत का था, 6 जून, 1966 को किया गया था जब श्रीमती डंडिंगा गांधी प्रधान मंत्री थी।

(ख) वर्ष 1949 में भारत पर कोई विदेशी रुपये नहीं था, इसलिए 1949 के अवमूल्यन के कारण भारत पर विदेशी रुपयों का भार बढ़ने का सवाल पैदा नहीं होता। अवमूल्यन में विदेशी मुद्रा के रूप में भारत द्वारा नियंत्रण गये विदेशी रुपयों की राशि में कोई परिवर्तन नहीं हुआ परन्तु 1966 में किये गये अवमूल्यन में रूपयों के रूप में हमारे विदेशी रुपये भार में 57.5 प्रतिशत की वृद्धि हुई।

(ग) चूंकि अवमूल्यन का अभिन्नाय मूल्य में कमी होता है, अतः रूपए के अवमूल्यन के कारण विदेशी मुद्राओं की तुलना में भारतीय रूपये के मूल्य में वृद्धि होने का सवाल पैदा नहीं होता।

### Bilateral Trade with U.S.S.R.

\*259. SHRI R. P. DAS: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether with the sharp increase in the volume of bilateral trade with the Soviet Union since 1975, India has been losing a great deal in commercial transactions in comparison to USA and UK;

(b) if not, how India is being benefited by the said bilateral trade with the USSR; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BAIG): (a) to (c). The statistics of India's trade with the USSR are available for the calendar years 1975 and 1976. According to these statistics, the trade has come down from the level of Rs. 755 crores in 1975 to Rs. 685 crores in 1976. The terms of trade with the USSR are not substantially different from those with the rest of the world, including USA and UK. Trade with USSR has given us an assured important market for some important commodities, such as tea, tobacco, coffee, etc., helped to stabilise prices and units realisation, and has served to introduce our manufactured goods into the world market. On the import side, it has provided us important capital goods as well as essential raw materials and goods, such as asbestos, fertilizers, kerosene and diesel oil, newsprint, non-ferrous metals, etc. and crude oil without outgo of foreign exchange.

राज्यों में शुल्क पत्तनों की स्थापना का प्रस्ताव

\*260. श्री मनीराम बाणी : क्या वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्री पह बताने की कृपा करेंगे :

(क) क्या सरकार का विचार निकट भविष्य में कुछ राज्यों में शुल्क पत्तनों की स्थापना करने का है ;

(ख) यदि हां, तो उन राज्यों के नाम क्या हैं ; और

(ग) इस सम्बन्ध में सरकार क्या कार्यवाही कर रही है ? और इस मामले में कब तम निर्णय लिये जाने की मम्भावना है

वाणिज्य तथा नागरिक पूर्ति और सहकारिता संचालन में राज्य मंत्री (श्री पारिक बेग) : (क) में (ग). उत्तरी क्षेत्र में शुल्क पत्तन स्थापित करने के प्रश्न पर सरकार कुछ समय में ध्यान देती रही है। ध्यानपूर्वक विचार करने वाले सरकार इस निष्कार्य पर पहुंची है कि देश की अर्थ-व्यवस्था की वर्तमान स्थिति को दबाने द्वारा यह पर्यावरण तात्कालिक प्राथमिकता की नहीं है। इसलिए सरकार ने इस विषय पर निर्णय स्थिति रखने का दर्शन किया है।

### International Drug Smuggling Racket

\*261. SHRI S. R. REDDY: Will the Minister of FINANCE be pleased to state:

(a) whether an international drug smuggling racket has been busted;

(b) what is the quantity of hashish and hashish oil forfeited; and

(c) what steps are taken to seize further stocks of smuggled drugs reported to be in India?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL): (a) and (b). Yes Sir. Recently, the Directorate of Revenue Intelligence with the assistance of Drug Enforcement Administration of the United States were successful in smashing an international gang of hashish and hashish oil smugglers which was operating between Nepal and the USA via India. By

these operations, 41.1 kgs. of hashish, 36.05 kgs. of hashish oil and 0.25 kg. of ganja totally valued approximately at about Rs. 45.00 lakhs were seized on 14th October, 1977.

(c) On verification, it was reported that there were no further stocks of smuggled hashish which could be seized. However, the enforcement agencies are maintaining a careful watch to prevent any attempt to smuggle these items into the country.

**India's participation in 5th Tehran International Trade Fair**

\*262. DR. VASANT KUMAR PANDIT: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) if it is a fact that India participated in the 5th Tehran International Trade Fair in September, 1977;

(b) how many Indian Business and Industrial units participated in this Fair and what part did Government play in display of Indian goods in this fair;

(c) the total expenditure incurred in participating in this fair and the actual booking of orders from India and value thereof;

(d) the number of traders and orders anticipated from the pending negotiations; and

(e) is it true that most of these orders are nearly repeat orders of previous business contract?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BAIG): (a) Yes, Sir.

(b) Seventy Indian firms including Public Sector Undertakings and renowned private industrial units participated in the Fair. The Trade Fair Authority of India on behalf of the Government made detailed arrangements for participation, namely selection, collection and transportation of exhibits as well as construction and setting up of the Indian Pavilion in Tehran and provided facilities for trade negotiations.

(c) The total estimated expenditure incurred on participation in this fair is Rs. 23.75 lakhs which includes foreign exchange element of Rs. 16.25 lakhs. Export orders backed by Letters of Credit to the extent of Rs. 2.84 crores were booked by the participants.

(d) The number of foreign traders were fifty and the orders of over Rs. 7.4 crores are anticipated from the pending negotiations with them.

(e) No, Sir.

**Import of Gold to stop Smuggling**

\*263 SHRI G. M. BANTAWALLA. SHRI UGRASEN:

Will the Minister of FINANCE be pleased to state:

(a) whether there is any proposal under consideration of the Government to import Gold to stop smuggling of this high priced metal and to meet the growing demand of the people;

(b) if so, broad outlines of the proposal; and

(c) its effect on country's foreign exchange?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL): (a) to (c). Suggestions had been made in the Consultative Committee of the Ministry of Finance that Government should consider the advisability of importing gold as one of the methods for containing smuggling. Those suggestions had been noted. Government have so far taken no decision in the matter.

**Threats of dire consequences received by top Officials of Anti-Smuggling Organisation**

\*264. SHRI M. KALYANASUNDARAM: Will the Minister of FINANCE be pleased to state:

(a) whether some top officials in the anti-smuggling organisation of the Revenue Departments have been receiving threats of "dire consequences" from anonymous persons;

(b) whether these threats have immobilised the anti-smuggling set-up in the country and the worth of smuggled goods seized has been showing a declining trend for the last few months; and

(c) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL): (a) Reports received by the Government do not indicate that any top officials of the anti-smuggling organisation of the Department have been receiving threats of "dire consequences". However, recently, a few instances of threatening anonymous telephone call to some officials have been reported.

(b) and (c). No Sir. However, the anti-smuggling set up has been suitably strengthened and reinforced and the menace of smuggling has been effectively contained. As a result, the value of goods seized by the preventive agencies has shown a declining trend. As against goods worth Rs. 36.00 crores seized in 1976, the goods seized in 1977 (upto September) are worth only Rs. 20.00 crores. On the other hand, the inward remittances (non-trade) of foreign exchange have shown a sharp increase during the current year.

सट्टा समाप्त किया जाना

2303. डॉ रामचंद्र सिंह: क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सट्टा प्रधा गंधीजीदी अर्थ-व्यवस्था के खिलाफ है जिसके प्रति जनता सरकार बचनबद्ध है ; और

(ख) यदि हाँ, तो क्या सरकार का विचार सट्टा प्रधा पूर्ण रूप से समाप्त करने हेतु सक्त कदम उठाने का है ?

वित्त तथा राजस्व और बैंकिंग मंत्री (भी एच.एम.पटेल) : (क) और (ख) वस्तुओं में वायदे के साथ जो ऊपर से सट्टे जैसे दिखाई देते हैं—जैसी कई प्रकार की व्यापारिक गतिविधियों का प्रभाव स्थिरता लाने वाला हो सकता है क्योंकि उनसे कीमतों में होने वाली अन्तरमोसमी घटबढ़ बरगदर हो जाती है। तथापि कुछ परिस्थितियों में, वायदे के मौदंडों का परिणाम भी अव्याप्तियों हो सकता है। इस प्रकार की गतिविधियों पर सरकार लगातार निगरानी रखती है और स्थिति के अनुसार उन पर पाबन्धी लगाती है अथवा उनकी अन्यथा विनियमित कर देती है।

सरकारी उपकरणों को हृदई हानि

2304. श्री राधवजी : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय केन्द्रीय सरकार के कुल कितने उपकरण चल रहे हैं ;

(ख) वर्ष 1975-76 और 1976-77 में प्रत्येक उपकरण में कुल कितनी हानि हृदई और उक्त अवधि के दौरान प्रत्येक उपकरण को कितनी शुद्ध हानि हृदई ; और

(ग) इस हानि बाने उपकरणों में कुल कितनी पूंजी लगी है और उनमें कितने कर्मचारी काम कर रहे हैं ?

वित्त तथा राजस्व और बैंकिंग मंत्री (भी एच० एम० पटेल) : (क) 31-3-1977 को बैंकीय सरकार के 135 चालू उद्यम थे ।

(ख) और (ग). अनेकित सूचना अनुबन्ध में दी गई है। [प्रन्थालय में रखा गया। दस्तिये संख्या एस टी—1244/77.]

एडवाम इंश्योरेंस कंपनी, बम्बई द्वारा कर्मचारों का बीमा

2305. श्री दयाराम शास्त्री : वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) एडवाम इंश्योरेंस कंपनी, बम्बई, द्वारा किनी कर्मचारों तथा कारखानों का बीमा किया गया ;

(ख) गत दो वर्षों में कम्पनी को दिन किन कर्मचारों तथा कंपनियों को मध्यावजा देना पड़ा तथा प्रत्येक को वित्तना कितना; और

(ग) उसकी कितनी शाखाएँ हैं और उनमें कितने कर्मचारी काम करते हैं ?

वित्त तथा राजस्व और बैंकिंग मंत्री (भी एच० एम० पटेल) (क) से (ग) सूचना उपलब्ध नहीं है। बीमा अधिनियम 1938 के अन्तर्गत एडवाम इंश्योरेंस कंपनी लिमिटेड का पंजीकरण (नवोकरण न कराये जाने के कारण) 20-3-76 से रद्द कर दिया गया था जिससे उसे नया कारोबार करने की मनाही कर दी गई। अदालत ने आदेश के अनुसार 28-10-1970 को कम्पनी की साधितिक जमा राशि वापस कर दी गई और उस तारीख से बीमा अधिनियम, 1938 के उपर्योग के अधीन यह कम्पनी बीमा कम्पनी नहीं रही।

Resolution passed by Indian Meteorological Workshop Union Pune Branch opposing the Recommendations of Ramanna Committee

2306. SHRI R. K. MHALGI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have received a copy of the resolution passed on 12th September, 1977 by the General Body of India Meteorological Workshop Union of Pune Branch opposing the recommendations of Ramanna Committee; and

(b) if so, what action have Government taken or propose to take in regard to the said resolution?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI MURUSHOOTAM KAUSHIK): (a) Yes Sir

(b) The views of the Union will be taken into account before Government decisions on the recommendations of Ramanna Committee are taken.

#### House Rent Allowance to Government Employees Working in Mizoram

2307. DR. R. ROTHUAMA: Will the Minister of FINANCE be pleased to state:

(a) whether House Rent Allowance have never been paid to the Government employees working in the Mizoram Government whereas the same has been and is being paid to all other Government Employees working in other States and Union territories;

(b) if so, the reasons for such discrepancies with respect to Mizoram Government employees; and

(c) whether immediate steps are proposed to be taken to restore their House Rent Allowance with retrospective effect?

**THE MINISTER OF FINANCE AND BANKING (SHRI H. M. PATEL):** (a) to (c). The classification of cities for the payment of house rent allowance to the Central Government employees is made according to their population. Only cities which have a minimum population of 50,000 and above as per the last decennial census are eligible for classification for the payment of house rent allowance to the employees. No house rent allowance is being paid to Central Government employees working in Mizoram, as none of the cities in Mizoram qualifies for classification on this basis

**House Rent Allowance to P & T Employees working in Ratnagiri City, Maharashtra**

2308. **SHRI BAPUSAHED PARULE-KAR** Will the Minister of FINANCE be pleased to state:

(a) whether the Third Pay Commission has recommended that house rent allowance may be sanctioned to the employees of Central Government working in costly cities and towns even though the population of such places is less than fifty thousand;

(b) whether Government are aware that the accommodation problem in Ratnagiri City in Maharashtra is very acute and the living is very costly;

(c) whether Government propose to give house rent allowance to P&T employees serving in Ratnagiri City in Maharashtra; and

(d) if so, when and if not the reasons for the same?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) Regarding the payment of House Rent Allowance to the Central Government employees, the Thirteenth Pay Commission had recommended as follows:—

(i) The Government should take houses on long lease and make residential accommodation available to

its employees on payment of 10 per cent of their pay.

(ii) Government should lay down appropriate rates of house rent allowance for different cities and towns not on the criterion of population but on the basis of the prevailing levels of rent. Alternatively, notional rent for different types of accommodation meant for employees in specified pay groups should be laid down for different cities and towns. The difference between the actual rent paid and 10 per cent of the pay should be reimbursed provided the actual does not exceed the notional rent; where it does, the extent of reimbursement will be limited to the difference between the notional rent and 10 per cent of the pay.

(iii) Till the Government is able to make the above mentioned arrangements the rates of House Rent Allowance should be as follows:

Class of city/ Rate of House Rent town Allowance (H.R.A.)

A, B-1 and B-2	15 per cent of pay subject to a maximum amount of Rs. 400 as house rent allowance.
C Class	7½ per cent of pay subject to a maximum amount of Rs. 200 as house rent allowance.

Government has decided to accept the recommendation at (iii) above.

(b) to (d). Only cities which have a minimum population of 50,000 as per the last decennial census are eligible for classification for the payment of house rent allowance to the employees. As per 1971 census, the population of Ratnagiri in Maharashtra State was 37,551 and as such it does not qualify for classification for payment of house rent allowance to the Central Government employees including the P & T employees serving there.

**Parity in Pay Scales between Employees of Chefair and Hotel Industry/Air India**

**2309. SHRI MADHAVRAO SCINDIA:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Chefair is an independent organisation or under Hotel Industry or a part/sister concern of Air India;

(b) whether it is true that service conditions, pay scales and other benefits of Chefair employees are lower than of Hotel Industry or Air India employees;

(c) whether there is any proposal to equate the Chefair with Hotel Industry/Air India in near future; and

(d) if not, the reasons thereof?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) Chefair is owned and managed by Hotel Corporation of India which is a wholly owned subsidiary of Air India.

(b) The pay scales/total emoluments and other benefits of the Chefair employees are comparable to those in most of the hotels, including those of India Tourism Development Corporation and hotels in the Hotel Industry.

(c) and (d). There is no proposal for equating Chefair with Air India. Chefair being a unit of Hotel Corporation of India, it would have to be treated under catering Industry in so far as pay scales and other working conditions and benefits are concerned.

**Opening of Janata Hotels during 1977-78**

**2310. SHRI GANANATH PRADHAN:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the type of Janata hotels and their number which will be opened in the year 1977-78; and

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

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) It normally takes two years to complete the construction of a hotel after the project is finalised. Hence no Janata Hotel will be opened during 1977-78 in the country.

(b) (i) Guidelines have been prepared and are being sent to interested parties.

(ii) A number of models of different sized hotels will be prepared for guidance and made available to interested parties.

(iii) Subject to availability of funds, a few Janata Hotels will be built by the Central Government.

(iv) The norms specified by the Central Department of Tourism for granting approval to hotels are being reviewed to cover Janata hotels.

(v) A proposal is under examination for grant of interest-differential subsidy to hotels for loans obtained from financial institutions and nationalised banks.

**केन्द्रीय सरकारी कर्मचारियों के बेतनमानों में विषमता**

**2311. श्री हुकम चन्द कथवायः**  
क्या दित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्र सरकार के विभिन्न कार्यालयों तथा उपकरणों में एक समान पदों पर काम कर रहे कर्मचारियों के बेतनमानों में बड़ी विषमता है ; और

(ब) अधिव्य में इन वेतनमालों में एकरूपता लाने के लिए सरकार का क्या कार्यवाही करने का विचार है ?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एस० एम० पटेल) : (क) और (ख). इस सम्बन्ध में लोक सभा में 17-6-77 को इसी प्रकार के प्रतारांकित प्रश्न संभवा 830 के संबंध में दिए गए उत्तर की ओर ध्यान दिलाया जाता है। यह भी उल्लेख कर दिया जाए कि सरकार ने दिनांक 13-10-77 के संकल्प द्वारा वेतन, आय और मूल्यों के संबंध में, श्री एस० भूतलिंगम की अध्यक्षता में एक अध्ययन दल की स्थापना की है। अध्ययन दल वेतन, आय और मूल्यों के संबंध में नीति का एक समीक्षा दल करेगा और इस नीति का मसीदा बनाते सभी अध्ययन दल निम्नलिखित मामलों पर विचार करेगा :—

(i) न्यूनतम वेतन कितना होना चाहिए और न्यूनतम वेतन का निर्धारण करने के लिए क्या प्रतिमान अपनाए जाएं।

(ii) क्या न्यूनतम वेतन एक समान होना चाहिए या उसमें निम्नलिखित के बीच अन्तर रखा जा सकता है :—

(क) कृषि, उद्योग और सेवाएं

(ख) संगठित और असंगठित क्षेत्र

(ग) शहरी और ग्रामीण क्षेत्र

(घ) विभिन्न राज्यों/क्षेत्रों के बीच

(ङ) संगठित क्षेत्र के विभिन्न नियोक्ताओं के बीच

(iii) न्यूनतम वेतन और अधिकतम वेतन के बीच अन्तर निर्धारित करने के लिए क्या सुसंगत मानदंड होने चाहिए और क्या न्यूनतम वेतन और अधिकतम वेतन के अनुपात सभी क्षेत्रों के लिए एक समान होना चाहिए या ऊपर पैरा (ii) में बताए गए क्षेत्रों के बीच वह अलग-अलग रखा जा सकता है।

(iv) अधिकतम आय का निर्धारण करने के लिए क्या मानदंड अपनाए जाएं और अधिकतम आय और अधिकतम वेतन के बीच क्या संबंध होना चाहिए।

(v) वेतन और आय और मूल्यों के बीच कैसे सम्बद्धता रखी जाए, और इस विषय में निजी एवं सार्वजनिक क्षेत्रों में महंगाई भर्ते के नियमन की वर्तमान व्यवस्था की समीक्षा।

(vi) प्रस्तावित वेतन, आय और मूल्य-नीति के उद्देश्यों की प्राप्ति के लिए क्या-क्या वित्तीय, आर्थिक और अन्य नीतियां अपनाई जाएं।

(vii) क्या प्रस्तावित वेतन, आय और मूल्य नीति को लागू करने के लिए कोई वैधानिक परिवर्तन करने होंगे।

### Export of Natural Rubber

2312. SHRI VAYALAR RAVI: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Government propose to export natural rubber during the year 1977-78;

(b) if so, the details thereof; and the total quantity proposed to be exported during this year; and

(c) the total quantity exported since the decision was taken to export natural rubber?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): (a) Yes, Sir. Government have already decided to export surplus natural rubber.

(b) and (c). Export of 5,000 tonnes has been allowed during 1977-78 in the first instance. Out of this quota and earlier quota 4,345 tonnes have already been exported during April—October, 1977.

### Inclusion of Ooty in Programme for Janata Hotel Construction

2313. SHRI P. S. RAMALINGAM: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state whether Ooty, the Queen of Hill Stations has been included in the programme for construction of Janata Hotel?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOT-TAM KAUSHIK): No, Sir. The Cen-

tral Government has no plans to construct a Janata Hotel in Ooty at present.

### Export of Goods

2314. SHRI DHARAM VIR VASHT: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the total exports of the following items in the years 1975-76, 1976-77 and the first six months of the year 1977-78 together with new contracts obtained for special qualities or goods if any (1) steel (2) ships (3) tyres (4) silk (5) woollens (6) bamboo craft (7) coir (8) project equipment (9) ceramic products (10) leather, rayon and machine tools; and

(b) the steps taken to promote exports further in the Fifth Plan period?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): (a) A statement is laid on the Table of the House.

(b) To promote exports a number of steps have already been taken which include participation in Trade Fairs and Exhibitions abroad, identification of areas and export items with export potential, visits of trade delegations, grant of cash compensatory support, drawback of custom and excise duty, provision of export finance, quality control and supply of imported and domestic inputs etc.

Items	Statement			(Value Rs Crores)
	19/3-6	19/6-7/	April-June	
Woolen fabrics	1.47	1.67	0.21	
Rubber tyres and tubes	8.69	19.90	3.69 (Apr-May)	
Cow & manufacture	19.2	24.03	4.56	
Leather & Leather mfrs including footwear	222.79	792.31	70.99	
Fabrics of art silk, synthetic fibres and spun glass	1.322	28.78	6.44	
Silk fabrics	6.96	8.14	9.80 (Apr-May)	
Articles of wickerwork, bamboo etc	0.22	0.40	0.A.	
Ceramic products	1.03	4.66	0.80 (Apr-May)	
(a) Non refractory ceramic bricks tiles pipes and similar products	0.23	2.52	0.50	
Iron and steel and ferro alloys	113.44	348.88	127.20 (Apr-Sept)	Contract— Total bookings (including spill over as on 1.4.77) up to September, 30, 1977 was Rs 2056.4 thousand tonnes valued at about Rs 283.19 crores
Industrial plant & machinery project equipment	45.53	42.20	8.01	The contracts as on 30th Sept, 1977 for Industrial plants were provisionally valued at Rs 151.43 crores wherein case of machine tools Rs 11.80 crores
Machine Tools	8.39	18.10	4.68	
Coastal vessels and ships	4.46	6.95	2.18	

सरकारी प्रतिनिधि मंडलों की  
अन्य देशों में यात्रा

2315. श्री एन० के० शेखबलकर :

श्री यशवत् शर्मा :

श्री फूल चन्द बर्मा :

श्री सुभाष यादव :

क्या वित्त मंत्री यह बताने की कृपा  
करेंगे कि :

(क) गत दो वर्षों के दौरान, महीनेवार  
अन्य देशों को जाने वाले सरकारी प्रतिनिधि-  
मंडलों की कुल संख्या कितनी है ;

(ख) उनमें सामिल व्यक्तियों के नाम  
क्या हैं तथा प्रतिनिधिमंडलों के नेताओं के  
नाम क्या हैं ;

(ग) इन प्रतिनिधिमंडलों ने किन देशों  
की यात्रा की ;

(घ) उनमें से आर्थिक, राजनीतिक,  
सांस्कृतिक प्रतिनिधिमंडलों की अलग-अलग  
संख्या क्या है ; और

(ङ) उन प्रतिनिधिमंडलों पर कुन  
कितना व्यय हुआ ?

वित्त तथा राजस्व और बैंकिंग मंत्री  
(श्री एच० एम० पटेल) : (क) मे० (ङ).  
सूचना इकट्ठी की जा रही है और यथा-  
सम्बन्ध शीघ्र सभा-पटल पर रख दी जाएगी ।

#### Production of Tea in Kangra Valley

2316. SHRI DURGA CHAND: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the production of tea in Kangra valley during the last three years, year-wise;

(b) the quantity of tea exported from the valley during the period, year-wise; and

(c) the incentives being given or proposed to be given to the tea producers or undertakings for export-oriented tea production?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): (a) Estimated production of tea in Himachal Pradesh (Kangra and Manali) during 1974, 1975 and 1976 was 1388, 1391 and 1433 thousand kgs. respectively.

(b) Statistics of export of tea from Kangra valley separately are not available.

(c) The following measures have been undertaken by Tea Board for development of Tea in Kangra Valley.

(i) Opening of a regional office of the Tea Board at Palampur.

(ii) Periodical visits of tea areas in Himachal Pradesh by Senior Officers including Technical Officers of the Board.

(iii) A Cooperative Tea Factory, was set up at Bir with financial assistance from the Tea Board in 1964. Proposals for its expansion are under consideration.

(iv) The Government has also approved setting up of an additional Cooperative Tea Factory at Palampur for which a loan of Rs. 5 lakhs has already been advanced.

(v) Setting up of two more cooperative tea factories at Sidhbari and Baijnath is also under consideration.

(vi) The Board has paid Rs. 3 lakhs as loan to the Kangra Tea Planters Supply and Industrial Marketing Society Ltd., which organises tea auctions at Amritsar

(vii) The Board has been assisting on a 50:50 basis an experimental station at Palampur which is carrying out research for the benefit of planters in this state. The Board has supplied superior planting materials to be raised at this experimental station.

#### Selection of Senior Officers for Appointment in Chefair

2317. SHRI NARENDRA SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether it is necessary that Directors, General Manager and Manager of Chefair should be selected from amongst the Diploma Holders on the Hotel Lines;

(b) if so, in the case of appointment of present Directors and General Manager of the Chefair the procedure has not been followed and the appointment of persons against these posts were made out of the Hotel line; and

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

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

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

**Losses suffered by State Trading Corporation**

2318. SHRI YASHAWANT BOROLE: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether State Trading Corporation is incurring losses continuously on its export business and makes good such losses on the items imported and sold in the local market;

(b) if so, the losses incurred during the last two years; and

(c) steps Government propose to take to improve the management efficiency and business dynamism of this Corporation?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): (a) and (b). No, Sir. The STC earned over-all trading profits on its exports during 1975-76 and 1976-77.

(c) (i) The Indian Institute of Management, Ahmedabad, was asked to carry out a study to suggest appropriate measures for streamlining and improving the operational efficiency of the STC and the MMTC and their subsidiaries and the quality of service to their clients. The Institute was

also required to make recommendations regarding the role of these organisations in the context of the overall national interests that they are supposed to serve. The Institute has since submitted an interim report which is under consideration of the Government.

(ii) A Cabinet Committee consisting of the Ministers of Commerce, Industry and Steel and Mines has also been set up to examine the organisation and working of the STC/MMTC and the subsidiaries of these Corporations.

**Shifting of Offices of Marine Products Export Development Authority**

2319. SHRI H. L. P. SINHA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the Marine Products Export Development Authority shifted their offices to a new building during May, 1977;

(b) the date from which the new building was hired and the reasons for the inordinate delay in shifting to the new premises and the loss incurred due to the new premises being kept vacant for so long a period;

(c) the total expenditure incurred for the special furnishing and partitioning of the premises; and

(d) whether inspite of the landlord offering to do brick partition free of cost for certain rooms decorative partitions and panelling were got done at exorbitant cost on single tender basis?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): (a) No, Sir. The Marine Products Development Authority shifted their office to the new building in April, 1977.

(b) to (d). According to information received from the Authority, the new building was hired from 15th February, 1977. Minimum time was taken in shifting which was necessitated due to partition work, shifting of PABX by

Post and Telegraph Department, electrification and installation of Data processing equipment etc. These work could commence only after the building was hired. As such no loss was incurred on this account.

No special furnishing was done. The total cost of furnishing and partition work including exhibition and show case facilities and information centre for exporters and importers, amounted to Rs. 93,419.

The landlord did not agree for brick partition free of cost for certain rooms. The landlord at Authority's instance offered to construct free of cost brick partition for one single room only. Since the same was not in conformity with the adjoining conference room, information centre etc., the idea was dropped. No decorative partition has been made. The panelling work was allotted by a Committee consisting of five officers on the basis of tenders from four parties.

#### Augmenting of Jumbo Jet Service

2320. SHRI D. AMAT: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether a proposal is under consideration with the Government to augment the Jumbo Jet Service; and

(b) if so, what are the main features of the proposal and by what time the proposal is likely to be implemented and what would be the number of Jumbo Jets purchased for the purpose?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOT-TAM KAUSHIK): (a) and (b). Air India has no immediate plans to add to its current fleet of F-747 Jumbo Jet Aircraft. It is currently in the process of finalising its long-term plan covering the 6th and 7th Five Year Plan periods. However, Air-India has already placed orders for two Jumbo aircraft. The first of the two aircraft is due for delivery in December 1977, and the second is expected to be delivered to Air-India in May, 1978.

मौद्योगिक गृहों पर कर की बकाया राशि

2321. श्री छविराम प्रांग : क्या वित्त मंत्री 15 जून, 1977 के मतारंतिक प्रश्न संख्या 493 के उत्तर के संबंध में यह बताने की कृपा करेंगे कि 100 करोड़ रुपये से अधिक मूल्य की परिसम्पत्तियों वाले प्रत्येक 16 मौद्योगिक गृहों पर कर की कितनी धनराशि बकाया है?

वित्त मंत्रालय में राज्य मंत्री (श्री जुलिकाकार उल्ला) : अपेक्षित सूचना एकत्रित की जा रही है और यथासंभव शीघ्र सदन-पटल पर रख दी जायगी।

#### Export of Garo Hills' Cotton to Japan

2322. SHRI P. A. SANGAMA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the cotton grown in the Garo Hills District of Meghalaya is one of the best qualities in the world;

(b) whether Japan is the sole importer of Garo Hills cotton;

(c) names of firm(s) which had been granted export licence with respect to exporting Garo Hills cotton; and

(d) at what rate the said cotton is being sold to Japan and at what rate they are being purchased from the growers?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): (a) The cotton grown in the Garo Hills District of Meghalaya is known as Assam Comillas. It is a coarse type of cotton and is not used for spinning purposes. As such it cannot be said to be one of the best qualities of cotton in the world so far as spinnable cotton is concerned. This cotton is used for filling up mattresses etc.

(b) Yes, Sir.

(c) Since the export of Assam Comillas (cotton grown in Garo Hills District of Meghalaya) is under open General Licence, the question of granting export licence with respect to exporting this cotton does not arise.

(d) During the cotton season 1976-77 the said cotton was sold to Japan at an average price of Rs. 15.00 per kg. As purchases are made by private traders from the growers direct the information is not available.

### वित्त मंत्रालय में हिन्दी का प्रयोग

2323. श्री नवाब सिंह खौहान : क्या वित्त मंत्री यह बताने की कृपा करेगे कि :

(क) क्या उनके मंत्रालय तथा उसके अधीनस्थ कार्यालयों में अधिकार सरकारी कार्य अभी भी अंग्रेजी में किया जा रहा है;

(ख) सरकारी कार्य में हिन्दी के प्रयोग को प्रांतान्वय देने के लिए मंत्रालय ने क्या कार्यवाही की है;

(ग) जनता सरकार के गठन के बाद इस बारे में क्या प्रगति हुई है; और

(घ) भविष्य में इस बारे में क्या योजनाएँ हैं?

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

(ख) हिन्दी के प्रयोग को प्रोत्साहन देने के लिए निम्नलिखित कार्यवाही की है :

(i) कार्यसालाएँ आयोजित करके कर्मचारियों को हिन्दी के प्रयोग के लिए प्रशिक्षण दिया जा रहा है;

(ii) कुछ कर्मचारियों को गहन प्रशिक्षण पाठ्यक्रमों में भेजा जा रहा है;

(iii) हिन्दी, हिन्दी आशुलिपि और हिन्दी टंकण में परीक्षाएँ पास करने पर, एक मुश्त पुरस्कार देने जैसी विभिन्न योजनाओं का व्यापक प्रचार किया गया

(iv) कार्यालय के काम में हिन्दी के प्रयोग की प्रावधानता पर बल देने के लिए राजभाषा कार्यान्वयन समितियों का गठन किया गया है और उनकी बैठकें नियमित रूप से हो रही हैं;

(v) मान प्रारूपों और टिप्पणियों का हिन्दी में अनुवाद हो गया है और कर्मचारी अपने दिन प्रति दिन के कार्य में उनका प्रयोग करते हैं;

(vi) कार्यविधि साहित्य जैसे मैनुप्रलों, संहिताओं, नियमों प्रादि का हिन्दी में अनुवाद किया जा रहा है तथा उनको द्विभाषिक रूप में छपाया जा रहा है।

(ग) भारत सरकार की राजभाषा नीति का कार्यान्वयन अनवरत प्रक्रिया है।

(घ) वित्त मंत्रालय के लिए कोई अलग योजनाएँ नहीं हैं। इस सम्बन्ध में राजभाषा विभाग से प्राप्त हुए अनुदेशों का अनुपालन किया जा रहा है।

**बुसेल्स में भारत और यूरोपीय सामाजिक बाजार के दीच बातचीत**

2324. श्री नटवर लाल बी० परमार :  
 श्री सी० के० चाहूप्पन :  
 श्री एस० बी० भुषणगमन :  
 श्री एम० कल्याण सुन्दरम :  
 क्या आणिंज्य तथा नागरिक पूर्ति और सहकारिता मंत्री यह बताने की हुया करेंगे कि :

(क) क्या भारतीय सूची वस्त्रों के नियर्यात की सीमा बोधने के लिए यूरोपीय सामाजिक बाजार और भारत के दीच बुसेल्स में इसी वर्ष नवम्बर के तीसरे सप्ताह में बातचीत हुई थी ; और

(ख) यदि हां, तो इस बातचीत के फलस्वरूप क्या निष्कर्ष निकले ?

आणिंज्य तथा नागरिक पूर्ति और सहकारिता मंत्रालय में राज्य मंत्री (श्री आरिक बेग) : (क) श्री और (ख). भारत तथा यूरोपीय आणिंजक समुदाय के दीच बार्सा बुसेल्स में अभी भी चल रही है और अभी तक कोई भी प्रणिनाम करार नहीं हुआ है ?

विडेला उद्योग समूह को काली सूची में दर्ज किया जाना

2325. श्री हुकम सेक नारायण यादव : क्या आणिंज्य तथा नागरिक पूर्ति और सहकारिता मंत्री यह बताने की हुया करेंगे कि :

(क) बिडेला उद्योग समूह को काली सूची में दर्ज करने के मामले में सरकार क्यों विलम्ब कर रही है जब कि उन पर करापरवंचना का मामला चल रहा है ; और

(ख) क्या सरकार का विचार इन उद्योगों वाले काली सूची में दर्ज करने का है ?

आणिंज्य तथा नागरिक पूर्ति और सहकारिता मंत्रालय में राज्य मंत्री (श्री आरिक बेग) : (क) माननीय सदस्य का आशय सम्बन्धतः आयात/नियर्यात विधि तथा कार्यविधि के सन्दर्भ में उन अस्तियों का फर्मान (सरकार के साथ व्यवहार के सम्बन्ध में) "काली सूची" में रखने को सम्भावना स है । परन्तु, आयात तथा नियर्यात (नियंत्रण) अधिनियम और उसके अन्तर्गत बने नियंत्रण दावेदारों में इस प्रकार की "काली सूची" में रखने की कोई अवस्था नहीं है । यहां तक कि करों की ओरी के लिए तो इस कानून में उपबन्धित या इसके अधीन दावेदारों की इस प्रकार की अन्य कार्यवाही भी नहीं की जा सकती ।

(ख) प्रश्न नहीं उठता ।

**Complaints against personal staff of Ministers in Mrs. Gandhi's Government**

2326. SHRI L. L. KAPOOR: Will the Minister of FINANCE be pleased to state:

(a) the names and addresses of the personal staff of the Ministers including Prime Minister, in Mrs. Gandhi's Government, against whom complaints to the effect that they and their families had amassed wealth disproportionate to their known sources of income had been received;

(b) whether the income-tax department has conducted any investigations in pursuance of such complaints; and

(c) if so, the results thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH): (a) to (c). Enquiries regarding alleged tax evasion are being conducted by the Income-tax Department in respect of the following persons:

Shri Yashpal Kapoor, Private Secretary to the former Prime Minister;

Shri R. K. Dhawan, Additional Private Secretary to the former Prime Minister;

Shri K. L. Dhawan, formerly Private Secretary to the minister in various Ministries;

Shri N. K. Singh, Special Assistant to the former Minister of Commerce;

Shri R. C. Mehtani, Special Assistant to the former Minister of Defence.

Enquiries are also being made in the case of M/s. Elite Tourist Service, Delhi in which some of the members of the personal staff of the Ministers of the erstwhile Government are alleged to be interested.

2. Appropriate action will be taken in accordance with the law after the enquiries are concluded.

#### Support Price of Groundnut

2327 SHRI D. D. DESAI: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Government have fixed the support price for groundnut during the current season; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL): (a) Yes, Sir.

(b) For the 1977-78 crop season, the Central Government has fixed a support price of Rs. 160 per quintal to the fair average quality of groundnut-in-shell as against a support price of Rs. 140 per quintal for the 1976-77 crop season.

#### Quantity of Sugar exported during 1976-77 and current year

2328. DR. MURLI MANOHAR JOSHI: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state the quantity of sugar exported in 1976-77 and the quantity exported during the current year so far?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): A quantity of 5.80 lakh tonnes of Sugar valued at Rs. 151.68 crores was exported during the financial year 1976-77. During the current financial year, a quantity of 0.45 lakhs tonnes valued at Rs. 10.43 crores has been exported by STC. so far.

#### Tea Plantations

2329. SHRI P. RAJAGOPAL NAIDU: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Government are encouraging tea plantation in the country, and

(b) if so, the assistance given by Government for these plantations during the last three years?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG): (a) Yes, Sir.

(b) In order to augment the production of tea, the Government is providing financial assistance through Tea Board to tea planters in the form of loans and subsidy. The tea development schemes include (i) Replantation Subsidy Scheme and (ii) Tea Plantation Finance Scheme under which subsidy and loans are given for planting and replanting of tea areas

and (iii) Tea Machinery & Irrigation Equipment Hire Purchase Scheme under which machinery is provided on

hire purchase basis. The total amounts disbursed under these schemes during the last three years are given below:

Year	Tea Plantation Finance Scheme	Replanting, Replacement, Rejuvenation Scheme	Hire Purchase Schemes (Rs. in Lakhs)
1974-75	10.23	25.26	85.10
1975-76	14.52	48.90	99.77
1976-77	30.81	34.20	119.80

#### Measures to check economic offences

2330. SHRI UGRASEN: Will the Minister of FINANCE be pleased to state the urgent measures being taken by Government to check economic offences?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): Government have launched a three-pronged attack to check smuggling and foreign exchange racketeering by strengthening the preventive and enforcement machinery, resorting to selective use of the provisions of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act (COFE-POSA) and by taking appropriate economic measures. The Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 is also applied for the forfeiture of illegally acquired properties of smugglers and foreign exchange manipulators and of their relatives and associates, in order to deprive them of their ill-gotten gains.

Besides changes already introduced in the law relating to direct taxation to facilitate unearthing of black-money and prevention of its proliferation by making such provisions as compulsory maintenance of accounts in respect of specified professions and above certain prescribed limits of in-

come/turnover for business and other professions, an integrated approach is now being made to counter tax evasion through collection of intelligence, investigation, scrutiny of accounts and searches.

#### राज्यों में व्यापारिक सेन्ट्रल योजना

2331. श्री फृतचन्द दर्मा : श्री एन० के० शेषवल्लक्षण :

क्या वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्री यह बनाने का उम्मा करेंगे कि :

(क) क्या लद्दाक ; कुश गाज़ों में व्यापारिक सेन्ट्रल योजना आरम्भ की गी ;

(ख) यदि हां, तो ५५ योजना फिर किन गाज़ों में आरम्भ की गई थी ; और

(ग) उन गाज़ों में इस योजना की क्रियान्विति में क्या प्रगति हुई है ?

वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्रालय में राज्य बंडी (श्री कुण्ड कुमार गोयल) : (क) जी, नहीं।

(ख) और (ख) प्रश्न नहीं उठते।

### Bonus to L.I.C. Employees

2332. SHRI BIRENDRA PRASAD: Will the Minister of FINANCE be pleased to state:

(a) whether the LIC employees used to get bonus but the same was stopped during emergency; and

(b) if so, whether Government propose to pay bonus to them?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b) The Class III and Class IV employees of LIC as per the settlements of 1974 (current from 1-4-1973 to 31-3-1977) were to be paid bonus without any ceiling at the rate of 15 per cent of annual salary. They had been paid bonus for two years viz. 1973-74 and 1974-75.

2 Following amendments to the Payment of Bonus Act 1965 through issue of an Ordinance in September 1975, Government decided that the employees of the non-competing public sector employees including Banks, L.I.C. and G.I.C. may be paid an *ex-gratia* amount beginning with the accounting year 1974/1974-75. The amount of *ex-gratia* was to range from zero to 10 per cent depending upon the wage level, financial circumstances and other relevant factors in the industry concerned.

3. It was however not possible to follow the guidelines in respect of LIC employees as there was a subsisting settlement between the Corporation and its employees for payment of bonus at the rate of 15 per cent of annual salary without any ceiling. To bring the employees *on a par* with those of the G.I.C. and nationalised bank, the provisions of the 1974 settlements so far as they pertained to payment of bonus was annulled by the Life Insurance Corporation (Modification of Settlements) Act, 1976 in March, 1976 which came into force with effect from 1-4-1975.

4. Although it had been decided to pay to eligible employees *ex-gratia* amount for the year 1975-76 at 4 per cent of annual salary, it could not be disbursed to them due to their refusal to take payment.

5. The validity of the L.I.C. (Modification of Settlements) Act, 1976 has been challenged in the Supreme Court by two unions of the LIC Class III and Class IV employees. As the hearing of the case is already going on in the Supreme Court the Government in the circumstances propose to wait for its outcome.

### आलू का नियांत

2333. श्री राम साल राही: क्या बाणिज्य तथा नागरिक पूर्ति और सहकारित मंत्री यह बता ने की कृपा करेंगे कि :

(क) क्या सरकार ने फरवरी, 1977 में आलू के नियांत पर रोक लगा दी थी जिसके परिणामस्वदृप्य आलू उत्पादकों में निराशा व्याप्त है और आलू के मूल्यों में गिरावट आ रही है;

(ख) यदि हाँ तो सरकार का विचार आलू के नियांत पर लगी रोक कब तक उठाने का है; और

(ग) आलू के नियांत से बंधे 1974-75, 1975-76 और 1976-77 के दीरान कितनी विदेशी मुद्रा की आय है?

बाणिज्य तथा नागरिक पूर्ति और सहकारित मंत्रालय में राज्य मंत्री (श्री भारिक देव) : (क) फरवरी, 1977 में आलू के नियांतों पर इस बात को ध्यान में रखते हुये रोपाल लगाई गई थी कि आलू की बरेली में ऊपर चढ़ रही थी और फरान की मम्मावना अनंगी नहीं थी। नियांतों पर रोक लगने के बाद भी कीमतों में ऊन रुक वन रह और बांक कीमतों का मासिक सूचकांक रोक लगने के माम प्रचलित कीमतों की अंगठा रोक

लगाने के बाद को ग्रविति में आमतौर पर उच्च रहा। इन बातों को देखने हैं यह कहना यही नहीं होगा कि फरवरी, 1977 में आलू के नियांति पर रोक लगाने के फलस्वरूप कीमतों में निरावट का रुक्क रहा तथा उससे आलू उगाने वालों को निराशा पैदा हुई।

(ब) आलू के नियांतों पर रोक हटाने के प्रयत्न पर उसकी सम्भावना और कीमतों के रुक्क को ध्यान में रखने हैं उपर्युक्त ममत्य पर विचार किया जाएगा।

(ग) "मवन्धित ग्रविति में मूल्य की दर्दिट में आलू के नियांति निम्नावन प्रकार रहे:—

वर्ष	मूल्य (लाख रुपा में)
1974-75	68.66
1975-76	348.17
1976-77	585.15

#### Decision to export smaller quantity of Sugar

2334. SHRI S. R. DAMANI: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Government have decided to allow export of much smaller quantities of sugar this year; and

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

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION

TION (SHRI ARIF BEG): (a) and (b). In July, 1977 the Government had decided that during the financial year 1977-78, out of the production during the sugar year 1976-77, exports should be allowed to meet the existing firm commitments in a manner so as to minimise the losses. The total commitments to be thus fulfilled were to the extent of 1,45,000 tonnes out of which 1,20,000 was for Iran and 25,000 tonnes for EEC. During the current financial year, STC has exported 0.45 lakh tonnes valued at Rs. 10.42 crores so far, out of the quantities of sugar contracted for export during 1976-77.

#### बहुमूल्य जीवन रक्षक शौचालयों की तस्करी

2336. श्री बुजभूषण तिवारी: क्या वित्त मंत्री यह बनाने की कृपा करेंगे कि :

(क) क्या मरकार का ध्यान 29 अक्टूबर, 1977 के 'डिक्यानामिक टाइम्स' में प्रकाशित इस समाचार की ओर दिलाया गया है कि प्रेडिनीमोलोन, टेट्रासाइक्लीन और एनलजीन जैसी बहुमूल्य जीवन रक्षक शौचालयों की तस्करी बढ़े पैमाने पर हो रही है, और

(ब) यदि हा तो इस पर मरकार की क्या प्रतिक्रिया है ?

वित्त मंत्रालय में राज्य मंत्री (श्री सतीश कांदा अध्यक्ष) : (क) जी हाँ। इस साल का एक समाचार था। परन्तु सरकार को मिली रिपोर्टों से देश में इन शौचालयों के हाल ही में बढ़े पैमाने पर चोरी-छिपे लाये जाने का पकेत नहीं मिलता है।

(ब) प्रयत्न नहीं उठता है। फिर भी म्बिति पर सावधानीपूर्वक निगरानी रखी जा रही है।

**Violation of Foreign Exchange Regulation Act by Multinational Companies**

2337. SHRI P. K. KODIYAN: Will the Minister of FINANCE be pleased to state:

(a) whether Government have been taking drastic action against the Multi-national Companies for the violation of Foreign Exchange Regulation Act; and

(b) if so, the number of such companies subjected to action and the charge against them?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Whenever any violation of the Foreign Exchange Regulation Act by any branch or Indian subsidiary of a foreign company comes to the notice of the Enforcement Directorate, action as provided under the said Act is taken.

(b) During the last 3 years from 1-11-74 to 31-10-77, 12 branches of foreign companies and 6 Indian subsidiaries of foreign companies have been found guilty of various violations of the Foreign Exchange Regulation Act and penalties have been imposed on them.

Note: The above information is confined to the list of 482 Multi-national companies operating in India as branches of foreign companies as on 31-3-1977, and 171 Multi-national companies operating in India through Indian subsidiaries as on 31-3-76, maintained by the Department of Company Affairs.

सेन्ट्रल कोम्पारेटिव कालेज, कोटा

2338. श्री चतुर्भुज : क्या वाणिज्य तथा नामांकित पूर्ति और सहकारिता मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या देश में सहकारी समितियों को चलाने के लिए प्रणिकालित अधिकारियों को नैयार करने हेतु कोटा, राजस्थान में एक

सेन्ट्रल कोम्पारेटिव कालेज बोला जा रहा है;

(ख) उस कालेज में पढ़ने का ढंग क्या होगा और उसकी मुख्य विषेषतायें क्या हैं; और

(ग) इसके लिए कितनी केन्द्रीय सहायता दी जायेगी; और यह कालिज कब से प्रारम्भ हो जाएगा?

वाणिज्य तथा नामांकित पूर्ति और सहकारिता मंत्रालय में राज्य मंत्री (श्री कुण्डल शुभर गोपल) : (क) जी नहीं।

(ख) भाँति (ग). प्रश्न नहीं उठते।

**Smuggling of Coca Cola from Pakistan**

2339. SHRI SHANKERSINHJI VAGHELA:  
SHRI ANANT DAVE:

Will the Minister of FINANCE be pleased to state:

(a) whether he has seen a press report which appeared in the 'Economic Times' dated the 18th September, 1977 reporting that with the imposition of a blanket ban on the manufacture of Coca Cola in India, hundreds of truck loads of this beverage are being smuggled from Pakistan every night; and

(b) the facts thereabout and the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL): (a) Yes Sir. There was a press report to this effect. However, reports received by Government do not indicate any such smuggling of Coca Cola from Pakistan into India.

(b) Does not arise. Since no case of smuggling of Coca Cola from Pakistan into the country has been reported.

**Reservation of vacancies for S.C./S.T. in Public Sector Undertakings**

2340. SHRI S. D. SOMASUNDARAM: Will the Minister of FINANCE be pleased to state:

(a) the existing procedure in regard to reservation of vacancies for candidates from SC/ST and backward classes in all undertakings in the public sector;

(b) the extent of divergence of such procedure from that obtaining in regard to recruitment to Government departments; and

(c) whether Government propose to make it obligatory for all public sec-

tor undertakings to adopt the same procedure for reservation as in Government departments?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Broadly, the procedure regarding reservation of vacancies for candidates from SC/ST in the Public Enterprises is as follows:

**A Direct Recruitment**

	SC	ST
(i) Direct recruitment on an all-India basis by means of open competitive test . . . . .	15%	7½%
(ii) Direct recruitment on an all-India basis other wise than as (i) above . . . . .	16½%	7½%
(iii) Direct recruitment to Class III and IV posts normally attracting candidates from a locality or a region . . . . .	Varies from State to State.	
(B) Promotion in respect of posts in which element of direct recruitment, if any, does not exceed 66½%	15%	7½%

(i) Through limited departmental competitive examination, in Class II, III and IV.

(ii) By selection from Class II to the lowest rung or category in Class I and in Class II, III and IV posts.

(iii) On the basis of seniority subject to fitness, in Class I, II, III and IV.

There is no reservation of posts for the backward classes in Government or in Public Enterprises.

(b) and (c). Even now, there is no deviation from the basic principles of the reservation orders, e.g. percentages of posts reserved, etc., in the Public Enterprises as compared to the corresponding provisions in respect of Government departments.

**Persuasion to Foreign Banks to invest in Public Sector Undertakings in India**

2341. SHRI AMAR ROY PRA-DHAN: Will the Minister of FINANCE be pleased to state:

(a) whether Government have taken a decision to persuade the Foreign Banks to invest in the Public Sector Undertakings in our country; and

(b) if so, the reasons therefor?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). As part of social control measures introduced in 1967, foreign banks are required to deploy foreign funds in Indian business to the extent of 3.5 per cent of their total deposits in India. In implementation of this requirement foreign banks have given foreign

currency loans to some public sector undertakings amounting to Rs. 13.57 crores. The foreign banks, as part of their normal operations in India, have also granted credit limits to some public sector undertakings in the country. Such credit limits granted by 7 foreign banks to 20 public sector undertakings aggregated Rs. 42.98 crores at the end of July, 1977.

बिदेशों में ये सरकारी प्रतिनिधि

2342. श्री रामेश्वर पाटीदार : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) गत छह महीनों के दौरान सरकार के प्रतिनिधि के रूप में विभिन्न देशों को गए व्यक्तियों के नाम क्या हैं ; और

(ख) भारतीय रूपए और बिदेशी मुद्रा में अलग-अलग उन पर कितना व्यय हुआ है ?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एम० एम० पटेल) : (क) और (ख) . सूचना इकट्ठी की जा रही है और यह सम्प्रय शीघ्र सभा-पटल पर रख दी जाएगी ।

भक्तानिस्तान में कारखानों की

कीमतें

2343. श्री हर्षोदय वर्मा : क्या वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का भक्तानिस्तान में ना उद्योग स्थापित करने का विचार है ; और

(ख) यदि हाँ, तो कितने उद्योग किन-  
दिन शार्तों पर खोले जाने हैं ?

वाणिज्य तथा नागरिक पूर्ति और सह-  
कारिता मंत्रालय में राज्य मंत्री (श्री आरिक  
देव) :

(क) जो नहीं ।  
(ख) प्रश्न नहीं उठता ।

Security measures to prevent skyjacking  
of plane occupied by the Prime  
Minister

2344. SHRI M. ARUNACHALAM: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether in view of the sudden spurt in skyjacking and in the interest of the country as well as in the interest of the Prime Minister, the decision by the Prime Minister to take commercial flights for his travel will be reconsidered;

(b) will an assurance be given that special security measures are being taken to prevent skyjacking of the planes in which the Prime Minister chooses to travel; and

(c) state the measures being taken in this regard?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) and (b). The Prime Minister is fully aware of the security aspects involved in his travelling by commercial flights, and adequate security measures including anti-hijacking and anti-sabotage precautions are always duly taken.

(c) It would not be in the public interest to spell out the measures that are taken in this regard.

#### Issue of 'P' Forms

2345. SHRI K. RAMAMURTHY: Will the Minister of FINANCE be pleased to state whether Government consider to authorise the sub-post offices to issue 'P' forms along with the Nationalised Bank in view of fresh

relaxations on Foreign Travel with regard to 'P' form?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** No such proposal is at present under consideration of the Government.

**Loan sanctioned to Sobhana Textiles by Indian Overseas Bank, Bombay**

**2347. DR. BALDEV PRAKASH:** Will the Minister of FINANCE be pleased to state:

(a) whether the Indian Overseas Bank, Tilang Road Branch, Matunga, Bombay sanctioned loan to Sobhana Textiles in the year 1973 and if so, the amount of loan;

(b) the interest paid by the firm to the bank; and

(c) arrears, if any of the interests not paid to the bank and the reasons therefor?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) The following credit facilities were made available to Sobhana Textiles by Indian Overseas Bank, Tilang Road, Matunga, Bombay in the year 1973:

(i) Inland documentary demand bills purchase—Rs 11.50 lakhs

(ii) Inland Documentary usance bill purchase—Rs 2.50 lakhs.

(iii) Key cash credit—Rs. 20.0 lakhs.

(iv) Temporary Overdraft Rs. 0.50 lakhs.

(v) Key loan—Rs. 0.75 lakhs.

The Bank has reported that the present outstanding excluding interest due is Rs. 3.32 lakhs.

(b) Interest paid by the firm to the Bank upto 30-6-1974 is Rs. 2.55 lakhs.

(c) The firm has not paid to the Bank arrears of interest upto 31-10-1977 amounting to Rs. 2.36 lakhs. The firm is reported to be out of business on account of financial difficulties resulting from mismanagement. The Bank has reported that it is taking steps to file a suit for recovery of its dues.

**Setting up of Committee to probe into the loans given by Central Bank to Kohinoor Mills**

**2348. SHRI SURENDRA BIKRAM:** Will the Minister of FINANCE be pleased to state:

(a) whether Government have set up any Committee to probe the loans given by the Central Bank to Kohinoor Mills during emergency; and

(b) if so, the composition of the Committee and terms of reference?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) and (b). Government have appointed a One-man Committee headed by Shri D. N. Ghosh, Director, Office of the Comptroller and Auditor General of India, New Delhi to enquire into the credit facilities given by the Central Bank of India to Kohinoor Mills Co. Ltd. A copy of the Resolution dated August 30, 1977 published in the Gazette of India Extraordinary announcing the appointment of the Committee and laying down its terms of reference is laid on the Table of the House. [Placed in Library. See No. LT-1245/77].

**Officials of Indian Revenue Services**

**2349. SHRI SHYAM SUNDER GUPTA:** Will the Minister of FINANCE be pleased to state:

(a) the names and designations of officials of the Indian Revenue Services who are at present on deputation

to the various Ministries/Departments of the Government of India/Public Undertakings/Local Bodies/Delhi Municipal Corporation and the period of their deputation;

(b) which of these officers have got promotions in the borrowing Department, the post and pay attached thereto;

(c) whether while agreeing to their promotions and extension of tenure, his Ministry takes into account that the officers seniors to these persons in the various Services do not suffer in their promotion prospects for the reasons that they were not on deputation; and

(d) which of these officers have been given fresh tenure after getting promotions to the higher posts in the borrowing Departments and for which period?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): Information in respect of officers of Indian Revenue Service (Income-tax) is being collected, and will be laid on the Table of the House

Information in respect of the officers of Indian Customs and Central Excise Service is furnished below.

(a) A list of officers of the Indian Customs and Central Excise Service, who are working in ex-cadre posts outside the Department of Revenue is laid on the Table of the Sabha. [Placed in Library. See No. LT-1246/77].

(b) Only two officers included in the list annexed have got promotion in the borrowing Departments. Their particulars are indicated below:

(1) Shri R. C. Misra was sent on deputation to the Department of Personnel as Joint Secretary on 14.10.1973, and has been appointed in the same department as Additional Secretary with effect from September, 1976. The pay attached to the post

of Additional Secretary is Rs. 3,000/- per month.

(2) Shri M. G. Mathur went on deputation to the Secretariat of the General Agreements on Tariffs and Trade, Geneva in August, 1964. No information is available regarding the pay attached to the post of Deputy Director General, General Agreements on Tariffs and Trade which is held by Shri Mathur at present.

(c) The selection of officers for deputation posts is made by the borrowing authority from the panel of suitable and willing officers, furnished by the Cadre Authority. The elevation of an officer on deputation to a higher post in the borrowing Department does not affect the promotion prospects of the other officers in the parent cadre. When the deputationist comes back to the parent cadre, he has to take his place with reference to his seniority position in the cadre without any regard to the promotions that may have been given to him in the borrowing Department.

(d) Shri M. G. Mathur has been given extension of tenure in the General Agreements on Tariffs and Trade up to 31-12-1980.

#### Recognition of Hyderabad Airport as a Customs Airport

2350. SHRI G. S. REDDI: Will the Minister of FINANCE be pleased to state:

(a) whether Hyderabad airport has been recognised as a customs airport for export of certain items; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL): (a) and (b). The airport at Hyderabad has been appointed as customs airport vide Notification No. 228/77-Customs dated 26th

October, 1977 for the purpose of loading of export goods specified below:—

- (i) Fresh vegetables
- (ii) Fresh fruits
- (iii) Processed foods
- (iv) Poultry and poultry products
- (v) Meat and meat products including live animals
- (vi) Leather and leather products
- (vii) Handlooms
- (viii) Readymade garments
- (ix) Handicrafts
- (x) Chemicals
- (xi) Engineering products
- (xii) Glass and glassware

#### Nationalisation of Syndicate Bank

2351. SHRI S. NANJESHA GO-WDA: Will the Minister of FINANCE be pleased to state:

(a) when was Syndicate Bank nationalised; the amount of compensation paid and to whom it was paid;

(b) who are all the Chairmen of Syndicate Bank after nationalisation; and

(c) whether the present Chairman of the Bank, Shri K. K. Pai is related to Mr. T. A. Pai, former Union Minister of Industries?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) On 19th July, 1969, the undertaking of the Syndicate Bank Ltd. was transferred and vested in the 'corresponding new bank', namely, Syndicate Bank under sections 3 and 4 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970. In terms of section 6 of the Act, an amount of Rs. 360 lakhs was paid as compensation to the 'Syndicate Bank Limited';

(b) (i) Shri T. A. Pai, former Custodian of the bank.

(ii) Shri K. K. Pai, present Chairman and Managing Director.

(c) Yes, Sir.

#### Direct Boeing Service to Bhubaneshwar from Delhi

2352. SHRI SARAT KAR: SHRI GANANATH PRADHAN:

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

(a) the reasons why a direct Boeing service is not operated to Bhubaneshwar from Delhi in spite of its urgency;

(b) the time by which it will be introduced; and

(c) why the present second flight has been cancelled causing harassment to a lot of passengers including V.I.Ps and tourists?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) and (b). On account of very low traffic potential, a direct Boeing service from Delhi to Bhubaneshwar is not economically viable. Indian Airlines do not have any plan to introduce such a service in the near future.

(c) Service IC-271/272 (Calcutta-Bhubaneshwar-Calcutta) operating four times in a week had to be suspended because one more F-27 aircraft had to be withdrawn for major inspection.

#### Tourist Lodges and Hotels in Orissa

2353. SHRI JENA BAIRAGI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state the reasons why India Tourism Development Corporation is not taking serious interest in building more number of Tourist lodges and hotels to exploit the immense tourism potentiality of the Orissa State?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): Keeping in view the tourism potential of Orissa State, the India Tourism Development Corporation is already expanding its Travellers' Lodge at Bhubaneswar by putting up a new block of 24 rooms at an estimated cost of Rs. 40 lakhs. Subject to the availability of funds and satisfactory feasibility study the Corporation also plans to construct a hotel at Puri.

#### Retirement of Indian AIR Hostesses

2354. SHRI YADVENDRA DUTT: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

- (a) whether Air India practices discrimination in the matter of marriages of Indian air hostesses and European air hostesses working in Air India;
- (b) whether Indian air-hostesses, if they marry, are retired immediately whereas the European air-hostesses are not retired and if so, why; and
- (c) whether Indian air-hostesses are retired at the age of 30 while her flight purser, a male counterpart, retires at the age of 58 and if so, why?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) and (b). Under the Air-India Employees' Service Regulations, air hostesses retire from the service of Air-India on getting married, or on attaining the age of 35 years with extension of one year at a time, subject to medical fitness, upto the age of 40 years. However, Air-India has now to allow European hostesses to continue even after marriage due to the enactment of local Government laws in 1975 which do not permit the Corporation to either force such hostesses to retire from service or terminate their services.

- (c) Yes. Sir. The work of air hostess is an arduous one since she takes the

main brunt of service to the passengers in the Cabin and is not comparable to any other vocation in any other industry. Besides, normally air hostesses get married before they reach the age of 30 years. All these factors are kept in view while fixing their retirement age.

#### Proposal to extend Dual Pricing Policy to Edible Oils and Pulses

2355. SHRI S. G. MURUGAIYAN: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

- (a) whether Government propose to extend the dual pricing policy to edible oils and pulses; and
- (b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) No, Sir. At present, there is no such proposal under Government's consideration.

- (b) Does not arise.

#### Steps taken to promote International Tourism in South India

2356. SHRI C. K. JAFFER SHARIEF: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

- (a) whether South India is getting less than its legitimate share of tourist traffic; and
- (b) if so, what efforts Government have made or propose to make to promote International tourism in South India?

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

- (b) Does not arise. However, in order to diversify our tourist attractions and disperse international tou-

rist traffic, as far as possible, uniformly throughout the country, the Department of Tourism had promoted in coordination with Air India, Indian Airlines, travel agencies and hoteliers a 7 day South India package tour termed 'KARTIKEYA Tour'. Recently, the Department of Tourism also launched in coordination with the above agencies a "Destination South India" programme for publicising the attractions of this region. These two measures will greatly help to promote tourist traffic to South India.

### चाय प्रबन्ध में आदिवासियों का प्रतिनिधित्व

2357. श्री पालस टिक्की : क्या वाणिज्य तथा नागरिक पूर्ति और सहकारिता भंडालय राज्य भंडी (श्री आरिफ बोंड) : (क) अधिसूचना (चाय नियवण) दिनांक 21-9-1977 सरकार द्वारा नियुक्त चाय बोंड के अधिनियमों की भर्ती तथा भवाओं की शर्तों से सम्बन्धित नियमों में संशोधन के बारे में है। चाय उद्योग में आदिवासी श्रमिकों को संचालन सम्बन्धी प्रशिक्षण तथा प्रबन्ध का दरों में उन्हें पदार्थति देने की जिम्मेदारी उद्योग की है। जहां तक बोंड में प्रतिनिधित्व का सम्बन्ध है, अध्यक्ष के अलावा बोंड में विभिन्न हितों का प्रतिनिधित्व करने वाले 30 सदस्य हैं। चाय बोंड में विभिन्न हितों का प्रतिनिधित्व करने वाले सदस्यों की नियुक्ति सरकार द्वारा की जाती है। यद्यपि आदिवासियों के लिए इस प्रकार से कोई अलग से प्रतिनिधित्व नहीं है, तथापि जब श्रीराजेंद्र आवास्क क समझा जाये, आदिवासियों को यथारूप से प्रतिनिधित्व दिया जा सकता है। जहां तक नोंड के द्वारा नोकरी का सवाल है, बोंड अधिसूचित जानियों नथा अधिसूचित जनजनियों की भर्ती तथा पदार्थति के मामले में मरकार के अनुदण्डों का पालन कर रहा है।

(क) क्या सरकार चाय अधिनियम के अधीन जारी की गई 21 सितम्बर, 1977 की अधिसूचना (चाय नियवण) के अनुसार, चाय बागानों वे आदिवासी श्रमिकों के लिए, जो कुनै श्रमिक बल का 99 प्रतिशत है, उचित प्रतिनिधित्व और समूचित संचालन सम्बन्धी प्रशिक्षण मूल्यान्वयन कर रही है और क्या आदिवासी, श्रमिक के सप्त में कार्य करने के अलावा, चाय नियवण बोंड और उसकी सभी जाकाओं में प्रतिनिधित्व प्राप्त करने वाले दोषा कर सकते हैं और प्रबन्ध पर भाग लेने के हकदार हो सकते हैं।

(ब्र) प्रबन्धदिवं और अन्य गंगा ही पहां पर शिलने प्रादिवासियों को नियुक्त किया गया है।

(ग) चाय बागानों वे इकानदारों में आदिवासी और गैर-आदिवासी मिकों की संख्या कितनी है; और

(घ) क्या वेन्ट्रीय सरकार, राज्य सरकार पर मामला छोड़ने के बजाय चाय बागानों के श्रमिकों को जो सभी हिन्दी भाषी है शिक्षा और प्रशिक्षण देने की जिम्मेदारी अपने हाथ लेगी?

वाणिज्य तथा नागरिक पूर्ति और सहकारिता भंडालय राज्य भंडी (श्री आरिफ बोंड) : (क) अधिसूचना (चाय नियवण) दिनांक 21-9-1977 सरकार द्वारा नियुक्त चाय बोंड के अधिनियमों की भर्ती तथा भवाओं की शर्तों से सम्बन्धित नियमों में संशोधन के बारे में है। चाय उद्योग में आदिवासी श्रमिकों को संचालन सम्बन्धी प्रशिक्षण तथा प्रबन्ध का दरों में उन्हें पदार्थति देने की जिम्मेदारी उद्योग की है। जहां तक बोंड में प्रतिनिधित्व का सम्बन्ध है, अध्यक्ष के अलावा बोंड में विभिन्न हितों का प्रतिनिधित्व करने वाले 30 सदस्य हैं। चाय बोंड में विभिन्न हितों का प्रतिनिधित्व करने वाले सदस्यों की नियुक्ति सरकार द्वारा की जाती है। यद्यपि आदिवासियों के लिए इस प्रकार से कोई अलग से प्रतिनिधित्व नहीं है, तथापि जब श्रीराजेंद्र आवास्क क समझा जाये, आदिवासियों को यथारूप से प्रतिनिधित्व दिया जा सकता है। जहां तक नोंड के द्वारा नोकरी का सवाल है, बोंड अधिसूचित जानियों नथा अधिसूचित जनजनियों की भर्ती तथा पदार्थति के मामले में मरकार के अनुदण्डों का पालन कर रहा है।

(ब्र) श्रीराजेंद्र चाय बोंड र पाल जानकारी उपग्रह नहीं है।

(घ) श्रमिकों को शिला तथा प्रशिक्षण देने का दायित्व प्रमाणन गण्य सरकारों तथा सम्बद्ध नियोजनाओं वा है। फिर भी, चाय बोंड, चाय बागान श्रमिकों के बच्चों को बजाए प्रदान करने तथा छात्रावास और स्कूल/कालिजों के लिए

भवनों के निर्माण हेतु शिक्षण संस्थानों को वित्तीय अनुदान देकर, और विसेधीकृत चिकित्सा मुद्रियां प्रदान करके अनुप्रयोग सहायता देता है। इन सम्बन्ध में बोर्ड नियम 6 लाख रु. का कुल खर्च प्रति वर्ष करता है।

#### Steps to Curb the Activities of Multinationals

2358 SHRI K LAKKAPPA Will the Minister of FINANCE be pleased to state

(a) the specific steps taken in recent months to curb the activities of the multinationals in the country; and

(b) what are the specific items dealt with by the multinationals whose activities have been curbed?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H M PATEL) (a) and (b) Government's policy in regard to new investment by foreign companies is selective. It is permitted in high technology areas or in export oriented ventures. As for companies already in business the FERA provisions are enforced strictly. Under FERA, companies operating in non priority areas are required to bring down non resident interest to 40 per cent and they are not allowed to expand their activities pending dilution.

भारत मूलक विदेशी नागरिकों द्वारा राष्ट्रीय-कृत बैंकों में जमा कराई गई अनुदानी

2359 श्री शोभ प्रकाश त्यागी : क्या वित्त मंत्री यह बताने की चापा बनेंगे कि

(३) गत वर्ष विदेशी मरणों वाले भारतीय नागरिकों अथवा भारत मूलक विदेशी नागरिकों द्वारा भारत में अपने

सम्बन्धियों को कितना धन विदेशी मुद्रा के रूप में भेजा गया, और

(ब) भारतीय बैंकों की नई नीति के अनुसार अब तक भारत मूलक विदेशी नागरिकों न भारत के राष्ट्रीयकृत बैंकों से अपना कितना धन जमा कराया है?

#### वित्त तथा राजस्व और बैंकिंग मंत्री

(श्री एच० एम० पटेल) : (क) भारतीय रिजर्व बैंक के रिकार्ड व अनुसार कैनेंडर वर्ष, 1976 के दौरान देश के बाहर में आने वाली नियांति-भिन्न धन गण्डि 1514.86 करोड़ रुपए की थी। यह रकम मकान नियांति-भिन्न प्राप्तियों की है जिसमें 'बाहर से आने वाली रकमों' से सम्बन्धित चार शीर्षों अर्थात् (1) परिवार भरणपोषण, (2) पैर-निवासियों की बचतों, (3) प्रवासियों की अन्तर्राष्ट्रीय और, (4) मरीजार्डर प्राप्तियों के अनावा हवाई कम्पनियों, जहाजी कम्पनियों, बीमा कम्पनियों, लाभार्थी और पर्यटन प्राप्ति से होने वाली प्राप्तियां शामिल हैं।

चूंकि भारतीय बैंकों वे निए 10,000 रुपए से कम की बाहर में आने वाली रकमों के सम्बन्ध में भारतीय रिजर्व बैंक को अंग देना जरूरी नहीं है। इन्हें सम्बन्धियों को अथवा अन्य प्रयोजनों द्वारा बाहर से भेजी गई रकमों का आवश्यक बनाना गम्भीर नहीं है।

(ब) सम्भवत माननीय मदम्य का आगाय विदेशी मुद्रा का पैर-निवासी खाता योजना से है जो पहली नवम्बर, 1975 से शुरू की गई थी। यदि ऐसा है तो इन खातों में अन्तर्गत पहली नवम्बर, 1975 से 31 अक्टूबर, 1977 तक की प्रवधि में 5,196,500 डालर और 111,480,000 डालर जमा हुये हैं। ये आवडे विदेशी मरणों वाले भारतीयों और भारत मूलक

विदेशी नागरिकों द्वारा न केवल राष्ट्रीयकृत बैंकों वर्तक सभी बैंकों में जमा कराई गई धनरक्षण के हैं।

**Flight of Capital to Units**

2360. **SHRIMATI AHILYA P. RANGNEKAR:**  
**SHRI DINEN BHATTACHARYA:**

Will the Minister of FINANCE be pleased to state:

(a) whether Government are aware of the flight of capital from some units to others and particularly from one State to other to gain high profit and thereby make an industry sick deliberately by industrial houses and industrialists;

(b) when Government propose to have a study on the question of amalgamation of sick units; and

(c) if so, the remedial measures to be taken by the Government?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) to (c). Government are not aware of any specific cases of flight of capital from an industrial unit which would have the result of making such a unit sick. In so far as sickness in industry is concerned, Government have been seized of the problem for some time. One of the solutions considered for reviving sick but potentially viable units was to encourage their take-over by sound units. Accordingly, in the last Budget, certain concessions have been granted which will facilitate the merger of sick units with sound ones.

**Suggestion made by R.B.I. for Integrated Village Development Plan**

2361. **SHRI PRASANNBHAI MEHTA:** Will the Minister of FINANCE be pleased to state:

(a) whether Reserve Bank of India has suggested for the formulation of an integrated village development plan by the Centre for reducing the inequalities in the distribution of assets between the cultivator and non-cultivator sectors of the rural economy;

(b) if so, whether this recommendation of the Reserve Bank of India has been considered by Government; and

(c) the main features of the proposed scheme of the Reserve Bank of India?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) Reserve Bank of India has not made any specific suggestions to Government of India for formulation of an integrated village development plan for reducing inequalities. However, a reference to this aspect was made in a signed article on "Pattern of Assets of Rural Households, 1961-71", published in Reserve Bank Staff Occasional Papers June 1977 (Volume 2 No. 1).

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

**Export Service Charges claimed by Coca Cola Export Corporation**

2362 **SHRI MOTIBHAI R. CHAUDHARY:** Will the Minister of FINANCE be pleased to state.

(a) whether Coca Cola Export Corporation in 1972 claimed export service charges for export to Denmark approximately Rs. 15.6 lacs against the export of Rs. 10 lacs;

(b) on what ground did the Income Tax Department accept these expenses as tax deductible; and

(c) whether Government propose to take any action and if not, the reasons therefor?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) The total exports of Coca Cola Export Corporation to Denmark in the account year 1971 relevant for the assessment year 1972-73 amounted to Rs. 32.48 lakhs while the realisation during the year from Denmark amounted to Rs. 10.01 lakhs only, balance having been realised in 1972. The service charges claimed in account year 1971, however, amounted to Rs. 15.32 lakhs. These included the service charges of account year 1970 also during which exports to Denmark had amounted to Rs. 10.67 lakhs. As the said exports had taken place towards the close of the year 1970, no service charges had been claimed in that year. Therefore, it is not correct to say that the service charges of Rs. 15.32 lakhs claimed in the account year 1971 pertain to exports of Rs 10.01 lakhs only.

(b) Under Section 37(1) of the Income Tax Act 1961, 'service charges' incurred in connection with the export operations of an Indian Branch of a foreign company, qualify for deductions for purposes of computing the taxable income.

(c) Does not arise.

**Facilities to Tourists and opening of Janata Hotels**

2363. **SHRI K. PRADHANI:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether it is a fact that recently a conference of the Ministers of States had taken place regarding the facilities to the tourists and to open Janata Hotels in the States; and

(b) if so, the details regarding the points discussed and decisions taken thereon?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURSHOT-**  
2767 LS-4

**TAM KAUSHIK):** (a) and (b). A Conference of the State Ministers of Tourism was held in New Delhi on the 31st August, 1977. It was preceded by a one-day Conference of Secretaries/ Directors of Tourism Departments of the State Governments to prepare the grounds for Minister level meeting. A number of agreed decisions were taken which may play a significant role in formulating national policy on tourism.

Important recommendations of the Tourism Ministers Conference are laid on the table of the House. [Placed in Library. See No. LT 1247/77].

**Setting up of a Hotel in Trivandrum**

2364. **SHRI B. K. NAIR:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state whether in view of the schemes for expanding the Trivandrum Airport and to introducing direct flight from the gulf countries to Trivandrum. Government have under consideration, any plan to set up a first class hotel in Trivandrum under his Ministry?

**TAM KAUSHIK):** The India Tourism Development Corporation already has a first class 88-room beach hotel and a group of 40 cottages close to Trivandrum at Kovalam. Keeping the occupancy position of these establishments in view, the India Tourism Development Corporation has no proposal for the present to set up another first class hotel in Trivandrum.

**Payment of Compensation for Enemy Properties**

2365. **SHRI SAMAR GUHA:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to refer to the reply given to unstarred question No. 788 on the 17th June, 1977 regarding com-

pensation for properties left in former East Pakistan and West Pakistan and state:

(a) steps taken by Government for expediting payment of compensations for enemy properties;

(b) whether priorities will be given to considering the applications of old, infirm and financially handicapped migrants; and

(c) the total amount of enemy property in (i) cash and (ii) property, in the hands of the Government?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): (a) The verification of claims for payment of *ex-gratia* grants is a complicated and time-consuming process. Hence, to ensure expeditious and fair disposal of the claims, a special Panel was set up in April, 1974 with the Custodian of Enemy Property as Chairman, and a senior Judge of the West Bengal Judicial Service and a senior Revenue Officer of the Land Records Department of the West Bengal Government as members. The Panel sits in Calcutta for personal hearings, examination of the relevant records and witnesses etc.

However, in view of large number of fresh claims received now, a proposal for further simplification of procedure for the verification of claims is under consideration.

(b) Yes, Sir.

(c) (i) A cash amount of Rs 12.79 crores is held in the personal ledger account of the Custodian of Enemy Property for India (ii) The approximate value of the enemy properties, other than cash vested in the Custodian of Enemy Property for India is Rs. 16.61 crores.

**Setting up of Panel to Study Losses to Sick Units**

2366. SHRI DINEN BHATTACHARYA: Will the Minister of FINANCE be pleased to state:

(a) whether Government are going to set up a panel to study ways of setting off losses to the sick units; and

(b) if so, the details about the same and the modalities of finding the reasons of sickness or to the terms of references of enquiring on the issue?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH): (a) No, Sir. The Government is not considering any such proposal.

(c) Does not arise.

**Memorandum from Silk and Rayon Textile Exporters Association**

2367. SHRI VASANT SATHE: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the Silk and Rayon Textile Exporters Association has submitted a memorandum to his Ministry protesting against the liberalization of imports of polyester filament yarn which will help export houses and mills to make huge profits;

(b) if so, the points made therein; and

(c) the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG): (a) Yes Sir.

(b) The Silk and Rayon Textiles Exporters Association have represented that the import of polyester fila-

ment yarn should be regulated as under:—

(1) Export Houses should not be permitted to import polyester filament yarn against export of unconnected products. In case it is not feasible, only manufacturer-cum-exporters of synthetic filament yarn textiles may be given this facility for captive consumption and against export obligation of synthetic filament yarn goods.

(2) The actual users allocation should be confined to artsilk industry only.

(3) Any major policy decision should be taken in consultation with the Export Promotion Council.

(c) The points raised by the Association have been considered and it has been decided that the policy as laid down should be allowed to operate and a review should be undertaken in December, 1977.

#### Lightning Strike by Air India Crew

2369. SHRI RAMANAND TIWARY: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether his attention has been drawn to news item entitled 'Lightning Strike by Air India Crew, in Indian Express of 27th October, 1977; and

(b) the reaction of Government thereto and steps proposed to be taken to avoid its recurrence in future?

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

(b) The Air India Cabin Crew Association (AICCA) went on a flash strike without notice for one day on 26-10-77 for the alleged reason that Air India Management ignored AICCA's appeal not to permit carriage of arms, ammunitions and lethal weapons on board the aircraft. The Air-India Management held discussions with the representatives of the Association to restore normalcy but the

Association did not respond favourably and continued to disobey lawful orders. The Management was constrained to issue a notice of lock-out as per provisions of the Industrial Disputes Act, 1947, in the Inflight Service Department of Air-India to be effective from 2-12-1977, or any day thereafter. Air-India Management, however, continued efforts for an amicable settlement. The Regional Labour Commissioner (Central) fixed the conciliation proceedings on the issue on 21st November, 1977. However, no understanding was reached. Air-India Management held bilateral discussions with the Cabin Crew Association on the 24th November, 1977 and settlement was reached. The Cabin Crew Association withdrew their directive and agreed to restore normalcy. The Association also apologised on behalf of the Cabin Crew for participating in the strike on the 26th October, 1977. The Air-India Management have, therefore, withdrawn the lock-out notice and the suspension orders and charge sheets issued to the Cabin Crew members.

It is always the endeavour of Air-India Management to settle such disputes by mutual discussions.

बैंक आफ राजस्थान में अनुसूचित जातियों तथा अनुसूचित जनजातियों के व्यक्तियों की नियुक्ति

2370. श्री जगदीश प्रसाद भाषुरः क्या वित्त मंत्री यह बताने की कृपा करेंगे कि केन्द्र सरकार की नीति के विषय बैंक आफ राजस्थान लिमिटेड में अभी तक अनुसूचित जाति तथा अनुसूचित जनजाति के किसी भी व्यक्ति को नियुक्त न किये जाने के बया कारण हैं?

॥ वित्त तथा राजस्थान और बैंकिंग मंत्री (श्री एच० एम० पटेल) : अनुसूचित जातियों और अनुसूचित जनजातियों के लिए पद सुरक्षित रखने के बास्ते आर्थिक कार्य विभाग (बैंकिंग प्रभाग) द्वारा जारी किए गए शास्त्रीय वेबस सरकारी क्षेत्र के बैंकों

पर लागू होते हैं। वे गैर-सरकारी लेवर के बैकों पर लागू नहीं होते। अलबता वे सरकारी लेवर के बैकों के बारे में सरकार द्वारा अपनाई गई सामान्य नीति का अनुसरण करने के लिए स्वतंत्र है।

भारतीय सामाजिक के नियांत में गिरावट को रोकने के लिये किये गये उपाय

2372. श्री सुशील कुमार धारा : क्या व्यापारिय तथा नागरिक पूर्ति और सहकारिता मन्त्री यह बताने की कृपा करेंगे कि :

(क) यूरोपीय आर्थिक समुदाय द्वारा दी गई सुविधाओं के अधीन नियांत किये जा रहे भारतीय सामाजिक के नियांत में गिरावट को रोकने तथा नियांत व्यापार को बढ़ाने के उद्देश्य से बनंतान मरकार द्वारा क्या कदम उठाये गये हैं,

(ख) यूरोपीय देशों को हमारे नियांत में वृद्धि की क्या सभावनाये हैं, और

(ग) ब्रिटेन के यूरोपीय आर्थिक समुदाय में प्रवेश तथा अन्य कई कारणों के फलस्वरूप भारत तथा ब्रिटेन के बीच व्यापार के अन्तर को पूरा करने के लिये क्या प्रयास किये जा रहे हैं?

व्यापारिय तथा नागरिक पूर्ति और सहकारिता संत्रासय में राज्य मन्त्री (श्री आरिफ बंग) । (क) पिछले कुछ वर्षों में यूरोपीय आर्थिक समुदाय को भारतीय नियांत बढ़ने रहे हैं। यूरोपीय आर्थिक समुदाय को हमारे नियांत व्यापार में न केवल गिरावट रोकने अपितु उसमें वृद्धि भी करने

के लिए अनेक उपाय किए गए हैं जिनमें समुदाय की सामान्य अधिमान प्रणाली के अधीन उपलब्ध टैरिफ लाभों का उपयोग करते हुए इन बाजारों को नियांत बढ़ाने के लिए व्यापार तथा उद्योग में दिनचरी सभा जागरूकता पैदा करना शामिल है। इस संदर्भ में अन्य विभिन्न प्रकार की पहल भी की जाती है, यथा विशेषीकृत भेलो तथा प्रदर्शनियों में भाग लेना, उत्पाद दानों के दोरे, कतिपय उत्पादों के बारे में विद्व-विद्व भाषाओं में विवरणिकाएँ छापना तथा वितरित करना, इन बाजारों की पमन्द के मूलाविक भारतीय उत्पादों का अनुकूलन नया आणोधन।

(ख) इन बाजारों का नियांत बढ़ाने की समाव्यताना अनेक बातों पर निर्भर होती, यथा हमारे हित के उत्पादों के लिए बाजार में नियांत प्रवेश इन देशों में विद्यमान आर्थिक परिस्थितिया हमारे उत्पादों की प्रतियोगिता-धमता, बवालिटी, मानकों के अनुसृप्त माल का होना, मरमय पर मुद्रादेश देना आदि। हमारा यह मतल प्रयास रहता है कि इस द्वेष को नियांत बढ़ाने के लिए, मधी मध्य उपाय लिए जाएं।

(ग) विगत कुछ वर्षों में ब्रिटेन को भारतीय नियांत बढ़ने रहे हैं। मगत करारों में समुचित उपचन्द्रों द्वारा ब्रिटेन के बाजार के सम्बन्ध में कतिपय वस्तुओं से मम्बन्धित हमारे हितों का यथासम्भव सरक्षण करने के अलावा, ब्रिटेन को होने वाले नियांतों में वृद्धि करने के लिए अधिमानों का सामान्यीकृत योजना के अन्तर्गत उपलब्ध टैरिफ लाभों का उपयोग करने के लिए कार्यवाही आरंभ की गई है। इसके अतिरिक्त, ब्रिटेन को होने वाले हमारे नियांतों में वृद्धि करने के लिए सेमिनार आयोजित करना, भेलो तथा प्रदर्शनियों में भाग लेना, प्रतिनिधिमंडलों के दौरे आयोजित करने आदि जैसे बहुत से संवर्धनात्मक कदम भी उठाए गए हैं।

राष्ट्रीयकृत बैंकों द्वारा उद्योगपतियों और किसानों को दिया गया ऋण

2373. श्री यशुना प्रसाद शास्त्री : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) अप्रैल, 1977 से 30 दिसंबर, 1977 तक देश के सभी राष्ट्रीयकृत बैंकों द्वारा उद्योगपतियों और किसानों को क्रमशः कितने करोड़ रुपये के ऋण दिए गए ; और

(ख) किसानों को दिए गए कुल ऋण में से कितने प्रतिशत ऋण उन किसानों को दिया गया जिनके पास पांच एकड़ से कम भूमि है ?

वित्त तथा राजस्व और बैंगिंग मंत्री (श्री एच० एम० पटेन) : (क) सितम्बर, 1977 को समाप्त होने वाले ४ महीनों के लिये बैंक ऋण के क्षेत्रीय वितरण का सुनिश्चित बैंक समूहवार व्यूरा अभी उपलब्ध नहीं हुआ है। सरकारी क्षेत्र के बैंकों के बकाया ग्राहिमों के क्षेत्रीय वितरण के मार्च 1977 के अन्तिम शुक्रवार की स्थिति के अनुसार त्वरित अनुमान निम्नलिखित है —

(करोड़ रुपयों में)

सरकारी क्षेत्र के बैंकों का कुल

बकाया ऋण	11766
(1) सरकारी खाद्याल्प आसादन	2045
(2) कृषि	1275
(3) छोटे उद्योग	1216
(4) अन्य उपेक्षित क्षेत्र	675
(5) अन्य क्षेत्र	6555

[बड़े और मध्यम दर्जे के उद्योग और थोक व्यापार (खाद्याल्प आसादन के अलावा) और उन्हें दिये गये नियंत्रित ऋण सहित]

(ख) भारतीय रिजर्व बैंक ने सूचित किया है कि जोत-झेववार ताजे उपलब्ध आंकड़े सितम्बर, 1976 के अन्त तक के हैं। इन्हें नीचे दिया गया है :—

सरकारी क्षेत्र के बैंकों द्वारा सितम्बर, 1976 के अन्त तक कृषकों को दिया गया सीधा ऋण

(करोड़ रुपये)

जोत झेव समूह	खाते	राशि
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कृषकों के पास जोत झेव

(i) ५ एकड़ 18,37,658	248. 98
(67. 2)	(36. 8)

(ii) कुल सीधा

ऋण 27,34,794	695. 53
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(कोष्ठकों में दिये गये आंकड़ों से कुल सीधे ऋण से प्रतिशत का पता चलता है)

Staff Sanctioned for Erstwhile Marine Products Export Development Authority

2374. SHRI BALAK RAM: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the total number and Category-wise details of staff sanctioned for the erstwhile Marine Products Export Development Authority;

(b) the total number and category-wise details of staff sanctioned by the Government till-date for the Marine Products Export Development Authority;

(c) the total number and category-wise details of staff sanctioned by the

Authority/Executive Committee or Chairman without reference to Government; and

(d) the number and categories of Class IV posts created by the Authority or Chairman from 1st January, 1975 to 31st August, 1977 inspite of the existing ban?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG):** (a) to (c). The information is as per Statement laid on the Table of the House. [Placed in Library. See No. LT-1248/77]. Information in regard to part (a) has been furnished under the presumption that it refers to erstwhile Marine Products Export Promotion Council.

(d) One post of Messenger for Regional Office, Calcutta was sanctioned by the Authority with effect from 1st April 1977.

#### Recommendations of the Pillai Committee

2375. SHRI R. L. KUREEL: Will the Minister of FINANCE be pleased to state:

(a) whether Government have accepted the recommendations of the Pillai Committee on Standardisation of Pay Scales, Service Conditions, Service Conduct Rules and Disciplinary Regulations for Officers in the fourteen nationalised banks;

(b) if so, when are they going to be implemented; and

(c) if not, why and to what extent they are rejected?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) to (c). Recommendations of the Pillai Committee relate to standardisation of Pay scales, al-

lowances and perquisites of officers in the nationalised banks and not to the Service Conduct Rules and Disciplinary Regulations. The recommendations of the Pillai Committee as modified by the group of bankers have already been accepted by the Government and communicated to the banks concerned for their adoption. Nationalised banks are taking steps for implementing these recommendations.

बिहार राज्य के प्रखण्डों में राष्ट्रीयकृत बैंकों को शाखायें खोला जाना

2376. श्री आनंदबर प्रसाद यादव : क्या बिल भवी यह बताने की कृपा करेगे कि :

(क) बिहार राज्य के किनने प्रखण्डों में राष्ट्रीयकृत बैंकों की शाखायें नहीं खोली गई हैं,

(ख) क्या भागलपुर जिले के गोपालपुर प्रखण्ड में किसी भी राष्ट्रीयकृत बैंक की कोई भी शाखा नहीं है ; और

(ग) यदि हाँ, तो इसके क्या कारण हैं और सभी प्रखण्डों में जाखायें क्या तक खोली जायेगी ?

बिल तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) : (क) विसम्बर, 1977 की स्थिति के अनुसार बिहार में 94 ऐसे नामुदायिक विकास खण्ड हैं जिनमें क्षेत्रीय प्रामाणी बैंकों सहित सरकारी ब्यैंक के बैंकों का कोई कार्यालय नहीं है।

(ख) श्री (ग). भागलपुर जिले के गोपालपुर खण्ड के लिए कोई बैंक का कार्यालय नहीं है। परन्तु, यूनाइटेड कम्पनीशियल बैंक को भारतीय रिजर्व बैंक ने जुलाई, 1977 में लाइसेंस जारी किया था और आगा है, वह गोपालपुर में शीघ्र ही अपना कार्यालय खोलेगा। बिहार के शेष जिला बैंक वाले

खण्डों की राष्ट्र स्तर की बैंकर समिति ने विभिन्न बैंकों में आवंटित विधा है और आशा है सम्बन्धित बैंक जून, 1976 तक इन खण्डों में अपने कायांस्य खांस देंगे।

**Discrimination against Harijans and Adivasis who apply for Pilot's Job in IA**

2377. SHRI SIVAJI PATNAIK Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the allegation that Indian Airlines is discriminating against Harijans and Adivasis who apply for Pilot's job has come to the notice of the Government; and

(b) if so, what action Government propose to take in the matter?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) and (b). The allegation regarding discrimination against Harijans and Adivasis applying for Pilots' job was brought to the notice of Indian Airlines. This was looked into by the Corporation but was found to be baseless.

**Memorandum Submitted by National Federation of Insurance Field Workers**

2378. DR. BAPU KALDATEY: Will the Minister of FINANCE be pleased to state:

(a) whether National Federation of Insurance Field Workers of India Gwalior have submitted a memorandum;

(b) if so, what are the main demands of the Federation; and

(c) what action has been taken to meet their demands?

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

(b) (i) The agreement of the National Federation of Insurance Field Workers of India with LIC Management on grant of automatic increment (Agreement 1965) should be restored.

(ii) Agreement of 1971 on employment security and Work norms should be restored.

(iii) Finance Ministry's Notifications dated 8th April, 1976 LIC's Notification dated 21st April, 1976 should be set aside.

(iv) Notices of reductions in emoluments and terminations issued to members presently by the LIC Management in terms of the new service conditions should be withdrawn.

(v) There should be a tripartite talks (Government of India, Management of the Life Insurance Corporation and Federation of the Field Workers) for resolving all disputed issues.

(c) The Chairman of the Life Insurance Corporation in course of talks with the Federation of Field Workers to mitigate the rigours of the implementation of the Cost-norms under new service conditions, offered to shift the implementation of the Cost-norms from 1st January 1978 instead of 1st January 1977, relaxation in enforcing the Cost-norms in the event of prolonged sickness and serious accident and transfer of the Development Staff to Administrative side at the discretion of the Management in the event of termination of their services. These offers were not acceptable to the Federation. Following his talks with the Federation representatives, Chairman, LIC has submitted his report to the Government which inter-alia contained some further suggestions and these are under consideration of the Government.

**Criticism made by Trade Unions regarding setting up of Study Group on Wage Income and Price policy**

**2379. SHRI K. MALLANNA:  
SHRI UGRASEN:**

Will the Minister of FINANCE be pleased to state:

(a) whether leading Trade Unions have criticised the setting up of the study group by Government to make recommendations on a wage income and price policy and there is country-wide discontentment among labour classes; and

(b) if so, the reaction of Government thereon?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) Government is not aware of Trade Unions having criticised the setting up of the study group on Wages, Incomes and Prices as such or of any country-wide discontentment amongst labour classes in this regard.

(b) Does not arise.

**Posts Created for Hindi Work in the Ministry of Finance**

**2380 SHRI MOHAN LAL PIPIL:** Will the Minister of FINANCE be pleased to state:

(a) whether any instructions have been received from the Ministry of Home Affairs for regulating the appointments, promotions etc. of the officials holding various posts exclusively created for Hindi work in the Ministry of Finance;

(b) whether these instructions are being followed and if so, to what extent; and

(c) whether it is proposed to follow these instructions in making appointments to Class I and Class II gazetted posts in future, if not, the reasons therefor?

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

(b) The instructions have been fully followed.

(c) Yes, Sir.

राज्यपाल तथा गैर-राज्यपाल बैंकों की शाखाएँ

**2381. श्री अर्जुन सिंह भवोरिया :** क्या वित्त मंत्री यह बताने की कृता करेगे कि

(क) राज्यपाल तथा गैर-राज्यपाल बैंकों की पृथक्-पृथक् कितनी फिल्मी शाखाएँ हैं,

(ख) गत तीन वर्षों में बैंकदार तथा वरंवार कितनी-कितनी शाखाएँ खोली गईं;

(ग) अगले दो वर्ष प्रत्येक बैंक की कितनी फिल्मी शाखाएँ खोलने का प्रस्ताव है; आर

(घ) प्रत्येक बैंक में कितनी-कितनी धनराशि जमा है?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एव० एम० पटेल) : (क) मे (घ)। राज्यपाल श्री गैर-राज्यपाल बैंकों/बैंक गम्भीरों की शाखाओं की संख्या उनके द्वारा 1974, 1975 और 1976 के बर्षों तथा जून, 1977 को समाप्त होने वाले 6 माह व दोरान खोली गई शाखाओं की संख्या आंग उनकी जमा राशियों की जून, 1977 के अंतिम शुक्रवार की स्थिति के बारे में सूचना गल्भन विवरण भी दी जा रही है।

वर्ष 1978 के लिये बैंकों की शाखा विस्तार योजनाओं को अभी अंतिम रूप नहीं दिया गया है।

## विवरण

बैंक/बैंक - समूह	30-6-77 को कार्यालयों की संख्या	वर्ष के दौरान बोले गए कार्या- लयों की संख्या	जून, 1977 के अन्तर्गत शुक्रवार की स्थिति के अनुसार कुल जमायें	
			1977 करोड़ जून, 77 हो के अन्तर्गत	
	1974	1975	1976	तक
<b>क. भारतीय स्टेट बैंक समूह</b>				
1 स्टेट बैंक आफ इंडिया	4359	384	419	444
2 भारतीय स्टेट बैंक के अनुयायी	2000	88	93	135
<b>ख. राज्यीयकृत बैंक</b>				
1 इलाहाबाद बैंक	652	58	103	111
2 बैंक आफ बड़ीदा	1074	38	58	186
3 बैंक आफ इंडिया	1072	81	99	101
4 बैंक आफ महाराष्ट्र	611	46	57	32
5 केन्द्र बैंक	1043	74	93	109
6 मैट्रिक्स बैंक आफ इंडिया	1434	53	85	119
7 देनारा बैंक	642	21	18	29
8 दिल्ली बैंक	684	71	80	82
9 दिल्ली अंग्रेजी बैंक	596	47	65	75
10 पंजाब नेशनल बैंक	1351	85	103	102
11 मिल्केन्ट बैंक	881	73	37	72
12 पू. निधन बैंक आफ इंडिया	936	65	129	131
13 पू. नाइट्रो बैंक आफ इंडिया	719	45	48	179
14 पू. नाइट्रो कम्पनी बैंक	948	62	93	88
<b>ग. क्षेत्रीय ग्रामीण बैंक</b>	780		17	486
ग. 1 अन्य भारतीय अनुसूचित वाणिज्यिक बैंक	4858	392	684	718
2 विदेशी बैंक	130	1	—	—
<b>द. गंदर अनुसूचित बैंक</b>	132	14	21	18
	कुल जोड़	24802	1693	2337
				3217
				1150
				18812

\* अन्तः बैंक जमायें को छोड़कर/अनन्तिम।

**Proposal to take over Edible Oil Mills**

2382. SHRI MUKHTIAR SINGH MALIK: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether there is any proposal under consideration of Government to take over edible oil mills in the country; and

(b) if so, what steps are being taken by Government to take over oil mills?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHIANA KUMAR GOYAL): (a) No Sir; there is no such proposal now under the consideration of the Government.

(b) Question does not arise.

**Re-opening of Income Tax Assessment Orders of Foreign Tea Companies**

2383. SHRI SOMNATH CHATTERJEE: Will the Minister of FINANCE be pleased to state:

(a) whether I.T. assessment orders of Foreign Tea Companies have been re-opened and if so, the names of such companies;

(b) the amount of tax involved and the steps taken to recover the amount of tax; and

(c) whether re-opening of assessments affect the rupeeisation of such companies under the Foreign Exchange Regulation Act?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH): (a) and (b). Information is being collected and will be placed on the Table of the House.

(c) Every effort is being made to ensure that there is no delay in the rupeeisation of such companies.

**Representation from Karnataka Government for Establishing Customs Clearance and Ware House facilities**

2384. SHRI B. RACHAIAH: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state whether he has received any representation from the Karnataka Government for establishing customs clearance and warehouse facilities near Bangalore Airport and establishment of export oriented functional industrial estate in the State at Bangalore?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): Such a proposal, which was analogous to free trade zone facilities, was initiated by the State Government in August, 1976. It was not, however, progressed because of the general decision not to set up any more free trade zones in the country.

जयपुर में जयगढ़ और मोती डूंगरी में को गई खुदाई में बरामद खजाना

2385. श्री राम नरेश कुशवाहा: क्या बिल मंत्री यह बनाने की कृपा करेंगे कि :

(क) जयपुर में जयगढ़ और मोती डूंगरी आदि में की गई खुदाई से बरामद खजाना किन न्यानों पर मरकारी खजानों में जमा कराया गया था, उसका मूल्य कितना है और किन तारीखों को जमा कराया गया था;

(ख) उन व्यक्तियों के नाम क्या हैं जो इस खजाने को लाए थे और जो उस दल के साथ थे ?

बिल तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) : (क) और (ख)

“छिपाये गये खजाने” का पता सगाने के लिए केवल जयगढ़ किले में ही खुदाई की गई थी। यह कार्य 1976 में जून में नवम्बर तक भी अवधि में किया गया था। उक्त खुदाई में कोई खजाना नहीं मिला।

#### Purchase of Aircrafts for augmenting Domestic Air Travel facilities

2386. PROF. P. G. MAVALANKAR:  
SHRI D. AMAT:

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

(a) whether Government propose to buy during the current financial year one or more aircraft for augmenting the domestic air travel facilities; and .....

(b) if so, broad details thereof including the cost expected to be incurred for the same?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) and (b). No, Sir. There is no proposal to purchase any more aircraft during the current financial year for domestic air services. However, Indian Airlines placed on order in February, 1977 for three Boeing-737 aircraft fitted with JT&D engines and low pressure tyres and spare parts at a total project cost of about Rs. 30.50 crores. The first of these aircraft has already been received by Indian Airlines while the remaining two are expected to be received before the end of the year 1977.

#### Tax Concessions on Merger of Sick Industrial Units with Healthy Ones

2387. SHRI C. K. CHANDRAPPAN:  
Will the Minister of FINANCE be pleased to state:

(a) whether Government have decided to give tax concessions on merger of sick industrial units with healthy one; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH): (a) and (b). Yes, Sir. The Finance (No. 2) Act, 1977 has inserted a new section 72A in the Income-tax Act, 1961 to provide that where a company, owning an industrial undertaking or a ship, amalgamates with another company, the accumulated loss and unabsorbed depreciation allowance of the amalgamating company will be carried forward and set off in the hands of the amalgamated company if the Central Government, on the recommendation of the specified authority, is satisfied that the amalgamation is in the public interest and certain other conditions as specified in the said provision are fulfilled. The provisions of new section 72A are self-explanatory.

#### एच० पी० एस० का नियंता

2388. श्री घर्म सिंह भाई पटेल : क्या वाणिज्य तथा नामरिक पर्ति और सहारिता मती यह बनाने की कृपा करेगे कि :

(क) गत तीन वर्षों में एच०पी०एस० का कितना नियंति हुआ ;

(ख) क्या इसके नियंति पर प्रतिबन्ध लगा दिया गया है, यदि हां, तो कब से नया इसके क्या कारण है ;

(ग) यदि वर्ष 1977-78 में मंगफली की पदावार अच्छी होती है तो क्या सरकार का विचार एच०पी०एस० के नियंति की अनुमति देने का है यदि हां, तो गव से और किस प्रकार ?

(घ) गत तीन वर्षों में कितने व्यक्तियों तथा कम्पनियों को एच०पी०एस० के नियंति की मंजरी दी गई थी और उन्होंने एच०पी०एस० का कितनी मात्रा में नियंति किया ; और

(क) किसी एक व्यक्ति अथवा किसी एक कम्पनी को अधिक से अधिक कितने निर्यात की मंजूरी दी गई; और क्या इस वर्ष के दौरान सरकार का विचार एवं पी० एस० बनाने वालों को निर्यात के लिए सीमित रूप से मंजूरी देने का है ?

वाणिज्य तथा नागरिक दूर्ति और सहकारिता संचालन में राज्य मंत्री (श्री अर्पित द्वेरा) : (क) यह तीन वर्षों में निर्यात की गई हाथ से चुनी तथा छंटी मूगफली की मात्रा निम्नोक्त प्रकार थी : —

(हजार में०टन)

हाथ से चुनी तथा छंटी मूगफली	हाथ से चुनी
की गिरी	तथा छंटी
	मू. कली
	छिनों सहित

अरेल-गांव

1974-75	47.29	8.43
1975-76	107.09	5.71
1976-77	122.81	13.73

(ब) बरेलू बाजार में खाद्य तेलों की कीमतों के बढ़ने ही रूप को रोकने के लिए हाथ से चुनी तथा छंटी मूगफली के निर्यातों पर 14 जुलाई, 1976 को रोक लगाई गई थी। उसके बाद नवम्बर, 1976 में 50,000 में० टन की सीमित मात्रा निर्यात के लिए रिलीज की गई थी।

(ग) 1977-78 फसल के आधार पर हाथ से चुनी तथा छंटी मूगफली के निर्यात कोटे के बारे में अभी तक कोई निर्णय नहीं लिया गया है।

(घ) मार्गीकरण एजेंसी से एकद की गई जानकारी के आधार पर यह तीन वर्षों में हाथ से चुनी तथा छंटी मूगफली के निर्यातों की सम्या तथा उनके द्वारा निर्यात की गई मात्रा निम्नोक्त प्रकार है : —

वर्ष	निर्यातकों की मंजूरा	(हजार में० टन)	निर्यात की गई मात्रा
नवम्बर, 1974-प्रत्यन्तवर, 1975	55	35.70	
नवम्बर, 1975-प्रत्यन्तवर, 1976	236	193.76	
नवम्बर, 1976-प्रत्यन्तवर, 1977	275	49.45	

(ङ) जुलाई, 1976 तक हाथ से चुनी तथा छंटी मूगफली के निर्यात पर कोई मात्रा संबंधी प्रतिबन्ध नहीं था। नवम्बर, 1976 में निर्यात के लिये रिलीज

किये गये 50,000 में० टन के कोटे को मार्गीकरण एजेंसी के निर्यातकों के बीच उनके पिछले वर्षों के अधिकतम निर्यातों के आधार पर बांटा था।

**Functioning of National and Grindlays Bank**

**2390. SHRI JYOTIRMOY BOSU:** Will the Minister of FINANCE be pleased to state:

(a) whether ground rules and code of ethics, framed by the Indian Banks Association provide that Savings Bank Account with cheque book facility should have a minimum balance of Rs. 100/- with a stipulation that interest would be payable thereon even if the balance falls below that level;

(b) whether National and Grindlays Bank against whom criminal prosecution had been launched for evading tax and for making illegal remittances of foreign exchange are blatantly flouting this stipulation and are compelling depositors to keep a minimum of Rs. 1,000/-;

(c) whether Governor of Reserve Bank of India, Bombay in his letter dated 6th September, 1977 has asked them to abide by the stipulation condition and as on date they have ignored the Reserve Bank's directive;

(d) if so, what action Government propose to take in this regard; and

(e) what other complaints Reserve Bank and/or Government have received against the functioning of National and Grindlays Bank in all its spheres?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) On the advice given by the Reserve Bank of India to the Indian Banks' Association (IBA) on 28-5-1977, IBA have framed ground rules and code of ethics which provide that Savings Bank Accounts, with cheque-book facility should be opened with a minimum balance of Rs. 100/- and interest would be payable on the balance even if it falls below the stipulated minimum. The Association had, however, made it clear to its Member banks that it is

open to them to make their rules in respect of minimum balance stricter than that recommended by it, although it is not permissible for any bank to give more liberal facilities in regard to minimum balance than that recommended by the Association.

(b) The Grindlays Bank Limited is reported to have recently raised the minimum balance for opening Savings Account with cheque-book facility from Rs. 250/- to Rs. 1000/-. It is also reported to have stipulated that no interest will be payable if the balance falls below Rs. 1000/-. While the bank's stipulation that no interest will be payable if the balance falls below Rs. 1000/- is contrary to the Association's guidelines it cannot be said that the raising of the minimum balance is contrary to these guidelines.

(c) and (d). On the 6th September, 1977 Reserve Bank drew the Bank's attention to the Ground Rules and Code of Ethics framed by the IBA on the subject. The Bank replied on 5th October, 1977 that it was open to banks to make their rules stricter than those recommended by the IBA. As the Bank's action can give rise to the impression that it is deliberately trying to serve the affluent, to the exclusion of the common man, Reserve Bank has recently advised the Bank's Regional Director of South East Asia to review the position.

(e) Reserve Bank of India have reported that they have also received complaints (i) that the Bank does not accept deposits beyond 60 months (ii) that it is unilaterally transferring small accounts from one branch to the others and (iii) that its actions (described as restrictive) have resulted in shrinkage of job opportunities.

The Central Board of Direct Taxes (CBDT) have received complaints alleging tax evasion by the Bank as well as its top officials. The CBDT have filed complaints before the Chief Metropolitan Magistrate, Calcutta against the Bank under Section 276 B of the Income Tax Act, 1961 for non-deduction

of tax at source from the technical services fees paid by the bank to the City Bank.

**Import Commitments of Sugar to various Countries during 1977-78 and 1978-79**

**2391. SHRI BALASAHEB VIKHE PATIL:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state the country-wise break-up of import commitments of sugar to various countries of the world with the rates and quantity at which the contracts have been finalised during the year 1977-78 and 1978-79?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG):** No new contracts for export of sugar has been finalised by the STC during 1977-78 or for the year 1978-79, so far. During the current financial year, a quantity of 0.45 lakh tonnes of sugar valued at Rs. 10.43 crores has however been exported, out of the quantities contracted during the preceding year (1976-77).

**महाराष्ट्र में हवाई अड्डों की स्थापना**

**2392. श्री नेशवदाव दोडेंगे :** क्या पर्यटन भौर नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकार का महाराष्ट्र में विशेषतया मराठवाडा में किनने नये हवाई अड्डे स्थापित करने का विचार है ;

(ख) इस ममय कितने हवाई अड्डों से विमानों की उड़ानें हो रही हैं ; और

(ग) क्या सरकार का विचार नाडे हवाई अड्डे को बड़ा हवाई अड्डा बनाने का है ताकि वहाँ के अन्य देशों के लिये उड़ानें

हो सकें और यदि हाँ, तो इससे लोग कब तक नामान्वित हो सकेंगे ?

**पर्यटन भौर नागर विमानन मंत्री (श्री पुरुषोत्तम कंजिक) :** (क) सरकार की महाराष्ट्र में नये विमान थेव स्थापित करने की फिलहाल कोई योजनाएँ नहीं हैं।

(ख) इस ममय महाराष्ट्र राज्य में विमान सेवाओं का परिचालन बम्बई के अन्तर्राष्ट्रीय विमान थेव तथा नागपुर, श्रीरामवाड और गुणे के अन्तर्राष्ट्रीय विमान-थेवों से किया जा रहा है।

(ग) जी, नहीं।

**Delinking of more Grades of processed Mica to promote Export**

**2393. SIIRI CHANDRADEO PRA-SAD VERMA:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether exports of processed mica of delinked grades i.e. below grade 5 where private exporters have not to part with 40 per cent of export orders, secured by them to MITCO increased in 1976-77 as compared to exports in the previous year after their delinking in April, 1976;

(b) what was the value/quantity of these delinked grades in 1975-76 and in 1976-77; and

(c) if exports of delinked grades of processed mica have increased, whether Government are considering the question of delinking more grades of processed mica to promote exports of processed mica?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG):**

(a) The exports of delinked grades of

processed mica during 1976-77 were lower by 18.44 per cent by volume and higher by 23.13 per cent by value as compared to 1975-76.

(b) The value and quantity of these delinked grades during 1975-76 and 1976-77 were as under:—

	Value (Rs. lakhs)	Quantity (in tonnes)
1975-76	536	16,560
1976-77	660	13,507

(c) As there was a fall in the exports of delinked grades of processed mica by volume during 1976-77, as compared to 1975-76, Government would like to watch the progress of exports of these grades during the current year before considering any change in the present pattern of mica trade.

#### Bilateral Settlement entered with L.I.C. Employees Association

2394. SHRI SHAMBHU NATH CHA-  
PURVEDI: Will the Minister of FIN-  
ANCE be pleased to state:

(a) whether a bilateral settlement entered into by the Government of India with the All India Insurance Employees Association under the Industrial Disputes Act was repudiated by the L.I.C. (Modification of Settlements) Act, 1976 overriding the judgement of the Calcutta High Court which held that the Bonus to L.I.C. employees as per the settlement was an accrued due and a property under Article 31 of the Constitution;

(b) if so, whether Government propose to honour the settlement; and

(c) if not, the reasons therefor?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) to (c). The Government of India had not entered into any bilateral settlement with the employees of LIC in regard to any matters including payment of bonus. However the Corporation had entered into a settlement with its class III and class IV employees which inter-alia provided for payment of bonus at the rate of 15 per cent of annual salary without any ceiling. The settlement was current for a period of four years from 1-4-1973 to 31-3-1977. Under this settlement bonus to Class III and Class IV employees for the years 1973-74, and 1974-75 had been paid.

2. With the amendment of the payment of Bonus Act 1965, by the Payment of Bonus Amendment Act, 1976, the Central Government decided that beginning with the accounting year 1974/1974-75 employees of non-competing public sector undertakings including LIC, GIC and the Banks may be paid ex-gratia amounts in lieu of bonus to be determined by the Government after taking into account wage level, financial circumstances and other relevant factors. The ex-gratia amount was not to exceed 10 per cent of salary/wages.

3. In order to bring LIC employees on par with the employees of Banks, GIC and other non-competing public sector undertakings it became necessary to modify the relevant provisions of the subsisting settlements of 1974 in so far as they pertained to payment of bonus. For this purpose the LIC (Modification of Settlement) Act, 1976 was passed by Parliament. It came into force w.e.f. 1st April, 1973.

4. On non-payment of bonus to Class III and IV employees for the year 1975-76 according to settlement of 1974 along with the salary of April, 1976, the All India Insurance Employees Association filed a petition in the Calcutta High Court praying for a declaration that the 1974 settlement was binding and to restrain LIC from re-

fusing to pay bonus in terms of the settlement. In its judgement dated 21-5-1976 the Calcutta High Court upheld the contention of the employees and directed the LIC to abide by the settlement in regard to payment of bonus. The Government preferred an appeal in that High Court against the above order which was heard on 9-6-1976 but as the LIC (Modification of Settlement) Act, 1976 had already been passed and notified on 29-5-1976 and which came into force w.e.f. 1st April 1975, the Court did not pass any order on the appeal. The above Act annulled those provisions of the 1974 settlements which pertained to the payment of bonus at 15 per cent of the annual salary without any ceiling.

5. The validity of the above Act has been challenged by two associations of LIC employees including the All India Insurance Emp'oyees Association. As the case is now being heard by the constitution Bench of the Supreme Court, the Government proposes to await the outcome of the case.

**Announcement of Generalised systems by U.S.A. Government**

2395. SHRI AHMED HUSSAIN: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether Government are aware that some generalised systems have been announced by the U.S.A. Government under which several thousand export items from India (including essential items) have been made duty free in that country;

(b) whether it will not reflect on Government of India's export policy;

(c) action proposed to be taken; and

(d) whether it has been decided to impose additional levy on the essential items on export?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE**

AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG):

(a) Yes, Sir.

(b) No, Sir.

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

**Development of Tourism in Cooperation with States**

2396. SHRI SHIV SAMPATI RAM: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have been considering to develop tourism in co-operation with the States in a concerted manner; and

(b) if so, the broad features of the proposal in this regard?

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

(b) The State Governments have been requested to prepare perspective plans of tourism development in their State as preparatory to the formulation of the Sixth Plan. A letter to this effect was addressed by me to all the Chief Ministers on 9th August, 1977. This matter was also discussed in the Tourism Ministers Conference held in New Dehli on 31st August, 1977.

It has been suggested to the State Governments that the tourist centres proposed for development may be divided into the following broad categories:—

(i) Tourist centres of national importance visited mainly by domestic tourists such as places of pilgrimage;

(ii) Tourist centres of national importance of interest both to international and domestic tourists such as places of historical, archaeological, scenic and religious

importance as also wild life interest;

(iii) Tourist centres of local importance visited only by domestic tourists.

It has also been suggested to the State Governments to indicate the priorities for developing the centres so selected, and the phasing of the expenditure over a period of 5 years.

Perspective plans have so far been received from only 17 State Governments/Union Territories. These plans will be discussed with the State Governments/Union Territories to determine which centres be taken up for development in the Central and State sectors depending upon the availability of resources.

#### Smuggled Articles lying Undisposed of

2397. SHRI DHIREDRANATH BASU: Will the Minister of FINANCE be pleased to state:

(a) whether the smuggled articles unearthed during the last 12 months valuing over 12 crores of rupees are still being rotten at different godowns and lying undisposed of causing damage to articles to the tune of several crores of rupees; and

(b) if so, what steps Government propose to take to dispose of the goods without delay avoiding further damage or loss?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL): (a) Reports received by Government do not show that there has been any large scale damage to the smuggled goods, seized by the Customs authorities and kept by them in their godowns.

(b) Does not arise. However, all the necessary precautions to prevent damage to such goods are being taken by the Customs authorities. Besides,

perishable items are disposed of immediately after seizure to avoid any damage or deterioration of these goods.

#### Tax-exemption notifications issued by previous Government

2398. SHRI M. RAM GOPAL REDDY: Will the Minister of FINANCE be pleased to state:

(a) whether thousands of tax exemption notifications were issued by the previous Government between January to March, 1977 to raise funds for election purposes;

(b) if so, the details thereof and the money involved; and

(c) the number of tax exemption notifications issued during the period April to October, 1977 and the amount involved as also full details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQARULLAH): (a) Under the Income-tax Act, 1961 tax exemption notifications are issued only in respect of charitable and religious institutions under section 10(23C) of the I.T. Act, 1961. The number of notifications issued between the period 1st January 1977 to 31st March, 1977, is 20. These notifications were not issued to raise funds for election purposes.

(b) The list of the notifications may be seen at Statement 'A' laid on the Table of the House. [Placed in Library. See No. LT-1249/77]. The charitable and religious institutions are generally exempt under section 11 of the I.T. Act, 1961. A notification under section 10(23C) of the I.T. Act, 1961 only enables them to be unfettered by the restrictions imposed by the provisions of sections 11, 12 and 13 of the I.T. Act, 1961. In view thereof it would not be possible to assess the money involved in these cases.

(c) The number of tax exemption notifications issued between the period April to October, 1977 are 60. A list of the notifications issued is at Statement 'B' laid on the Table of the House. [Placed in Library. See No. LT-1249/77]. As regards the amounts involved as also full details thereof the answer to this is the same as in part (b) above.

आपात स्वित के दौरान आरे यहे छापों में तस्करों आदि से बरामद बहुमूल्य बस्तुएं

2399. श्री बबू राज सिंह : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) आपात स्वित के दौरान तस्करों, भुनाफालों और चोरबाजारियों के यहां आरे गए छापों में और उनके बैंक लाकरों को छोलने पर बरामद की गई उनकी बहुमूल्य बस्तुओं तथा अन्य सामग्रियों का व्योरा क्या है;

(ख) तस्करों से बरामद ऐसे घन, बस्तुओं अथवा आमूल्यों और बहुमूल्य बातुओं का मूल्य क्या है और जो अभी सरकार के पास हैं और जो उनको वापिस लौटा दिया गया है ; और

(ग) सरकार उन व्यक्तियों के घन, बस्तुओं और बहुमूल्य बस्तुओं के बारे में क्या कार्यवाही कर रही है ?

वित्त मंत्रालय में राज्य मंत्री (श्री सतीश चंद्र अधिकारी) : (क) से (ग)

वर्ष 1975-76 तथा 1976-77 के दौरान आयकर प्राधिकारियों ने 6,206 मामलों में तलाशियां लेने तथा माल पकड़ने की कार्यवाहियां की जिनके कागण 4179 करोड़ 80 के अधिक मूल्य की परिसम्पत्तियां पकड़ी गयीं। जिन व्यक्तियों के खिलाफ विदेशी भुदा संलग्न तथा तस्करी क्रियाकलाप निवारण अधिनियम के अधीन कार्यवाही की गई उनके बारे में फिलहाल उपलब्ध सूचना संलग्न विवरण में दिये गये अनुसार है।

तसाखी लेने के जिस मामले में बहुमूल्य परिसम्पत्तियां पकड़ी जाती हैं, उसमें पहली कार्यवाही यह की जाती है कि आयकर अधिनियम 1961 की घारा 132(5) के अन्तर्गत एक आदेश आरी किया जाता है कि विसके जरिये अधोवित आय को मरसरी तौर पर निर्धारित किया जाता है तथा पकड़ी गयी परिसम्पत्तियों में से उतनी परिसम्पत्तियों को रोक दिया जाता है जिसमें विभिन्न प्रत्यक्ष कर अधिनियमों के अन्तर्गत कर की समझ देनारी की पूति हो सके। इसके बाद नियमित कर-निर्धारण किये जाते हैं और कानून के अन्तर्गत आवश्यक कार्यवाही की जाती है जिसमें अर्ध-दण्ड लगाना/जहां कहीं आवश्यक हो, इस्तमाल की कार्यवाही करना भी शामिल है।

आपातनियति के दौरान पकड़े गये माल, तथा सीमा शल्क और स्वर्ण नियंत्रण अधिनियम वे अनांगत आगे की गयी कार्यवाही के सम्बन्ध में प्रश्न के भाग (क), (ख) तथा (ग) के बारे में सूचना एकत्र की जा रही है और सभा पट्ट पर रख दी जायगी।

## विवरण

आपात-स्थिति के दौरान आयकर विभाग द्वारा मारे गये छायों में जिन व्यक्तियों के विक्रेता भूमा संरक्षण और तस्करी किया-कराया निवारण अधिनियम के अन्तर्गत कार्यवाही की गई, उनके कल्प से पकड़े गये थे, कीमती सामान और अन्य वस्तुओं का ध्वना

नकदी	जवाहिरत	मूल्यवान धातु	अन्य मूल्यवान वस्तुएं	कुल
रु०	रु०	रु०	रु०	रु०
(क) आयकर विभाग द्वारा ली गई ताला- शियों में पकड़े गये सामान का मूल्य 475(000) 837(000) 31(000) 6(000) 1349(000)				
(ख) उपर्युक्त (क) में से, आयकर अधि- नियम की धारा 132(5) के अन्त- र्गत दोके गये माल का मूल्य 443(000) 798(000) 31(000) 6(000) 1278(000)				
(ग) उपर्युक्त (क) में से, कर निर्धारितियों को वापिस किये गये सामान का मूल्य 32(000) 39(000) — — 71(000)				

## Export of Khandsari Sugar

2400. SHRI R. KOLANTHAIVELU: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) the volume of exports of Khandsari sugar during the last three years and the countries to which exported;

(b) analysis of the exporters according to the various States, indicating

names of the dealers in Tamil Nadu; and

(c) the extent of State participation in export trade of Khandsari sugar?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG):

(a) There has been no export of Khandsari Sugar from India during the last 3 years.

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

ग्रामीण क्षेत्रों में खोली गई बैंकों की शास्त्रां

2401. श्री मुभाव शाहज़ा : क्या विस मन्त्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों के दौरान ग्रामीण क्षेत्रों में बैंकों की कुल कितनी ग्रामीणों को छोला गया, और

(ख) उसी अवधि में बैंकों की इन ग्रामीणों ने ग्रामीण उद्योगों और कृषि के विकास के लिए कितना ऋण दिया ?

विस तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) : (क) भारत रिजर्व बैंक ने सूचित किया है कि 1974, 1975, 1976 के तीन वर्षों के दौरान वाणिज्यिक बैंकों ने ग्रामीण क्षेत्रों में 2884 ग्रामीण खोली। चालू वर्ष में (30 सितम्बर, 1977 तक) वाणिज्यिक बैंकों द्वारा खोली गयी ग्रामीण ग्रामीणों की संख्या 1353 थी।

(ख) वाणिज्यिक बैंकों को ग्रामीण ग्रामीणों द्वारा दिये गये ऋणों की वकाया गस्त की दिसम्बर, 1974, दिसम्बर, 1975 और दिसम्बर, 1976 के मान की स्थिति नीचे दी जा रही है।—

(करोड़ रुपयों में)

दिसम्बर, 1974	482.77
दिसम्बर, 1975	608.37
दिसम्बर, 1976	905.62

पिछले तीन वर्षों में खोली गयी नई ग्रामीणों द्वारा दिये गये ऋणों अथवा उनके शेषभार वितरण विषयक आकारे पृथक् रूप न उपलब्ध नहीं है।

**Chemical Oil Smuggled by a Clerk and Assistant Manager of Air France at Palam Airport**

2402. श्री राम धरि शास्त्री : Will the Minister of FINANCE be pleased to state :

(a) whether Assistant Manager, Air France stationed at Palam Airport and one clerk smuggled into India by Air France Flight No. 180 on midnight of 3rd and 4th May, 1976 two drums of chemical oil;

(b) whether the Custom authorities challenged them and then let them oil by imposing a minor penalty on Air France, under the then Congress Government's pressure;

(c) whether this officer is still stationed at Palam Airport and is carrying on smuggling of Narcotics and other banned articles out of India by Air France flights, and

(d) if so, what action Government propose to take against this officer and such other officers of Air France?

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL):** (a) Report received by the Government shows that on 5th May, 1976, the Customs Officers of Delhi Collectorate seized two tins of Motor Flushing Oil 'Caltex' valued at Rs. 300/- from the godown of Air France Cargo Office at Palam Airport. Enquiries were made from the Assistant Station Manager and the Traffic Assistant of M/s Air France at Palam Airport. The investigations made by the custom authorities revealed that these two tins had been off-loaded from Air France Flight No. 180 on the night of 3/4th May, 1976 at Delhi as unmanifested cargo.

(b) On 5th May 1976, a case was registered against M/s Air France for violation of the provisions of the Custom Act, 1962 as well as of the Imports and Exports (Control) Act 1947. In departmental adjudication both the tins were confiscated and a penalty of Rs. 100/- was imposed on Air France which they have deposited on 22nd April 1977.

(c) The Assistant Station Manager of M/s Air France is at present stationed at Palam Airport on the traffic

side. Reports received by the Customs authorities at Delhi recently do not show any involvement of the officials of M/s. Air France in smuggling of Narcotics and other banned articles at Palam Airport.

(d) Does not arise.

राष्ट्रोयकृत बैंकों द्वारा उद्योगों को दिया गया ऋण

2430. श्री विजय कुमार मल्होत्रा : या विन मन्त्री यह बताने की कृपा करेंगे कि

(क) ग ट्रायोकृत बैंकों ने 1974-75, 1975-76 आर 1976-77 में उद्योगों दो कितना ऋण दिया था, और

(ख) उनमें ने कितना ऋण लघु उद्योगों तथा कुटीर उद्योगों को दिया गया तथा कितना बड़े उद्योगों को दिया गया ?

विस तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) : (क) और (ख) सरकारी लेव के बैंकों द्वारा मध्यम और बड़े उद्योगों तथा छोटे पैमाने के उद्योगों को दिये गये ऋणों को बकाया राशि के आंकड़ों की दिसम्बर, 1974, 1975 आर 1976 की स्थिति नीचे दी जा रही है :—

करंड रूपयों में

सरकारी लेव के बैंक

1 मध्यम और बड़े उद्योग

दिसम्बर, 1974	3210
दिसम्बर, 1975	3806
दिसम्बर, 1976	5383*

सरकारी लेव के बैंक

2. छोटे पैमाने के उद्योग**	
दिसम्बर, 1974	940
दिसम्बर, 1975	1061
दिसम्बर, 1976	1274

\* आंकड़े अनुचित वाणिज्यिक बैंकों के बारे में हैं।

\*\* कुटीर उद्योगों को दिये गये बैंक ऋण के आंकड़े पृष्ठक स्वप में उपलब्ध नहीं हैं। छोटे पैमाने के उद्योग की परिभाषा में आने वाले कुटीर और गोविंद एककों को दिये गये ऋण छोटे पैमाने के उद्योगों को दिये गये ऋणों के उपर्युक्त आंकड़ों में शामिल कर लिये गये हैं।

मंसरं नालोकल प्राइवेट लिमिटेड द्वारा बैंकों से ऋण लिया जाना

2440. श्री हुकम चन्द कल्याण : क्या विस मन्त्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि मैसर्स नालीकुल प्राइवेट लिमिटेड, नालीकुल, जिला हुगली, किसानों के जाली आवेदन पत्रों तथा अन्य सम्बन्धित दस्तावेजों के आधार पर यूनाइटेड कमर्शियल बैंक, फल्ट्वे नेशनल सिटी बैंक और प्रिडेलज बैंक से ऋण ने रहा है और इस महाप्रति से आलुओं को अपने ही शीतागारों में रख रहा है;

(ख) यदि हाँ, तो क्या सरकार का विचार शीतागार में अपना स्टाक रखने के लिए कम्पनी द्वारा उपयोग में लाये गये व्यक्तियों के नामों का पता लगाने के लिए इस भाग्यों में जांच करवाने का है; और

(ग) गत सीन वर्षों के दौरान कम्पनी, ने शीतागार में कितना और कितने मूल्य का आलू रखा और इस प्रयोजन के लिए उपयोग में लाये गये व्यक्तियों के नाम क्या हैं और

प्रत्येक मामले में कम्पनी ने कितना किराया लिया ?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पटेल) : (क) से (ग) भारतीय रिजर्व बैंक यथा सम्बन्ध सूचना इकट्ठी कर रहा है और उसे मदन के पटल पर रख दिया जायेगा ।

**Loans advanced by Bank of Maharashtra to M/s. Stretch Fibres, Nagpur and Stretchlon Pvt. Ltd., Bombay**

2405. DR. VASANT KUMAR PANDIT: Will the Minister of FINANCE be pleased to state:

(a) whether Bank of Maharashtra has advanced large sums to the borrowers M/s. Stretch Fibres, Nagpur and Stretchlon Pvt. Ltd., Bombay;

(b) whether the security for the above loans and the profitability of the units were examined; and

(c) whether the Reserve Bank authorisation has been obtained for the above loans and what is the outcome of the report of these loan accounts?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) M/s. Stretch Fibres, Nagpur and Stretchlon Pvt. Ltd., Bombay enjoy certain credit facilities from their bankers.

(b) Yes, Sir.

(c) In the case of Stretch Fibres, the Bank has approached the Reserve Bank of India for credit authorisation as required by instructions issued by the Reserve Bank. As regards the state of the accounts, in accordance with the practice and usage customary among bankers and also in conformity with the provisions of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, information relating to or to the affairs of the individual constituents of the nationalised banks is not to be divulged.

**Applications received under soft loan scheme for modernisation of sick units**

2406. SHRI S. R. DAMANI: Will the Minister of FINANCE be pleased to state:

(a) how many applications have been received by IDBI under the soft loans scheme for modernisation of sick units in textile, jute, sugar and engineering industries and the amount of assistance requested industry-wise;

(b) the number of applications approved and amounts sanctioned, and the amounts actually disbursed so far.

(c) whether the IDBI is experiencing paucity of funds to be able to pay fully the sanctioned amounts and, if so, the details thereof; and

(d) what steps are taken to provide IDBI with sufficient funds to meet its obligations fully?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). The Soft Loan Scheme of the Industrial Development Bank of India (IDBI) has been introduced with the object of providing finance on concessional terms for modernisation of production units in 5 select industries, namely, cotton textile, jute, sugar, cement and certain engineering industries to enable them to increase their productivity and competitiveness. The Scheme is operated by the IDBI, the Industrial Finance Corporation of India and the Industrial Credit and Investment Corporation of India.

The Industry wise details of the member of applications (with amount) received, rejected, sanctioned, disbursed and pending under the scheme as on 31st October 1977, are given in the attached Statement.

(c) No. Sir.

(d) The funds required for extending assistance under the Scheme are raised by the IDBI as necessary by resorting to market borrowings with necessary support from Government.

## Statement

(Amount in Rs in crores)

Industry	Applications received	Applications rejected, withdrawn/treated as closed after pre- liminary scrutiny	Amount	No	Amount	No	Amount	No	Amount	No	Amount
1 Textiles	173	322	16	35	75	45	47	32	93	3	1 25
2 Cement	14	85	15	6	48	68	5	22	17	2	1 44
3 Sugar	18*	163	16	44	113	27	10	15	80	1	0 28
4 Jute	17*	34	13				6	13	47		14
5 Engineering	9	81	64	66	51	04	16	16	27	1	0 73
	360	706	24	151	288	44	84	99	74	7	3 72
											123*
											£289 66

\*\*Excluding 49 applications for Rs 106 65 crores which have been treated as enquiries for want of funds trial license etc etc

② Amount applied for by the units aggregated Rs 128 14 crores

③ Excluding 8 applications for Rs 24 95 crores being treated as enquiries

④ Details of the pending applications are as under

	Textiles	Cement	Sugar	Jute	Engineering
	18	2	19	7	2
	40	1	1	4	3
	31	2			
	91	3	14	1	6

(a) Applications covered by a franchise  
(b) Applications pending—

(i) want of information

(ii) under preliminary scrutiny

(iii) scrutiny yet to commence

**Amount paid under Export Assistance Scheme Industry-wise**

2407. SHRI S. R. DAMANI: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the total amount paid under the export assistance scheme industry-wise, during the last three years;

(b) the exports made by small-scale industries and the assistance given to them under the scheme; and

(c) whether any new schemes are made to give better incentives to this sector so that they can increase their exports and if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG): (a) A statement (Annexure-A) showing total amount disbursed as cash compensatory support to the major product groups during the last three years is laid on the Table of the House. [Placed in Library. See No. LT-1250/77].

(b) Separate statistics showing exports made by SSI units and the amounts paid as cash compensatory support to these units are not maintained. Moreover, products made by SSI Sector are also exported by large scale units.

Under the Import policy for Registered Exporters, the SSI units are given several special facilities. A brief statement summarising these facilities is (Annexure-B) laid on the Table of the House. [Placed in Library. See No. LT-1250/77].

(c) The facilities being made available to the SSI units are constantly kept under review and necessary changes are announced at the time of the revision of the Import Policy every year.

**National Wage Board to study National Wage Policy**

2408. DR. VASANT KUMAR PANDIT: SHRI RAMJI LAL SUMAN:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that Government are considering to have National Wage Policy;

(b) what action Government have taken in this matter; and

(c) whether Government propose to appoint a National Wage Board or a Committee to study the problem and suggest constructive ways?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) to (e). The Government has decided that a comprehensive study on Wages, Incomes and Prices Policy should be undertaken immediately with a view to evolving an integrated Policy on Wages, Incomes and Prices. The Government has set up, in October, 1977, a Study Group on Wages, Incomes and Prices under the Chairmanship of Shri S. Bhoothalingam. The Study Group has been asked to prepare a draft Policy on wages, incomes and prices.

**Iron and Manganese Ore lying in Orissa State**

2409. SHRI P. K. KODIYAN: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether about 20 lakh tonnes of iron ore and manganese ore are lying in different mines of the Orissa State;

(b) if so, whether it is because of the failure of the MMTC to lift the ore that such a huge stock has piled up in the mines;

(c) whether Orissa State Government have sought Centre's permission to allow the State Mining Corporation to export iron ore and manganese directly; and

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

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG):

(a) No, Sir.

(b) Does not arise.

(c) No, Sir.

(d) Does not arise.

#### Export of Sea Foods

2410. SHRI K. RAMAMURTHY Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) the amount of foreign exchange earned through the export of sea foods in the year 1976-77;

(b) whether Government propose to provide the necessary fillip to increase the export of sea food; and

(c) whether the Government propose to set up a deep sea fishing centre at Mandapam, Tamilnadu in order to increase the export of sea food and seaweeds?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG):  
(a) Foreign exchange earned through exports of sea food in the year 1976-77 provisionally amounts to about Rs. 189 crores.

(b) Yes, Sir. Government proposes to provide the necessary fillip to increase the export of seafoods by various developmental measures, market and product research, publicity propaganda etc.

(c) There is no such proposal under the consideration of the Government at present.

#### Recruitment of Divisional Accountants in A.G.C.W. and M. New Delhi

2411. SHRI EBRAHIM SULAIMAN SAIT:  
SHRI D. G. GAWAI:

Will the Minister of FINANCE be pleased to state:

(a) whether the result of the competitive examination held in February, 1976 for initial recruitment for the post of Divisional Accountants in the Office of the Accountant General Commerce, Works and Miscellaneous, Ansari Bhavan, Kasturba Gandhi Marg, New Delhi, has since been declared;

(b) if so, the number of candidates who appeared in the said examination and the names of those declared successful;

(c) the number of candidates who have since been given appointments; and

(d) the time by which all the remaining successful candidates will be appointed against the said posts?

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

(b) 1198 candidates appeared in the examination, out of which 112 were declared successful. A statement giving their names is laid on the Table of the House. [Placed in Library. See No. LT-1291/77].

(c) and (d). The successful candidates were individually informed that the number of posts likely to be filled up as a result of the examination, including reservations for Scheduled Castes/Scheduled Tribes and Departmental candidates, would be 20 in order of merit and on occur-

gence of vacancies. After the Departmentalisation of Accounts in the Ministries/Departments of the Government of India, the entire scheme for manning Divisional Accountants posts was reviewed. It was felt that the function of accounts keeping and financial advice to be made available in the Divisions needed to be strengthened and persons who had passed the Junior Accounts Officers (Civil) Examination or the Subordinate Account Service Examination of the Indian Audit and Accounts Department, should hereafter be posted as Divisional Accountants. Besides, promotion avenues in the cadre of Divisional Accountants being not comparable to those of Subordinate Accounts Service personnel, it was considered that further intake into the former grade should be restricted. Consequently, candidates who appeared at the examination held by the AG, CW&M, could not be appointed as Divisional Accountants. However, willingness of twenty persons, empanelled by AG, CW&M, for appointment as Junior Accountants in the Departmentalised Accounts Offices is being ascertained and those who express willingness will be considered for appointment.

**महालेखाकार कार्यालय, गवालियर के कर्मचारियों की बहाली**

2412. श्री अर्जन सिंह भद्रौरिया : क्या वित्त मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या महालेखाकार कार्यालय, गवालियर के उन कर्मचारियों को जिन्होंने मई, 1974 में रेलवे हड्डताल के दौरान हड्डताल की थी अभी तक बहाल नहीं किया गया है;

(ब) क्या उस कार्यालय के कर्मचारियों के साथ अभी भी अमानवीय व्यवहार किया जा रहा है और उन्हें सजा दी जा रही है; और

(ग) इन कर्मचारियों को बहाल करने के लिए मरकार क्या उपाय कर रही है?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एच० एम० पठेल) : (क) मई, 1974 में "रेलवे हड्डताल" के समय महालेखाकार, मध्य प्रदेश, गवालियर के कार्यालय के 614 कर्मचारी जिन्होंने हड्डताल की उनमें से 61 स्थायी कर्मचारी निर्लाप्त किये गये। इन कर्मचारियों को अब पुनर्बहाल कर दिया गया है। उन 28 अस्थाई कर्मचारियों में से जिनकी सेवाएं उन समय जारी किये गये अनुदेशों के अनुसार समाप्त कर दी गई थीं, 24 कर्मचारियों को बहाल नहीं किया गया है।

(ख) जी, नहीं।

(ग) गेसे कर्मचारियों को बहाल करने का प्रश्न, जिनकी सेवाएं मई, 1974 की हड्डताल में भाग लेने तथा उस समय जारी किए गए आदेशों की शर्तों के अनुसार की गई अन्य कार्यवाही के कारण समाप्त कर दी गई थीं, एक सामान्य भावला है जिसमें केवल भारतीय लेखा परीक्षा और लेखा विभाग के ही नहीं अपितु अन्य विभागों के कर्मचारी भी प्रभावित हुए हैं। इस मामले पर मरकार व्यापार दे रही है।

**सट्टा बाजारी को जारी रखने की अनुशासि बेने के लिए अनुरोध**

2413. श्रा० रमेश तिंहूः क्या वित्त मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या कुछ सदस्यों ने पिछले सत्र में एक संयुक्त अध्यावेदन प्रस्तुत किया था जिस में सरकार से अनुरोध किया गया था कि सट्टा बाजारी को जारी रखने की अनुशासि प्रदान की जाये, यदि हाँ, तो उन सदस्यों के नाम क्या हैं; और

(ब) क्या मूल्य मंत्री अधिकार राज्य सरकार के मंत्री न भी केन्द्र सरकार से अनुरोध किया है कि सटटोबाजी को जारी रखने की अनुमति दी जाये, यदि हां, तो उनके नाम क्या हैं?

वित्त तथा राजस्व और बैंकिंग मंत्री (श्री एच० एस० पटेल) : (क) मानवीय मानवीय सम्भवतः संसद् मदस्य श्री डी० डी० पटेल तथा २९ अन्य मंससदस्यों के (सब के हस्ताक्षर पढ़े नहीं जाने) के उस अध्यावेदन की ओर निर्देश कर रहे हैं जो अलसी, रेडी के बीज तथा चांदी में वायद के मोदिं को अवधि स्वप्न से जारी रखने के बारे में था। वायदा व्यापार अर्थ व्यवस्था में कलिपय विशेष परिस्थितियों में कुछ उपयोगी भूमिका अदा करता है और वह सटटा व्यापार के समकक्ष नहीं माना जा सकता जैसा कि आम तौर पर ममझा जाता है।

(ब) जी नहीं।

भारतीय हथकरघा पोशाकों के लिये विदेशी बाजार

2414. श्री एस० एस० सोमानी : क्या वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्री यह बताते की कृपा करेंगे कि :

(क) क्या भारतीय हथकरघा पोशाकों के लिए विदेशी बाजारों का पता लगाने हेतु सरकार ने प्रयास किये हैं;

(ब) यदि हां, तो किन-किन देशों में किन-किन कपड़ों के नियाति की सम्भावना पाई गई है; और

(ग) हथकरघे के किन-किन कपड़ों के लिए चालू वित्त बंद में, किस-किस देश से

क्यावेश प्राप्त हुए हैं और उससे कितनी विदेशी मुद्रा को आय होगी?

वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्रालय में राज्य मंत्री (श्री आरिफ बेग) : (क) जी हां। भारतीय हथकरघा परिधानों के लिये बाजारों का पता लगाने हेतु उद्देश्य में किंग गैर कुछ महत्वपूर्ण उपायों में निम्नोल्लंष उपाय शामिल हैं :

(i) विश्व के प्रमुख शहरों में प्रदर्शनिया आयोजित की गई;

(ii) नियोत बहाने का सम्भावनायों के बारं भें आयातकों के साथ बातचीत करने के लिये अध्ययन दल महत्वपूर्ण बाजारों को भेजे गये;

(iii) हथकरघा नियाति मंबद्धन परिषद् ने विदेशों में विशेष प्रचार अभियान चलाये।

(ब) कमीजें तथा ब्लाउज ऐसी हथकरघा पोशाक हैं जिनकी भारत से नियाति की काफी गुजाइश है। जिन देशों को ये नियाति की जा रही हैं, वे हैं : स० रा० अमरीका, कनाडा, आस्ट्रेलिया, सोवियत-संघ, यूरोपीय आंशिक समुदाय के राज्य, स्वीडन, नार्वे, स्विटजरलैण्ड, नाइजीरिया, सिंगापुर, जागन, ईराक, कुवैत, बहरीन, मल्यार्शिया।

(ग) पोशाकों के नियाति के लिये संविदाएं पंजीकृत नहीं की जातीं। अतः यह पता नहीं लगाया जा सकता कि प्राप्त हुए आईर की मात्रा कितनी है। फिर भी, अप्रैल सितम्बर, 1977 के दौरान हथकरघा परिधानों के नियातों का अनुमान 43 करोड़ रुपये है।

**Popularity of Indian Sports Goods in foreign countries**

2415. SHRI S. S. SOMANI: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the Indian sports goods are getting popularity in foreign countries;

(b) if so, the names of such items and the countries which have demanded from India during the current financial year; and

(c) the extent of foreign exchange likely to be earned during 1977-78?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG):

(a) Yes, Sir.

(b) The items of important sports goods from India and the countries demanding these are:

**ITEMS**: Footballs, Hockey sticks, Cricket bats, Hockey and Cricket balls, Sports cups rubber balloons etc.

**COUNTRIES**: U.K., West Germany, Australia, U.S.A., Malaysia, Singapore, Canada.

(c) The foreign exchange earnings from exports of sports goods in 1977-78 are provisionally estimated to be to the tune of Rs. 18 crores.

**Memorandum from retired Government employees regarding pension law of 1871**

2416. SHRI D. B. CHANDRE GOWDA: Will the Minister of FINANCE be pleased to state:

(a) whether any memorandum from the retired Government employees has been submitted to Government wanting the existing Pen-

sion Law 1871 and the Rules made thereunder, both by the Central and State Governments to be replaced by a comprehensive and progressive law keeping in view the changed concept of the State functions and new socio-economic realities; and

(b) if so, the reaction of Government thereon?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). Associations of pensioners have been demanding replacement of the Pensions Act, 1871. The Act does not regulate matters such as scales of pension, grant of relief to pensioners and the procedure for sanctioning pensions: these matters are regulated by the Central Civil Services (Pension) Rules, 1972 and various executive instructions issued from time to time. The changes in administrative structure, employment position and pay structure of the employees have not rendered the Act obsolete. Nor has the Act stood in the way of enhancement of the pensionary benefits of the retired employees and their families from time to time, which has been achieved by amending the relevant rules and issue of executive instructions.

As regards State Governments, they look after their own statutes relating to pensions and Central Government cannot legislate for them.

**Suggestions made by FICCI regarding economic growth**

2417. SHRI K. A. RAJAN: Will the Minister of FINANCE be pleased to state:

(a) whether the FICCI has suggested a package of measures to be taken by Government to help it to quicken the pace of economic growth;

(b) if so, the salient features thereof and the Government's opinion thereon; and

(c) how far this would help in giving employment to the unemployed in the country?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) FICCI has recently brought out a brochure entitled 'Policies for Economic Progress'.

(b) and (c) A statement giving the salient features of the suggestions contained in the brochure is laid on the Table of the House. [Placed in Library. See No. LT 1252/77]. It would be difficult to indicate precisely the impact of these policies on employment. The various suggestions received from institutions as well as individuals are taken into account while framing economic policy for different sectors of the economy.

**Gold seized during raids from March, 1977**

2418. SHRI MOHD. HAYAT ALI: Will the Minister of FINANCE be pleased to state:

(a) the total value of gold seized during raids conducted by the Gold Control officers in different States from March, 1977 till to date.

(b) whether it is a fact that in Calcutta the gold control officers have seized gold worth Rs. 1.80 lakhs from a house in the month of November, 1977; and

(c) what further measures Government propose to take to unearth

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) The information is being collected and will be laid on the Table of the House;

(b) Gold Control Officers of Calcutta on 4-11-77 seized unaccounted primary gold and new ornaments valued at Rs. 1,83,701 from the possession of a certified Goldsmith.

(c) Vigilance against violations of Gold Control Law continues to be maintained by the preventive and intelligence agencies.

**Supply of additional quota of essential commodities to Mizoram**

2419. DR. R. ROTHUAMA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether he is aware of the fact that most of the items of essential commodities like imported rapeseed oils etc. have never been supplied through public distribution systems in Mizoram and that the present per head quota of essential items supplied, like rice, edible oils, sugar, atta dals etc. are dangerously low to meet with the sudden rise in the daily requirement of the people due to coming Thingtam Famine resulting in complete failure of crops harvest this year throughout Mizoram; and

(b) in view of this Thingtam Famine which is occurring this year, whether any special preventive measures have been initiated or are proposed to be taken to tone up Public Distribution Systems throughout Mizoram to ensure steady supply of additional quantum of essential commodities so that anti-national elements do not exploit the critical situation caused by Food Scarcity as was done in 1960 giving rise to present underground movements?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) It is not quite correct to say that there has been a complete

failure of crops this year throughout the Mizoram territory, as the damage arising from famine varies from area to area. The Mizoram Administration is aware of the situation and are taking steps to ensure that adequate quantities of rice and wheat are made available through the Public Distribution System, for which, supplies are assured by the Food Corporation of India. The possibilities of increasing rice ration from 2 Kg. per adult per week to 3 Kg. per adult per week, in the rural areas as in the case of urban areas, are under consideration. The quota of levy sugar in rural areas is also being enhanced from 300 gms. per capita per month to 425 gms. per capita per month effective from December, 1977. Although commodities like rapeseed oil are not covered under the Public Distribution System at present, these are generally available from the normal trade channels and the trade in these commodities is also being regulated as per the recent instructions of the Central Government.

(b) Measures have already been taken by the Administration to tone up public distribution centres and the budget provision has already been made to bring in additional quantities of food grains from Food Corporation of India. The Food Corporation of India has also been requested to keep their nearby godowns well-stocked to meet any eventuality. With the promulgation of Mizoram Pulses and Edible Oils Dealers Licensing Order, 1977, the Administration is contemplating regulating trade in these commodities, by appointing wholesalers and retailers, so that reasonable quantities could be brought into the Union Territory. For enabling the people in affected areas to have the purchasing capacity, relief works are being given to them.

**Development of Gwalior and Gwalior region as tourist centre**

2420. SHRI MADHAVRAO SCINDIA : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the progress in detail on suggestions received by the Central Government regarding development of Gwalior and Gwalior Region as a tourist centre; and

(b) how much time will be taken to implement these suggestions?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) The Department of Tourism had received the following suggestions for the development of Gwalior and Gwalior region as a tourist centre :—

(i) Indian Airlines flight Delhi-Agra-Khajuraho should have additional stop at Gwalior to enable tourists to see Gwalior and surroundings including Shivpuri National park; and

(ii) Air-conditioned buses should be made available at Gwalior to enable tourists to visit Shivpuri National Park and proceed to Khajuraho via Jhansi.

(b) As regards the suggestion at (a) above, since the Indian Airlines have a tight fleet position and consequently a tight flight schedule, there is no proposal at present to include a halt at Gwalior on its Delhi-Agra-Khajuraho service.

With regard to the operation of an air-conditioned coach service for tourists from Gwalior to Shivpuri National Park and Khajuraho, the matter is under consideration.

**Construction of Janata hotels at Delhi**

**2421. SHRI SAMAR MUKHERJEE:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the Government are considering to introduce Janata hotels at cheap rate in Delhi; and

(b) if so, the details thereof?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) Yes, Sir. It is proposed to construct a Janata Hotel in Delhi.

(b) The main objective of the Hotel is to provide clean and comfortable accommodation at as low prices as possible for budget tourists, both domestic and international, with an emphasis on service. The Hotel will have accommodation provided in guest rooms for at least two persons, with basic minimum furniture. Most of the rooms will have attached bath-room, a few will be with shared bath rooms. Other facilities proposed in the Hotel include a cafeteria, an inexpensive restaurant, a multi-purpose hall, a shopping arcade and space for locating State Tourist Information Offices.

**Central assistance to State Governments for construction of Janata hotels**

**2422. SHRI SAMAR MUKHERJEE:** SHRI NAWAB SINGH CHAUHAN :

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state. Whether the Government will consider if the State Government ask Central assistance for the construction of Janata Hotels by the State Governments in case they are not able to raise the funds by themselves from the State Financial Corporation?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** The question of construction of Janata Hotels in the Central Sector and its providing assistance to State Governments is under consideration. The matter is under discussion with the Planning Commission.

**Conference of State Chief Ministers for advance Plan Assistance**

**2423. SHRI MADHAVRAO SCINDIA:** Will the Minister of FINANCE be pleased to state:

(a) whether a conference of State Chief Ministers, for advance Plan Assistance over and above Plan Assistance for 1977-78, was held recently in Delhi;

(b) if so, the outcome therein; and

(c) the names of the States which took part in the said Conference and views expressed by their Chief Ministers?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) to (c). No Conference of State Chief Ministers was held to consider the question of grant of additional advance Plan assistance to States. Separate meetings were held with the Chief Ministers/Finance Ministers of Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh and West Bengal. In these meetings the States were urged to mobilise additional resources, effect economy in non-Plan expenditure, improve tax and non-tax revenues, speed-up recovery of Government dues, step-up collection of small savings and take other suitable measures to cover the gap in resources for the Annual Plan 1977-78 due to shortfall in additional resources mobilisation and erosion in resources due to tax concessions, relief to employees and

undertaking of additional non-Plan financial liabilities after finalisation of the Annual Plan. Many of the State Governments agreed to take these steps and reduce the gaps in resources. It was, however, found that there would still be large uncovered gaps. To enable the States to maintain the approved Plan outlays and keep up the tempo of development, it was decided that half of the residual gap in resources should be covered by additional advance Plan assistance. The position will be kept under review.

**Proposal for Simplifying Procedure for Customs Clearance**

2424. SHRI MADHAVRAO SCINDIA :  
SHRI M. RAM GOPAL REDDY:

Will the Minister of FINANCE be pleased to state:

(a) whether a proposal to amend laws for simplifying and making quicker and easier procedure for customs clearance of passengers and cargo is under consideration of the Government;

(b) if so, the details thereof; and

(c) expected time by which the laws are to be amended?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL) (a) to (c) . The Government had appointed a Committee to review inter-alia the rules, regulations and procedures applying to international passengers and their baggage and to recommend measures to expedite the pace of clearance of passengers and their baggage. The Committee has since made some recommendations which are being examined.

**Representation from a Mathematical Institute of Pune (Maharashtra)**

2425. SHRI R. K. MHALGI: Will the Minister of FINANCE be pleased to state:

(a) whether the Government have received representation dated 4th April, 1977 from Bhaskaracharaya Pratishthan—a mathematical institute of Pune (Maharashtra) requesting the approval as Scientific Research Institute under Section 35(ii) of Income-tax Act of 1961;

(b) if so, what action have Government taken or propose to take in regard to the representation and when; and

(c) whether the concerned have been intimated accordingly?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLA) : (a) Yes, Sir. A representation dated the 7th April, 1977 was received from Bhaskaracharaya Pratishthan, Pune.

(b) The Pratishthan has been approved under section 35(1)(ii) of the Income-tax Act, 1961, vide Notification No. 1997 dated 24th September, 1977.

(c) Yes, Sir. The Pratishthan has been intimated of the above approval and they have also acknowledged the notification issued.

**Projects in Kerala for which World Bank assistance sought**

2426. SHRI VAYALAR RAVI: Will the Minister of FINANCE be pleased to state:

(a) a brief outline of the projects of Kerala for the execution of which

assistance is sought from the World Bank; and

(b) the details of the discussion held with World Bank for this purpose and the results thereof?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL) : (a) and (b). An agricultural development project with an outlay of US \$ 30 million has been negotiated with the World Bank. The principal features of this project are area development by planting new high-yielding varieties of coconut and pepper, rehabilitation of cashew plantations, establishment of seed gardens for coconut, cashew, cocoa and spices, construction of rubber processing factories, agricultural research and a credit programme to cater for the needs of these programmes.

A project proposal for marine fisheries development has also been posed for World Bank assistance. This project comprises of development of harbours, purchase of boats and processing and marketing. A World Bank identification Mission visited Kerala State in October, 1977 for a few days to have preliminary discussion with the State authorities on this project report. Reaction of this Mission is still awaited.

#### .Feeder service for tourism in Ooty

2427. SHRI P. S. RAMALINGAM : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state that details of feeder services which have been planned for promotion of tourism in Ooty?

THE MINISTER OF TOURISM AND CIVIL AVIATION: (SHRI PURUSHOTTAM KAUSHIK) : The proposal for setting up Third Line Operations is under consideration. However, there is no airport at Ooty nor is there any proposal to construct one. Indian Airlines operate regular sche-

duled services to Coimbatore, which is 152 kms. from Ooty.

#### दीवार घड़ियों और कलाई की घड़ियों का निर्यात

2428. श्री दया राम शाक्य : क्या वाणिज्य तथा नागरिक पूर्ति और सहकारिता मन्त्री यह बताने की कृपा करेंगे कि

(क) गत तीन वर्षों में कितनी कीमत की दीवार घड़ियां और कलाई घड़ियों का निर्यात किया गया ; और

(ख) विदेशों में, देश-वार, घड़ियों की सप्लाई का क्र्यादेश प्राप्त करने वाली सरकारी और गैर-सरकारी फर्मों की राज्यवार संख्या कितनी है ?

वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्रालय में राज्य मंत्री (श्री आरिफ बेग) :

(क) 1974-75	13.43 लाख रु०
1975-76	30.41 लाख रु०
1976-77	24.69 लाख रु०

(ख) निर्यात, मुख्य रूप से सरकारी क्षेत्र के उपक्रम----हिन्दुस्तान मशीन टूल्स तथा कुछ गैर-सरकारी निर्यातिकों द्वारा थाईलैण्ड, कुवैत, टर्की, ईरान, चेकोस्लोवाकिया, ब्रिटेन, स्विटजरलैण्ड तथा आस्ट्रेलिया आदि से प्राप्त क्र्यादेशों के आधार पर किये गये थे ।

#### Cash assistance, to exporters

2429. SHRI DHARAM VIR VASISHT: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether it is a fact that from September 1, 1977 exporters would be able to obtain cash assistance across the counter as per scheme evolved by the Ministry; and

(b) if so, the condition set for such facility and the nature of results likely to be achieved therefrom?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG) :** (a) Yes, Sir.

(b) According to the Simplified Payment Scheme of Cash Assistance notified on 11-8-77, exporters who made exports during the year 1976-77 and have earned Replenishment licences and/or cash assistance thereon, will be eligible for the benefits under the Scheme. It will, however be open to Government to exclude exporters who have come to the adverse notice of Government in the past.

Since the Scheme is designed to ensure that the eligible exporters get the full amount of cash compensatory support as far as possible across the counter soon after each shipment, it will eliminate delays in the exporters getting such amounts from Government.

#### **Report of Committee on Direct Taxes**

**2430. SHRI DHARAM VIR VASISHT :** Will the Minister of FINANCE be pleased to state:

(a) whether Government have since received the Palkhiwala (headed by another Chairman later) Committee's suggestions on Direct Taxes; and if so, the salient features of the same; and

(b) if not, reasons for delay?

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH) :** (a) and (b). As per Resolution of the Government of India, setting up the Committee of

Experts on Direct Tax Laws, the Committee is to submit its report by 31st December, 1977. The period being not yet over, the question of any delay in submission of the report by the Committee does not arise.

#### **Export potential for Indian Sports Goods in Canada, Australia and New Zealand**

**2431. SHRI YASHWANT BOROLE:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether any assessment has been made of the great export potential for Indian sports goods in Canada, Australia and New Zealand;

(b) whether a recent survey has revealed that the marketing strategy for these goods is not properly laid down; and

(c) if so, whether some suitable authority will be entrusted to go into the details properly instead of leaving it to individual exporters?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG) :** (a) to (c). The Sports Goods Export Promotion Council had conducted a survey in Australia and the Trade Development Authority in Australia and New Zealand separately. It was generally revealed that in these countries there is good potential for Indian traditional sports goods. It was, however, revealed that there are some deficiencies in marketing, mostly arising out of production constraints for quality production. One of the main recommendations contained in the TDA Report was for establishment of Sports Goods Industrial estates in Meerut and Jullundur under the control of U.P. Export Corporation and Punjab State Industrial Development Corporation respectively. These proposals have been submitted to the concerned State Corporations.

The exports of sports goods to Canada, Australia and New Zealand for the last 3 years are given below. There has been significant increase in exports especially to Australia during 1976-77.

	(in lakhs)		
	1974-75	1975-76	1976-77
1. Australia	92.92	96.21	172.86
2. Canada	20.19	19.43	23.83
3. New Zealand	15.41	12.89	17.96

**Auditing the Accounts of Marine Products Export Development Authority**

2432. SHRI H. L. P. SINHA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the Accounts of the Marine Products Export Development Authority were got audited by the temporary Chairman of the Authority by a private Accountant;

(b) whether the MPEDA Act provides for Audit of the accounts of the Authority only by the Comptroller and Auditor General of India or his officers;

(c) if so, what was the propriety in getting the accounts checked by private individuals;

(d) whether the above accounts were thereafter audited by an Audit Team of the Ministry of Commerce and their report submitted; and

(e) if so, what are the results thereof and how far the Secretary of the Authority is responsible for the irregularities in accounts and expenditure?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG):** (a), (b) and (d). Yes, Sir.

(c) and (e). The matter is under examination in the light of the comments received from the Authority.

**Financial burden on Government due to proposed Goa Tourism Development Authority**

2433. SHRI EDUARDO FALEIRO: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) what is the nature and constitution of proposed Goa Tourism Development Authority and what will be the respective financial burden involved therein for the Central Government and for the Government of Goa, Daman and Diu separately;

(b) when is the said Goa Tourism Development Authority proposed to be set up;

(c) to what extent has the hydraulic survey of beach areas in that territory been completed and when will it be finalised; and

(d) will Government take steps towards development of the touristic potential of other beaches in Goa besides Calangute and Colva such as Betul beach?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) and (b). The matter is under consideration of the Government of Goa, Daman and Diu.

(c) The hydrographic Survey of beach areas has been completed.

(d) The development of beach areas and assigning of priorities in their development will be considered on the basis of the recommendations contained in the U.N.D.P. Report on Beach Resorts Survey and subject to the availability of funds.

**Free Trade Zones**

2434. SHRI EDUARDO FALEIRO: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Government propose to establish any new free trade zones in the country; and

(b) if so, the broad outlines of these projects?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG):** (a) No, Sir.

(b) Does not arise.

**Visit of the Delegation of Federation of Indian Chamber of Commerce and Industry to USSR**

**2435. SHRI D. AMAT:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether a five member delegation of Federation of Indian Chamber of Commerce and Industry visited USSR in September, 1977;

(b) if so, whether the delegation has submitted its report to Government on the discussion and outcome with the Soviet Leaders; and

(c) if so, the details thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG):** (a) Yes, Sir.

(b) and (c). The delegation of Federation of Indian Chambers of Commerce and Industry, which is a private body, was not sponsored by the Ministry of Commerce. The delegation has not submitted any report to this Ministry.

**Number of Officers of Public Sector undertakings visited abroad**

**2436. SHRI D. B. CHANDRE GOWDA:** Will the Minister of FINANCE be pleased to state the number of offi-

cers from the public sector undertakings who went abroad during the last four months?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** Information has been received from 124 Central Government enterprises. 890 officers from these enterprises went abroad during the last four months on official duty.

**राष्ट्रीय उत्पादन की तुलना में कर में वृद्धि**

**2537. श्री रोत लाल प्रसाद चर्चा:** क्या वित्त मन्त्री यह बताने की कृपा करें कि

(क) भूत्युक्त प्रधान मन्त्री, श्रीमती इन्दिरा गांधी के दशक लंबे जास्त के दोगन राष्ट्रीय उत्पा.न की तुलना में प्रति रुपया कर में कितनी वृद्धि हुई, और

(ख) क्या उसी अनुपात में जनता के कल्याणकारी कार्यक्रम क्रियान्वित किये गय और यदि नहीं, तो उसके बाये कारण हैं ?

**वित्त तथा राजस्व और बैंकिंग मन्त्री (श्री एच० एम० पटेल)** (क) केन्द्रीय मरकार, राज्य मंत्रालय नथा मध्य राज्य देशों की मरकारों के कर-ग्राहन्य 1965-66 में राष्ट्रीय आय के एए रु.५ में से 14.2 पैसे के बराबर था। 1970-77 में इन्द्राजीत यह प्रश्न बढ़ कर 19.4 पैसे के बराबर हो गया।

(ख) राष्ट्रीय शान के प्रति विवाद सम्बन्धी व्यय (जिनका उद्देश्य जनता की आर्थिक स्थिति में सधार करना तथा जनकल्याण करना है) या अनुपात जो कि 1965-66 में 18.2 प्रतिशत था, बढ़ कर 1976-77 में 20.5 प्रतिशत हो गया। सरकार के व्यय की वित्त व्यवस्था कर-ग्राहन्य से तथा कर

भिन्न प्रादियों से भी की जाती है। विकास व्यय में अपेक्षाकृत जो कम बढ़ि हुई उसका कारण विकास-भिन्न व्यय में अपरिहायं बढ़ि होना। तथा कर-भिन्न प्रादियों की उत्तीर्णता से बढ़ि न होना या जिस गति से कर-राजस्व की बढ़ि हुई है।

**Proposal to export sugar during current calendar year**

2439 SHRI SURENDRA BIKRAM: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether Government propose to export 7 lakhs tonnes of sugar during the current calendar year; and

(b) if so, what steps Government propose to take to ensure that the quantity exported is not of sub-standard and names of the countries to whom sugar will be exported?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): (a) and (b). So far, in the Calendar Year 1977, STC has exported about 2.55 lakh tonnes of sugar valued at about Rs. 57.53 crores, to Indonesia, Yemen, Srilanka, U.K., Egypt, Sudan, Tanzania, Kenya, Maldives, Seychelles and Sultanate of Oman. In regard to the financial year 1977-78 Government had decided in July, 1977, that out of production during the year 1976-77, sugar should be exported only to the extent of existing commitments. The quantity thus allowed was 1,45,000 tonnes—1,20,000 tonnes to Iran and 25,000 tonnes to EEC.

Adequate quality control is invariably exercised to ensure that the sugar exported is not substandard.

**Impact of Fixation of Ceiling Limit of Stock of Pulses on the prices of pulses in various States**

2440. SHRI KANWAR LAL GUPTA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) what is the impact of fixing of ceiling limit of the stock of pulses on the prices of pulses in different States; and

(b) the number of traders arrested in different States in violation of the order?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL): (a) and (b). The Pulses and Edible Oils (Shortage Control) Order was notified on 30 September, 1977. 15 days' time was allowed in the Order for dealers to dispose of the stocks held by them in excess of the ceilings specified. Writ petitions were filed in the Supreme Court of India against this Order, on 12 October 1977. The Supreme Court passed an interim order on 14-10-77 allowing the petitioners to keep apart any quantity in excess over the ceilings prescribed. The Supreme Court also directed that no proceedings for confiscation should be instituted in respect of excess stocks until the final disposal of the writ petitions. The Supreme Court had on 9-11-77 vacated their Interim Order. This Order, however, stipulated that the question of any damages to the petitioners as a result of the enforcement of the Orders would be considered by them in the event of the petitions being allowed. A new Pulses, Edible Oils and Edible Oils (Storage Control) Order, 1977, which inter alia liberalises the ceilings prescribed by prescribing higher limits for areas with greater population concentration and brings into stock discipline oilseed dealers and millers as well was issued on 21-11-77. The impact of this Order is to be seen.

**Statement by Chairman of Tea Council of Australia**

**2441. SHRI CHITTA BASU:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the attention of Government has been drawn to the statement made by the Chairman of the Tea Council of Australia, while addressing the Tea Traders' Association at Cochin in the first week of September last in regard to the quality of tea; and

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

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG):** (a) and (b). Yes, Sir. However, Mr. Bowman, Chairman of the Australian Tea Council, has emphatically denied that he made the statement reported to have been made by him, namely that "Indian tea was the worst in the world".

**Committee of I.S.I. on manufacturing of helmets**

**2442. SHRI SUKHDEO PRASAD VERMA:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether a Sub-Committee of the Indian Standards Institution has recently been appointed to suggest new norms in the manufacture of helmets for the protection of scooters and two wheelers driver; and

(b) if so, the findings of the Committee?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) and (b).

No such sub-committee has recently been appointed. However, ISI had set up a sub-committee as far back as in 1967 to formulate standards for different types of helmets. This Committee reviewed the position in October, 1977 in respect of specifications for helmets for scooter and motor cycle drivers, in the light of the experience of the users, particularly in regard to the provisions on ventilation and effect on audibility. The sub-committee has decided to circulate the amendments it proposes to make in the provisions of the original specification for wide circulation to elicit comments.

**Dry port at Amritsar**

**2443. SHRI M. A. HANNAN AL-HAJ:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Punjab Government have demanded a dry port for Amritsar; and

(b) if so, whether in view of the fact that States of Punjab, Haryana, Himachal Pradesh are far off from the ports, Government propose to take immediate steps to fulfil this demand?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG):** (a) No, Sir.

(b) The question of establishing a dry port in the Northern Region has been receiving the attention of the Government for sometime. After careful consideration the Government have come to the conclusion that the project is not of immediate priority in the present stage of the country's economy. The Government has, therefore, decided not to take up the project for immediate implementation.

**Liberalised rules for foreign travels**

**2444. SHRIMATI PARVATHI**

**KRISHNAN:**

**SHRI ARJUN SINGH**

**BHADORIA:**

Will the Minister of FINANCE be pleased to state:

(a) whether the Government have decided to liberalise the rules concerning foreign travels; and

(b) if so, what are the changes that have been made and the reasons therefor?

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

(b) The changes made in the Regulations and the reasons therefor are indicated below:—

(i) Under the earlier provisions, 'P' form clearance for travel abroad was accorded only by the Reserve Bank of India. In order to relieve pressure on the Reserve Bank and to reduce the inconvenience to intending travellers who have often to go long distances to the nearest branch of the Reserve Bank for this purpose, it has now been decided to authorise certain nationalised banks to accord 'P' form clearance.

(ii) Under the earlier Regulation 'P' form clearance on the hospitality of close relations was given subject to production of sponsorship on the prescribed form by the host abroad. With a view to making it more convenient and making it possible to take more effective action against the person resident in India in the event of his having filed a wrong declaration in regard to the hospitality abroad, it has been decided to allow persons to go abroad on the production of an affidavit sworn in India to the effect

that he is going on a sponsorship of his relation of approved category.

(iii) Under the earlier Regulations, 'P' form clearance was given in cases where an Indian went abroad on the hospitality of approved categories of relations which included, son, brother, sister, uncle, aunt, nephew, niece, daughter, father, mother, mother-in-law and father-in-law. The terms Uncle, Aunt, Nephew and Niece covered in the context of approved hospitality for foreign visits, the relatives of the first order only. It has now been decided that the first cousin should also be added in the existing approved category of relatives as, in prevalent family system in the country, the first cousin is regarded as a close relation and receiving hospitality from him is not expected to lead to any abuse of this facility.

(iv) Under the earlier Regulations, where a person desired to go abroad to visit a relative not falling in the category of approved relatives, or a friend on the basis of hospitality received from such relative or friend for a visit of not longer than one month, he was allowed 'P' form clearance provided:

(A) a letter from the host stating that he has arranged to remit the full cost of the passage both ways through a bank (mentioning the name of the bank) duration of hospitality extended by him, nature of the applicant's connections with the host and other relevant particulars was produced; and

(B) a certificate from an authorised dealer in foreign exchange to show that the full cost of the passage both ways has been received by the bank by way of remittance from the host was produced. It was found that the above provision often caused inconvenience and sometimes hardship. It has, therefore, been decided that 'P' form clearance should, in such circumstances, be

given for travel abroad on the strength of PTA (pre-paid ticket advice), whether on Air India or any other airline.

(v) In cases, where students wished to go abroad for higher studies and whose expenses were to be met by their relatives, friends, etc., abroad, passage clearance was not allowed freely by the Reserve Bank. Considering that there is no reason to place any restrictions on such financing, it has now been decided to grant 'P' form facility in such cases freely.

(vi) Similarly, it has been decided to give 'P' form clearance freely, subject to provisions of Foreign Contribution Regulation Act, 1976, to those who go on an invitation from trade unions, religious bodies, international organisations and chambers of commerce.

(vii) Under the earlier Regulations, travel abroad could be undertaken under the Foreign Travel Scheme once in three years. A person travelling under this scheme was also entitled to a release of \$100 if the travel was by the national carrier. In order to give adequate foreign exchange and to remove malpractices, like compensatory payments etc., it has been now decided to allow people to travel abroad under Foreign Travel Scheme once in two years. The foreign exchange release under this scheme has also been increased from 100 to 500 irrespective of the airline on which the travel is made.

#### Relaxation Curbs on foreign travel

2445. SHRI DHARAM VIR VASISHT: Will the Minister of FIN-  
ANCE be pleased to state:

(a) the nature of relaxation in the curbs operating on foreign travel de-

cided upon by Government recently, with special reference to foreign exchange 'P' form, frequency of visits; and

(b) whether the decision to empower Members of Parliament with powers of certification of passports has resulted in easing the foreign travel and if so, to what extent?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) The nature of relaxation, in the curbs operating on foreign travel, decided upon by Government recently is indicated below:

(i) Under the earlier provisions, 'P' form clearance for travel abroad was accorded only by the Reserve Bank of India. In order to reduce the inconvenience to intending travellers who have often to go long distances to the nearest branch of Reserve Bank for this purpose, it has now been decided to authorise certain nationalised banks to accord 'P' form clearance.

(ii) In the case of Indians going on the hospitality of close relations permission will be accorded if they produce an affidavit sworn in India to the effect that they are going on the sponsorship of an approved category of relations.

(iii) For the purpose of acceptance of hospitality, the cousin has also been added in the approved category of relations.

(iv) The procedure for asking foreign exchange remittance to cover the cost of the passage both ways in the case of visits undertaken on the sponsorship of friends or relatives not belonging to an approved category has been discontinued and 'P' form clearance would be given for travel abroad on the strength of a pre-paid ticket advice, whether on Air India or any other airline.

(v) Permission will be given freely to students for studies abroad in

cases where their expenses are met by their relatives, friends etc. abroad.

(vi) It has also been decided to give 'P' form clearance freely, subject to provisions of foreign Contribution Regulations Act, 1976, to those who go on an invitation from trade unions religious bodies international organisations and chambers of Commerce.

(vii) It has been decided to allow people to travel abroad under the Foreign Travel Scheme once in two years, as against once in three years as in the past. The foreign exchange release under this scheme has also been increased from 100 to \$500 irrespective of the airline on which the travel is made.

(b) The decision to empower the Members of Parliament with powers of certification of passports with effect from 15th August 1977, has resulted in a larger number of passports being issued by the regional passports offices in India as will be observed from the figures furnished below:—

Number of Passports Issued by Nine Regional Passport Offices in India.

Period	No. of Passport Issued
May—July, 1977	2,18,666
August—October, 1977	2,49,681

#### भारत सेवक समाज

2446. श्री रीत साल प्रसाद चर्मा :  
म्या भास्तिक्य तथा भाष्यक पूर्ति और सह-  
कारिता मन्त्री यह बताने की कृपा करें कि :

(क) भारत सेवक समाज के सम्बन्ध में  
कपूर आयोग के प्रतिवेदन के प्राधार पर

मपव्यय की गई धनराशि की वसूली के लिए  
भारत सेवक समाज के कितने पदा-  
धिकारियों के विषद् मुकदमे दायर किये गये  
हैं तथा उनसे कितनी धनराशि वसूल की  
जानी है;

(ख) प्रतेक के विशद् कितनी-कितनी  
राशि की वसूली के लिए मुकदमा दायर  
किया गया है; और

(ग) यदि कोई मुकदमा दायर नहीं  
किया गया तो उम्मीद कारण है ?

भास्तिक्य तथा भाष्यक पूर्ति और सह-  
कारिता मन्त्रालय में राज्य मन्त्री (श्री कृष्ण  
कृष्ण गोदल) : (क) से (ग) कपूर आयोग  
ने धन वसूल करने के लिए कोई विभिन्न  
मिकारिश नहीं की है। इस रिपोर्ट पर शीघ्र  
नियंत्रण किये जाने की सम्भावना है।

#### Representation for formation of Appellate Tribunal in Central Excises

2447. SHRI R. K. MHALGI: Will the Minister of FINANCE be pleased to state:

(a) whether the Government have received a written representation dated 28th July, 1977 regarding the suggestion of formation of Appellate Tribunal in Central Excises and Gold matters;

(b) if so, what action Government have taken and whether the concerned has been intimated accordingly; and

(c) if no action has been taken by Government until now, the reasons for delay?

THE MINISTER OF STATE IN  
THE MINISTRY OF FINANCE (SHRI  
SATISH AGARWAL): (a) Yes, Sir.

(b) and (c). A copy of the representation was sent to the Indirect Taxation Enquiry Committee (Jha Committee) which has been constituted to look into the existing structure of indirect taxes and connected matters

and to advise the Government on the changes in the Administrative and organisational set-up in view of its recommendations. The need for passing proper "Speaking orders" in adjudication or appeal cases has been impressed upon Collectors and Appellate Collectors of Customs and Central Excise in the light of the points advanced in the representation. The sender of the representation has also been informed of the action taken.

**Indian equity participation by multi-national drug houses**

**2448. SHRI C. N. VISVANATHAN:** Will the Minister of FINANCE be pleased to state:

(a) the number of multi-national drug houses which have not increased the Indian equity participation in accordance with FERA Rule;

(b) the reasons for not taking action against such houses; and

(c) particulars of any firm and clear-cut plan in this regard?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) At present there are 32 drug companies subject to the provisions of Section 29(2) (a) of the Foreign Exchange Regulation Act, 1973. Decision on the applications of these companies under FERA will be taken after the revised drug policy based on the Hathi Committee Report is finalised.

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

**Import of Potash**

**2449. SHRI M. A. HANNAN AL-HAJ:** Will the Minister of COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION be pleased to state:

(a) whether we import 'Potash' and if so, the quantity imported during the last three years;

(b) how much foreign exchange we spent for the import of 'POTASH' during the last three years; year-wise; and

(c) the reasons and circumstances under which we are not able to produce 'POTASH' and steps Government propose to take to produce the same?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG):** (a) and (b). The term 'Potash' is variously used to connote a number of items, but in more commonly, it refers to Caustic Potash and Muriate of Potash.

A statement showing the quantity and value of import of Potassium Hydroxide (Caustic Potash) Potassium Chloride, Potassium Chlorate, Potassium Sulphate and other Potassic fertilizers/materials during the years 1974-75, 1975-76 and 1976-77 is enclosed.

(c) Imports had to be made recently of Caustic Potash to meet the urgent needs of Indigo manufacturers. Production statistics show that the supply situation is gradually improving. Besides, a number of schemes have also been approved to take care of prospective demands.

As regards Muriate of Potash the only indigenous source is the bittern left after recovery of salt from sea water. The cost of production of Potassium Chloride from bittern is much higher than the landed cost of imported product. The technology developed has also not been tried at commercial level. However, recovery of potash as double sulphate, which may be used as fertilizer, has been estimated to be of better feasibility and a few parties including public sector Hindustan Salt Works are considering this project. The Ministry of Chemicals and Fertilizers has set up a Committee to identify the areas suitable for recovery and the incentives required.

**Statement**

*Quantity and value of import of Potassium Hydroxide (Caustic Potash) Potassium Chloride, Potassium Chlorate, Potassium Sulfate and other Potassic fertilizers/ materials during the years 1974-75, 1975-76 and 1976-77*

(Value in Rs. Lakhs)  
(Qty. as per unit)

Sl. No.	Description of item	Revised Indian Trade Classifi- cation's Code No.	Unit of Qty.	1974-75		1975-76		1976-77	
				Qty.	Value	Qty.	Value	Qty.	Value
1	2	3	4	5	6	7	8	9	10
1	Potassium hydroxide (Caustic potash)	• • •	513.6901 Thousand Kgs.	...	...	...	...	966	44.51
2	Potassium chloride	• • •	514.1402 Thousand Kgs.	408	21.32	445	35.93	..	..
3	Potassium chloride, pure	• • •	561.9001 Thousand Tonnes	153	125.63	22	231.32	87	726.98
4	Potassium chloride, commercial	• • •	561.9002 Thousand Tonnes	318	2273.91	211	1968.84	284	1442.31
5	Potassium sulphate containing not more than 52% of weight of K <sub>2</sub> O	• • •	561.9003 Thousand Tonnes	10	120.56	neg	0.07	1	18.98
6	Other Potassic fertilizers and Potassic fertilizer materials (other than crude natural potassic salts)	• • •	561.9009 Thousand Tonnes	70	604.38	53	549.25	113	921.53

**Notes** :—Figures are provisional and subject to revision.

**चीन के साथ व्यापार करार**

2450. श्री तुरेन्द्र विकास : क्या वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्री यह बताने की कृपा करेंगे कि भारत और चीन के बीच हुए नियंत्रित और व्यापार करार का व्यौत्ता क्या है और उसकी क्या शर्तें हैं?

वाणिज्य तथा नागरिक पूर्ति और सहकारिता मंत्रालय में राज्य मंत्री (श्री प्रारिक बोग) : भारत और चीन के बीच कोई व्यापार करार नहीं हुआ है।

**Collection of Arrears of Income-Tax**

2451. SHRI M. A. HANNAN

ALHAJ:

SHRI DAYA RAM SHAKYA:

Will the Minister of FINANCE be pleased to state:

(a) whether huge amount of arrears of income-tax are still to be collected by Government; and

(b) if so, the exact amount of arrears still to be collected and the steps being taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH): (a) and (b). The gross and net arrears of income-tax (including corporation-tax) as on 30-9-1977 were as under:—

Gross arrears	Rs. 1,047.24 crores
Net arrears	Rs. 719.78 crores

2. The figure of Rs. 1,047.24 crores includes a sum of Rs. 252.18 crores outstanding out of the demand raised during the period 1.4.1977 to 30.9.77.

3. The phenomenon of income-tax arrears is a continuing one. Even though the tax outstanding at the beginning of a financial year is col-

lected/reduced to a substantial extent by the year-end, the arrears again go up mainly because a part of the fresh tax demand raised during the course of the year is not fully collected and becomes fresh arrears of tax at the end of the year. Depending on the facts and circumstances of each case, suitable steps are taken from time to time by the Income-tax authorities concerned for recovery of tax arrears in accordance with the provisions of the income-tax Act, 1961. These steps include:—

(a) levy of interest for delayed payment of tax;

(b) imposition of penalty for non-payment of tax;

(c) attachment of monies due to the defaulter; and

(d) attachment and sale of movable immovable properties.

**International gang of smugglers arrested at Ashoka Hotel, New Delhi**

2452. SHRI M. A. HANNAN

ALHAJ:

SHRI IIUKAM CHAND

KACHWAI:

Will the Minister of FINANCE be pleased to state:

(a) whether in October 1977 an international gang of smugglers was arrested at Ashoka Hotel, New Delhi;

(b) the quantity of hashish which was in their possession and the estimated prices for the same;

(c) the countries from where they brought and the destination where this was to be taken; and

(d) the members of the gang belonged to which country and action taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL): (a) to (d). Recently in October, 1977, the Directorate of Revenue Intelligence with the as-

sistance of Drug Enforcement Administration of the United States of America were successful in apprehending an international gang of hashish smugglers which was operating between Nepal and the U.S.A. via India. By these operations, 41.1 kgs. of hashish, 36.05 kgs. hashish oil and 0.25 kg. of Ganja valued at about Rs. 45.00 lakhs were seized on 14-10-77. The contraband drugs were reported to have been illegally brought from Nepal into India and its destination was the U.S.A. Two members of the gang belonging to United States were arrested in New York and three members belonging to Nepal were arrested at Ranjit Hotel, New Delhi. The three Nepalese nationals were later remanded to judicial custody till 29-10-77 and have since been detained under the COFEPOSA Act, 1974.

**Persons Convicted under Cofeposa during last three years**

**2453. SHRI MANORANJAN BHAKTA:** Will the Minister of FINANCE be pleased to state:

(a) the total number of persons convicted under the provisions of COFEPOSA during the last three years and how many of them were declared absconding and evading action; and

(b) what steps have been taken to prosecute them and against those absconding after the revocation of the emergency in March, 1977?

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL):** (a) During the period 19-12-1974 to 26-11-1977, 3448 persons had been ordered to be detained under the provisions of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 by the Central Government and the various State Governments/Union Territories. As on 26-11-1977, 167 persons were in actual detention and 234 persons had

not been detained. Out of these 234 persons evading detention, 176 persons have been declared as 'absconders' under section 7 of the Act.

(b) Instructions have been issued to Customs authorities to expedite the prosecution proceedings against these persons. Besides, appropriate action is being taken against the absconders under the provisions of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 and the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976.

**Incidents of Hijacking of Planes and Inflow of Foreign Tourists**

**2454. SHRI MANORANJAN BHAKTA:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the recent incidents of hijacking of aeroplanes has affected the inflow of foreign tourists from abroad and if so, to what extent; and

(b) what steps have been taken by India to ensure safety of air-borne passengers on domestic and international flights?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) No, Sir. There has been no decline in tourist traffic to India. On the contrary, there has been increase in tourist traffic in the first ten months of the year 1977.

(b) It would not be in the public interest to disclose specific steps being taken to prevent such incidents. However, the 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.

**Enforcement of new Prohibition policy  
in big Hotels**

**2455. SHRI MANORANJAN BHAKTA:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) what steps have been taken to enforce the new prohibition policy in big hotels in the country;

(b) how these steps are likely to affect the foreign tourists; and

(c) how the inflow of foreign tourists is likely to be affected by the prohibition policy?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) The enforcement of the Prohibition law is a State subject, and, therefore, the speed and manner in which it is implemented would depend largely on the individual State Governments.

(b) and (c). Prohibition policy has not so far been spelt out in concrete terms. It is, however, expected that prohibition policy would not affect the inflow of foreign tourists.

**Enforcement of Prohibition Policy in  
Hotels**

**2456. SHRI MANORANJAN BHAKTA:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether it is a fact that the private hotels are often found involved in violation of prohibition laws; and

(b) if so, what measures are being adopted to enforce the new prohibition policy in these hotels?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) and (b). The formulation, implementation and enforcement of prohibition laws rests with the individual State Governments. The Central Prohibition

Committee has only made recommendations regarding introduction of prohibition by stages. As such, all hotels would be subject to the State prohibition laws and any violation would be dealt with by the concerned State authorities, in accordance with the law.

**Findings of survey Conducted by U.P.  
Financial and Marketing Service**

**2457. SHRIMATI PARVATHI KRISHNAN:** Will the Minister of FINANCE be pleased to state:

(a) whether Government's attention has been drawn to the findings of a survey conducted by U.P. Financial and Marketing experts whereby it is shown that the additional cash made available through bonus payments and C.D.S. refund to low and middle income workers during the last few months, has not added to the inflationary pressure in the country; and

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

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) No, Sir.

(b) Does not arise.

**Financial Assistance from I.M.F.**

**2458. SHRI CHITTA BASU:** Will the Minister of FINANCE be pleased to state:

(a) whether he approached the IMF for more liberal financial assistance during his last visit to USA in September last; and

(b) if so, their response thereto?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) and (b). I visited Washington (USA)

in September, 1977 to participate in the meetings of the Interim Committee 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. These meetings, *inter alia* address themselves to the questions relating to the 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 seeking assistance from the IMF on an individual basis for India, therefore, did not arise.

**Grievances of Employees of Banks, LIC and GIC**

2459 SHRI CHITTA BASU: Will the Minister of FINANCE be pleased to state.

(a) whether Government are aware of the long outstanding grievances of the Bank, LIC and GIC employees in the country numbering about 4 lakh, and

(b) if so, steps taken or proposed to be taken for redressing their grievances?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). Yes, Sir. The demands of the employees of the L.I.C., G.I.C. and the banks are being looked into by the concerned organisation in consultation with the Government.

**Impact of Money Supply on Price Level**

2460. SHRI CHITTA BASU: Will the Minister of FINANCE be pleased to state money supply during the last five years and repercussions thereof on the price level?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): A statement showing the increase in money supply with the public and percentage increase in index numbers of wholesale prices since 1972-73 is laid on the table of the House. It is difficult to segregate the effect of increases in money supply on prices, as price behaviour depend upon a number of other factors as well.

**Statement**

Financial year ending	Money supply with the public		Index Number of Wholesale Prices (Base: 1970-71 = 100)	
	Amount outstanding (Last Friday) (Rs. crores)	Percentage Change (Last Friday)	Index Number (Last Saturday)	Percentage change
1	2	3	4	5
1971-72	8320		108.2	
1972-73	9684	16.4	121.3	1.32
1973-74	11172	15.4	158.0	30.0
1974-75	11911	7.6	173.9	10.1
1975-76	13143	+10.3	162.6	-6.5
1976-77	15603	-18.7	182.1	+12.0

1	2	3	4	5
1976-77 . . . . . . . .	14495 (As on No. 5, 1976)	+ 10.3	176.5 (As on Nov. 6, '76)	+ 8.5
1977-78 . . . . . . . .	16775 (as on Nov. 4, 1977)	+ 7.5	184.0 (as on Nov. 5, 1977)	+ 1.0

**Aircraft Navigation Aid lying idle at Nangloi**

2461. SHRI KANWAR LAL GUPTA:  
SHRI DINEN BHATTACHARYA:  
SHRI SAUGATA ROY:

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

- (a) whether Government are aware of the fact that Rs. 1.5 crores aircraft navigation aid has remained idle since it was installed in March, 1974 at Nangloi, near Delhi;
- (b) if so, the details thereof;
- (c) what were the reasons for its being lying idle;
- (d) whether Government have made any inquiry into it; and
- (e) if so, the details thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTAM KAUSHIK): (a) to (e). After installation and test of the Air Route Surveillance Radar at Nangloi (Delhi), it was declared operational on 21st March, 1974. At the beginning, the facility was given procedural monitoring till the middle of June, 1974 when it was put into regular 24 hours operation. During this time, maintenance personnel as well as Air Traffic Control Officers were trained on the operation of this sophisticated equipment. After initial operation, the air-conditioning unit went out of order, off and on, and the Air Route Surveillance Radar facility had to be withdrawn by the end of August, 1974 to avoid damage to the equipment.

The question of rectifying the defect in the air-conditioning equipment was taken up with the concerned firm through Director General of Supplies and Disposals, who directed the firm to provide a matching condenser for improving the functioning of the air-conditioning equipment. However, the firm after a protracted correspondence supplied the matching condenser and the air-conditioning unit has been made serviceable from October, 1977. To improve the functioning of the Air-Conditioner, an additional condenser will be provided and the Air Route Surveillance Radar will be made operational by December, 1977.

**Improvement in Economic Situation**

2462. SHRI KANWAR LAL GUPTA:  
Will the Minister of FINANCE be pleased to state:

- (a) whether there was a set back in the rate of growth and in output and there was a higher level of monetary expansion and resurgence of price inflation during 1976-77;
- (b) if so, the details thereof;
- (c) the position in the last six months; and
- (d) what specific steps have been taken by Government to improve the economic situation?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) and (b). Yes, Sir. The rate of growth of national income which was 8.8 per cent in 1975-76 was estimated to have declin-

ed to 2 per cent in 1976-77. On the other hand, the expansion in money supply accelerated from 10.3 per cent in 1975-76 to 18.7 per cent in 1976-77. Consequently, the index number of wholesale prices rose by 12.5 per cent in 1976-77 in contrast to a fall of 6.9 per cent in 1975-76.

(c) Estimates of national income are not available for the current year 1977-78. However, on the basis of improved prospects of agricultural production, it is expected that the growth in national income in 1977-78 will be larger than in 1976-77. The expansion in money supply between April and October this year has only been 6.4 per cent as against 9.7 per cent in the same period of 1976. Similarly, the pace of price rise has also slowed down in the current year so far (up to October end) to 1.2 per cent, whereas in the same period of 1976-77, prices had risen by 9.3 per cent.

(d) A number of measures have been taken to moderate the rise of prices such as larger imports of commodities in short supply like edible oils and raw cotton, larger releases from stocks, restrictions on exports of potatoes, onions, groundnuts etc. levy of export duty and compulsory usage of imported materials such as edible oils and viscose. A strategy to increase the production of agricultural commodities like oilseeds and pulses has been evolved in order to bridge the gap between demand and supply. Monetary policy continues to be restrictive but at the same time aims at promoting investment and ensuring adequate credit to productive and priority sectors. Various incentives have been given to industry to increase production and invest a larger volume of resources. Import policy has been liberalised to encourage production and investment. Currently the Government is engaged in evolving a new plan strategy aimed at combining the growth of the economy with the generation of more employment opportunities, particularly in rural areas and the reduction of poverty in the Indian economy.

### Foreign Exchange Reserves

2463. SHRI KANWAR LAL GUPTA: Will the Minister of FINANCE be pleased to state:

(a) what steps Government have taken or propose to take to scale down the country's foreign exchange;

(b) whether Government have received any suggestion about this;

(c) if so, the details thereof and the reaction of the Government thereon; and

(d) what steps Government propose to take that these Government reserves do not lead to price rise?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) The country 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 due to fluctuations in agricultural output. However, taking into account the present size of foreign exchange reserves it is the policy of the Government to utilise a part of the reserves with a view to,

(i) making available the full requirements of the economy for imported raw materials, component, spares and equipments, consistent with the 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.

(b) Yes, Sir.

(c) Most of the suggestions received by the Government point to the need for a more liberal import policy to enable larger imports of plant and machi-

neries, synthetics and manmade-fibres, and machinery and equipment for modernisation of industry. These are broadly covered by the policies already being pursued by Government.

(d) Besides liberalising imports, particularly of items which cater to mass consumption such as edible oils, textile fibres etc., the Reserve Bank have also adopted various credit policy measures to curb inflationary pressures.

#### Loan Agreement with Canada

2464. SHRI G. V. KRISHNAN:  
SHRI RAJ KESHAR SINGH:

Will the Minister of FINANCE be pleased to state:

(a) whether there has recently been any agreement between the Government of Canada and India regarding loan, for Canadian fertiliser and fertiliser material during the current financial year; and

(b) if so, the details thereof as well as the details regarding its utilisation?

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

(b) A loan Agreement for C \$ 32 million was signed with the Government of Canada on 6th October, 1977 for financing the import of fertilisers and fertiliser materials (Muriate of Potash, Urea and Sulphur) and freight costs thereof. The loan carries no interest, service or commitment charges and is repayable in 50 years, including a grace period of 10 years.

Muriate of Potash worth about C \$ 32 million has so far been contracted for against the loan. This is expected to be shipped in full by the end of March 1978.

#### Change in valuation procedure of Wealth Tax on Immovable Property

2465. SHRI G. V. KRISHNAN: Will the Minister of FINANCE be pleased to state:

(a) whether Government propose to change the valuation procedure adopted for purposes of wealth tax on immovable property; and

(b) if so, the details regarding the policy of Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH): (a) and (b) Section 7 (1) of the Wealth-tax Act, 1975 provides that subject to any rules made in this behalf, the value of any asset, other than cash, for the purposes of levy of wealth-tax, shall be estimated to be the price which, in the opinion of the Wealth-tax Officer it would fetch if sold in the open market on the valuation date. Government proposes to frame rules under section 7(1) of the Wealth-tax Act for the purpose of valuation.

#### Direct Flight from Trivandrum to Gulf Countries

2466. SHRI K. A. RAJAN:  
SHRI C. K. CHANDRAPPAN:

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

(a) whether Government have decided to start direct flight from Trivandrum to Gulf countries;

(b) if so, the details and by when it is expected;

(c) whether Government are aware that the accommodation problem at the airport will be more acute with the introduction of the new international flights; and

(d) if so, whether Government propose to build a new terminal building with the modern facilities to meet this problem, if so, the details?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOT-TAM KAUSHIK): (a) and (b). The question of starting direct flights between Trivandrum and Gulf countries and developing Trivandrum aerodrome for the purpose is under active consideration of the Government.

(c) and (d). The existing terminal building at Trivandrum is being extended at a cost of Rs. 12 lakhs. On completion of this work the Terminal building would be adequate to meet the traffic requirements. While Government have no proposal at present to construct a new terminal building, further improvements to the terminal building are proposed to be taken up during the next Five Year Plan.

#### Strengthening of Run Way at Cochin

2467 SHRI K. A. RAJAN: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the works connected with the extension and strengthening of the run-way at Cochin air port is in progress according to schedule,

(b) whether it has been brought to the notice of the Minister that the current years budget provision is insufficient for proceeding with the work as programmed; and

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

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOT-TAM KAUSHIK): (a) Yes, Sir.

(b) and (c). Budget provision is adequate for current year's expenditure and the work is progressing according to schedule.

Proposal to reduce Smuggling and Harassment of Passengers at Airports

2468. SHRI SUKHDEO PRASAD VERMA: SHRI AHMED M. PATEL:

Will the Minister of FINANCE be pleased to state:

(a) whether Government are considering new proposals to reduce smuggling and harassment of passengers at airports for customs; and

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

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL): (a) and (b). In order to check smuggling at the airports the intelligence and investigation set up has been strengthened. Scientific equipments and aids have also been provided. Arrangements exist for special watch for persons known or suspected for smuggling.

With regard to facilitation of clearance of passengers and elimination of delays and harassment, the Government has received the report of a Committee that had been set up to go into this question. The recommendations of the Committee are being examined.

#### Utilization of Poor Quality of Sugar by Coffee Board

2469. SHRI S. S. SOMANI: Will the MINISTER OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether it is a fact that very poor quality of sugar is being utilized by the Coffee Board; and

(b) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): (a) No, Sir.

(b) Does not arise.

**Encashment of Leave by Central Government Employees**

2470. SHRI MANI RAM BAGRI: Will the Minister of FINANCE be pleased to state:

(a) whether there is a proposal to allow encashment of leave by Central Government employees; and

(b) if so, the main features thereof?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL). (a) and (b). Yes, Sir. There was a proposal to allow encashment of leave for unutilised earned leave at the time of retirement on superannuation. The proposal has been accepted by the Government on 29-10-1977. The main features of the scheme are, in brief as follows:

(i) The Scheme is applicable to Government servants retiring on or after 30-9-1977:

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

(iii) 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.

(iv) Cash payment under the Scheme will, subject to (v) 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.

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

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

**Prospects of Iron Ore Exports to Japan**

2471. SHRI S. R. REDDY: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the prospects of iron ore exports to Japan in 1977-78;

(b) the quantity exported last year and at what price; and

(c) what prices are being negotiated now?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): (a) to (c). India (both MMTC and Goan exporters) exported about 18 million tonnes of iron ore to Japan during 1976-77. The Japanese iron and steel industry is passing through a serious recession at present. Exports during the current year are therefore facing difficulties and the prospects of any substantial increase over last year's level are not very bright.

It would not be in public interest to go into the details of export prices of iron ore.

**Proposal to Convert Hyderabad into a Dry Port**

2472. SHRI G. S. REDDY: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state whether there is any proposal to convert Hyderabad into a dry port?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): No, Sir.

**Representation Regarding Functioning of Public Sector Banks**

2473. DR. VASANT KUMAR PANDIT: Will the Minister of FINANCE be pleased to state:

(a) how many representations have been received by the Committee appointed by the Government to investigate functioning of the public sector Banks;

(b) whether Indian Merchants Chamber has submitted a memorandum objecting the changes in the existing Banking systems and given various other recommendations; and

(c) whether the Committee appointed by the Government has finalised its report and if so, the major suggestions regarding functioning of the public sector bank system?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) to (c). Government have not appointed any Committee to investigate the functioning of the public sector banks. However, the Reserve Bank of India has set up or 8th June, 1977 a Committee under the Chairmanship of Shri James S. Raj to study different aspects of functioning of the public sector banks and to make recommendations in the light of its findings. Government have no information either on the number of representations received by it or whether or not the Indian Merchants Chamber has submitted a memorandum objecting to the changes in the existing banking system and making other recommendations to the Committee. As per available information the Committee has not yet submitted its report to the Reserve Bank of India.

**Indian Restaurant at Prague Called 'Mayur'**

2474. DR. VASANT KUMAR PANDIT: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have decided to set up an Indian Restaurant at Prague called 'Mayur,' in collaboration with the Government of Czechoslovakia;

(b) if so, what is the involvement committed by the India Tourism Development Corporation, the financial implications and the other conditions settled with Czechoslovakia State Restaurant Company; and

(c) whether India Tourism Development Corporation plans to open such Indian Restaurant in other countries and if so, where and when?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) and (b). The Indian style restaurant at Prague is purely a Czechoslovakian venture. The India Tourism Development Corporation has provided technical assistance in the fields of interior decor, selection of personnel and menus, supply of furniture and furnishing material, cutlery, crockery etc. Equipment of the value of Rs. 5,24,410.50 is being supplied for the restaurant on payment basis.

(c) No proposal has been finalised as yet.

**Increase in number of Airports in South India**

2475. SHRI C. N. VISVANATHAN: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the total number of airports in India;

(b) the number actually functioning;

(c) the number of airports in South India;

(d) whether Government propose to increase the number of airports in South India; and

(e) if so, particulars of phased programme, if any, for construction?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTAM KAUSHIK): (a) The number of Civil Aerodromes in India is 260.

(b) 85 aerodromes under the control of Civil Aviation Department and four airports under the International Airports Authority of India are available for use. Indian Airlines are operating scheduled services through 42 civil aerodromes.

(c) 35 aerodromes are located in South India. 20 of these aerodromes in the States of Andhra Pradesh, Tamil Nadu, Kerala and Karnataka are under the control of Civil Aviation Department. International airport Madras is under the control of the International Airports Authority of India. 14 aerodromes are owned by the State Governments/private parties.

(d) and (e). Subject to the availability of resources and if the traffic justifies, Government will consider the feasibility of constructing new aerodromes at Hulbi, Cauçit and Cochin.

#### Banking Facilities for various Projects in Himachal Pradesh

2476. SHRI DURGA CHAND: Will the Minister of FINANCE be pleased to state:

(a) whether Banking facilities for various projects in Himachal Pradesh are very little;

(b) whether it is a fact that Himachal Pradesh suffers from various problems on account of rough terrain and scattered area and that banking facilities are not easily available to entrepreneurs; and

(c) if so, whether it is proposed to provide banking facilities in Himachal Pradesh, if so, the details thereof?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) to (c). In pursuance of the objective of extending

banking facilities to unbanked areas, the commercial banks have been endeavouring to open more branches in rural areas. As at the end of September 1977, the branch network of the commercial banks in Himachal Pradesh comprised 264 branches of which 209 were located at rural centres. The average population per bank office in Himachal Pradesh was 14,000 compared to the all-India average of 21,000. On the same date, 52 licences/allotments were pending with the commercial banks for opening branches in Himachal Pradesh. Of these, 48 were for rural centres.

While the difficulties of inadequate means of communication and transport and the dispersed habitation do pose problems in rapidly securing a more widely dispersed bank branch network in hill areas such as Himachal Pradesh banks have been advised to devote greater attention to the needs of the underbanked areas, particularly of the districts where the population coverage of their rural and semi-urban branches is relatively poor.

#### Financial Assistance for Tea Replantation

2477. SHRI P. G. RAMALINGAM: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) the extent of financial assistance given by Government for Tea replantation;

(b) whether this assistance has been discontinued or proposed to be discontinued; and

(c) if so, the impact on tea production indicating whether tea production has already suffered?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG): (a) An amount of Rs. 2,19,00,000/- has been released by the Government for payment of subsidy to Tea Estates under

the Replanation Subsidy Schemes since its inception in October 1968.

- (b) No, Sir.
- (c) Does not arise.

**Request made by Industrialists for Loan from Nationalised Banks**

2478. SHRI P. S. RAMALINGAM:  
SHRI D. AMAT:

Will the Minister of FINANCE be pleased to state:

(a) whether industrialists have sought a soft loan from Nationalised Banks for payment of bonus to workers;

(b) if so, the particulars thereof and the amount sought; and

(c) the action taken on their demand?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) to (c). Such industrial units as are presently under financial strain and lack the liquidity to meet their minimum bonus obligations have approached banks for financial assistance to enable them to pay bonus to their workers since non-payment of bonus to the workers of such units is likely to result in industrial unrest. Government have advised banks to consider giving financial assistance for meeting minimum bonus obligations, to:

(i) such units as need special assistance from banks even though they are viable; and

(ii) such units as can be made viable with assistance for modernisation etc.

Units approaching the banks for financial assistance will have to satisfy the banks about their viability/projected viability.

In the case of certain non-viable cotton textile mills, banks have sought the guarantee of Central and/or State Governments. In regard to cotton tex-

tile mills, Governments of Maharashtra and Gujarat had agreed to stand guarantee to the extent of 55 per cent if financial assistance was extended to non-viable mills, the Central Government making itself responsible for the other 50 per cent. Banks have been considering proposals to provide financial assistance to such mills on this basis.

आय में 1:10 का अनुपात लाने का प्रस्ताव

2479. डा० रामबी सिंह: क्या वित्त मंत्री यह बताने की हुपा करेंगे कि:

(क) क्या सरकार का विचार विषयमात्र को दूर करने के लिए आय में 1:10 अनुपात 1:20 का अनुपात लाने का है; और

(ख) यदि हां, तो इस बारे में क्या उपाय किये जाने हैं?

वित्त तथा राजस्व और बैंकिंग मंत्री (की एच० एम० पटेल) : (क) और (ख). भारत सरकार ने अभी हाल ही में बेतन आय और मूल्य विषयक एक प्रध्ययन दल नियुक्त किया है, जो अन्य बारों के साथ-साथ यह विचार करेगा कि न्यूनतम बेतन और अधिकतम बेतन के बीच अन्तर निर्धारित करने के लिए क्या सुरक्षित मानदण्ड हों, क्या न्यूनतम और अधिकतम बेतनों के बीच का अनुपात एक जैसा हो या वह विभिन्न बेतनों में अलग-अलग रखा जा सकता है। प्रध्ययन दल की सिफारिशों से सरकार को बेतन आय और मूल्यों विषयक नीति निर्धारित करने में सहायता मिलेगी।

**Utilisation of Bank Resources to uplift the Rural Areas**

2480. SHRI G. M. BANATWALLA:  
SHRI MANI RAM BAGRI:

Will the Minister of FINANCE be pleased to state:

(a) whether it has come to the notice of Government that bank resources have not been utilised to uplift the rural areas of the country in spite of the Government's policy pronouncements;

(b) if so, the reasons thereof; and

(c) the amount which has been earmarked for the uplift of the rural areas during the last three financial years?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) and (b) Commercial banks have been initiating measures to ensure a greater flow of credit to the priority and neglected sectors, including agriculture. The proportion of public sector banks' advances to the priority and neglected sectors to the total advances has gone up from 14 per cent in June, 1969 to 25.5 per cent as at the end of June, 1976, thus indicating that the share of banks' resources for the upliftment of rural areas has been registering a gradual increase.

(c) No specific amount is earmarked by banks for being advanced to a particular sector or area. Government has, however, advised the banks to ensure that by March, 1979, 33-1/2 per cent of their total advances should be for the priority and neglected sectors, including agriculture.

#### Withdrawal of Amount of Compulsory Deposit by Central Government Employees

2481. **SHRI G. M. BANATWALLA:**  
**SHRI MANI RAM RAGRI**

Will the Minister of FINANCE be pleased to state:

(a) the number of Central Government Employees in each Ministry who have withdrawn premature C.D.

during the month of October, 1977 and the amount thereof and the total remaining amount still to be refunded;

(b) whether the Premature C.D. has been restricted to only those persons who have no other source of Finance for their Medical Treatment and if so, the reasons for such restrictions; and

(c) whether Government propose to allow all needy persons of Central Government to withdraw premature C.D. and if not, the reasons thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH):** (a) and (b). There is no provision in the *Additional Emoluments (Compulsory Deposit) Act, 1974* enabling Government employees to withdraw compulsory deposits made by them prematurely on their own volition. The Act, however, contains a provision which permits earlier repayment of compulsory deposits in any case in which any person authorised by the Central Government in this behalf is satisfied that extreme hardship will be caused to an employee unless such repayment is made to him. The Central Government has already authorised Heads of Department in the case of Central Government employees for this purpose.

(c) Government has no such proposal under consideration as any indiscriminate release of compulsory deposits, without looking into grounds of extreme hardship will result in injection of a large amount of money into the economy and lead to accentuation of inflationary pressures.

#### Devaluation of Rupee in terms of Pound Sterling

2482. **SHRI G. M. BANATWALLA:**  
**SHRI M. KALYANASUNDARAM:**  
**SHRI K. MALLANNA:**  
**SHRI D. D. DESAI:**

Will the Minister of FINANCE be pleased to state:

(a) whether Rupee has again been devalued by 3.6 per cent in terms of Pound Sterling by R.B.I. as mentioned in *Times of India* dated 3rd November 1977 and if so, the reasons therefor; and

(b) its effect on country's economic position and how far it will prove beneficial to the country?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) No, Sirs. It was not devaluation but it was a part of the process of adjustment from time to time in the value of rupee *vis-a-vis* Pound Sterling to maintain the exchange rate of the rupee in line with the movements in the exchange rates of the currencies of our major trading partners.

(b) Does not arise.

**Income Tax Evasion detected in Karnataka by Income Tax Department**

2483. SHRI M. KALYANASUNDARAM: Will the Minister of FINANCE be pleased to state:

(a) whether the Intelligence Wing of the Income-tax Department, Karnataka has detected one of the biggest income tax evasion in the city;

(b) if so, the name of the person and the amount on which the tax was evaded; and

(c) what action has been taken against him?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLA): (a) to (c). Following a survey operation under section 133A of the Income-tax Act, 1961 in September, 1977 in the premises of Shri K. P. Sampath Reddy, proprietor, Shri Shankar Trading Company, Bangalore (Kirana merchant) books of account for a number of years have been impounded. These indicate *inter alia*, suppression of purchases of over rupees two crores during the last six years. Assessments for the relevant assessment years have been reopened and further enquiries are in progress.

**Enquiry against Chairman, Vijaya Bank**

2484. SHRI VAYALAR RAVI: Will the Minister of FINANCE be pleased to state:

(a) what progress has been made in the enquiries being conducted by Government regarding the allegations against the Chairman of the Vijaya Bank Limited; and

(b) what are the findings of the enquiry so far and what steps have been taken in this regard?

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Reserve Bank of India, which was directed to conduct an inspection of the Vijaya Bank Limited, have completed the inspection and have recently submitted the inspection report to the Government

(b) According to the provisions of sub-section 5 of the Section 35 of the Banking Regulation Act, 1949, the Inspection report or portion thereof can be published by the Government only after giving reasonable notice to the bank concerned and only if such action appears necessary. As (i) no such notice has been given to the bank (ii) disclosure of the findings in the inspection report is not considered necessary in the public interest and (iii) the report contains information relating to the affairs of the bank's constituents which, in accordance with the practices and usages customary among bankers is not to be divulged, Government are unable to disclose the findings in the report

**Loan Assistance from Sweden**

2485. SHRI S. R. DAMANI: Will the Minister of FINANCE be pleased to state:

(a) the details of loan assistance received from Sweden, total amount,

in what form it was received, how long it has been outstanding; and

(b) the details of repayments made so far?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (a) The total amount of development loans given by Sweden to India is Skr. 559 million (approximately Rs. 102.297 crores). The details of the loans received from Sweden, the form in which these were received, and the periods from which they have been outstanding, are given in the statement which is laid on the Table of the House. [Placed in Library. See No. LT-1253/77]. Since 1976-77 all Swedish Assistance to India is in the form of grants;

(b) No repayments of principal have been made so far. Sweden is a member of the Aid India Consortium and has been writing off repayments of principal as and when they fell due as a part of the annual debt relief exercise undertaken under the Consortium aegis for the last several years. However, a general decision has been taken by Sweden, this year, to write off all development assistance debts extended by it to a number of developing countries including India.

**Inclusion of bottle of liquor as in free baggage allowance to International Travellers**

**2486. SHRI C. K. JAFER SHARIFF:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government propose not to allow travellers on internation-

al flights to bring in a bottle of liquor as part of the free baggage allowance;

(b) whether Government are aware that Air India, which has a reputation as one of the most efficient carriers, feels that if this restriction is imposed it will not only lose traffic but also earn a bad name all over the world; and

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

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

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

**Attraction for Tourists visiting Tourist Spots in Karnataka**

**2487. SHRI K. LAKKAPPA:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the amount invested by the Central Government in Centres of tourist attraction in Karnataka during the last three years; and

(b) whether there are any schemes to attract more tourists to the tourist spots of Karnataka?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTAM KAUSHIK):** (a) The expenditure incurred in the Central Sector during 1974-75, 1975-76 and 1976-77

on various schemes in Karnataka is as follows:—

	Rs.
<b>I. Department of Tourism</b>	
(i) Construction of a forest lodge at Dandeli . . . . .	91,929
<b>II. India Tourism Development Corporation</b>	
(i) Expansion of the Ashoka Hotel at Bangalore . . . . .	78,16,000
(ii) Conversion of the Lalitha Mahal palace at Mysore into a hotel . . . . .	25,56,000
(iii) Expenditure on the Transport Unit at Bangalore . . . . .	27,000
Total	104,90,929

(b) In order to attract more tourists to Karnataka, the following schemes have been taken up/proposed in the Central sector:—

(i) The Department of Tourism has selected the archaeological sites at Badami, Pattadakal, Aihole and Hampi for development under its Cultural Tourism programme. The development of these centres will be taken up on the basis of the master plan (land use plans) of the centres which are under preparation.

(ii) It is proposed to construct a forest lodge at the Bandipur Wild Life Sanctuary. A provision of Rs. 300 lakhs has been made in the current budget (1977-78) of the Department of Tourism.

(iii) The construction of a youth hostel at Mysore has been taken up by the Department of Tourism. The project is estimated to cost Rs. 5.68 lakhs.

(iv) The India Tourism Development Corporation will undertake the expansion of the Lalitha Mahal palace at Mysore by adding 30 rooms at an estimated cost of Rs. 38 lakhs.

#### National Plan to protect Banking System

2488. SHRI K. LAKKAPPA:  
SHRI M. KALYANASUNDARAM:

Will the Minister of FINANCE be pleased to state:—

(a) whether the attention of Government has been drawn to the news-item appeared in *Hindustan Times* on 15th October, 1977 under the caption 'National Plan to protect banking system proposed';

(b) the salient features and main purpose of the proposed scheme; and

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

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): (a) Government are aware of the news item in question.

(b) and (c). The Reserve Bank of India had in April, 1976 appointed an internal Working Group consisting of its own officers to go into the question of productivity, efficiency and profitability in commercial banks. This Group, has recently submitted its report to the Governor, Reserve Bank

of India, and it is still under the consideration of the Reserve Bank. Though it has not evolved any specific scheme to improve the working system in banks, several suggestions are made in the report aimed at improving the operational efficiency and profitability in banks. Broadly these relate to (1) Improvement in system and procedures, (2) Rationalisation of service charges including a charge for current accounts, (3) Reorganisation of system of audit, (4) Revision of Tax Laws and Procedure mainly to enable banks to strengthen their capital base, (5) Payment of interest on cash reserves consistent with the cost of funds, (6) Coordination in performance budgeting, credit budgeting and business plans, (7) Building up of banking management information system, and (8) Review of Bipartite entitlements and necessary changes through legislation or otherwise.

#### Forcalanding by Indian Aeroplanes

2489. SHRI K. LAKKAPPA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether forced landing by Bahuguna Copter occurred on 1st November, 1977 if so, the reasons for the same; and

(b) whether in October and November large scale forcalanding by Indian aeroplanes carrying important Ministers of Central Government and party leaders took place, if so, causes there of in each case?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK): (a) Yes, Sir. Allouette Helicopter VT-EFI belonging to Government of Uttar Pradesh with Shri H. N. Bahuguna, Minister of Petroleum, on board from Rishikesh to Delhi made a forced landing at village Barsia 17 miles west of Meerut on 1st November 1977 due to mechanical trouble.

(b) During the months of October and November, 1977 including the above incident four Indian Registered aircraft with VIPs on board were involved in precautionary/forced landings. Preliminary investigations revealed that these were due to mechanical troubles.

#### Foreign Trade Policy

2490. SHRI K. LAKKAPPA:  
DR. HENRY AUSTIN:

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

(a) whether Government have drastically changed the foreign trade policy;

(b) if so, to what extent this change has helped in growing the foreign trade;

(c) the main features of the new policy; and

(d) whether this policy has helped the Indian Government; if so, to what extent?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG):

(a) No, Sir. However, Government has appointed a Committee under the Chairmanship of Dr. P. C. Alexander, Commerce Secretary to review import and export policies and procedures and suggest suitable changes therein.

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

जाय तेल के आयातकों द्वारा आयात लाइसेंसों  
का दुरुपयोग

2491. श्री ओम प्रकाश स्थानी . क्या  
जापिय तथा नागरिक पूर्ति और सहकार्यका  
मंत्री यह नाने की हुया करेंगे कि:

(क) उन व्यापारियों के विशद व्या-  
क्तिवाही की गई है जिन्हें 514 करोड़  
रुपयों के मूल्य का बनस्पति तेल आयात करने  
के लिये कंपनी सरकार ने 2,000 लाइसेंस  
दिये थे और जिन्होंने केवल 30 करोड़  
रुपयों के मूल्य का बनस्पति तेल आयात  
किया तथा मोबाइल राशि के अन्य वस्तुओं का  
आयात किया और इस प्रकार सरकार को  
धोखा दिया; और

(ब) भविष्य में कोई व्यापारी सरकार  
को इस प्रकार धोखा न दे सके, इसके लिये  
सरकार ने क्या कार्यवाही की है?

आगिये तथा नागरिक पूर्ति और  
सहकारिता मंत्रालय में राज्य मंत्री (भी  
भागिक बैग) : (क) संभवतः प्रबन्ध आय  
तेलों से सम्बन्धित है। आयात व्यापार  
नियंत्रण विनियमों के अन्तर्गत उन कर्मों के  
विशद कार्रवाई मुक्त की गई है जिनके विशद  
कार्रवाई के प्रथम दृष्टया मामले थे। इस  
प्रकार की गई कार्रवाई से सम्बन्धित रिपोर्ट  
भी प्राप्त न हुई है। 13 पार्टियों के  
मामले केन्द्रीय जांच व्यूरो के भी सुरुदं किये  
गये थे जिनमें से 6 मामले विदेशी मुद्रा  
विनियमन अधिनियम के अन्तर्गत प्रबन्धन  
निदेशालय, वित्त मंत्रालय के सुपुर्दं किये  
गये हैं। इनमें से 12 पार्टियों के बारे में जांच  
पड़ताल पूरी कर ली गई है परन्तु जांच  
पड़ताल के दौरान कोई प्रतिकूल तथ्य सामने  
नहीं आया है। इनमें से किसी भी लाइसेंस  
का उपयोग किसी अन्य चीज के आयात से  
लिए नहीं किया जा सकता था।

(ब) (i) भारतीय लोक प्रशासन  
संस्थान से मुक्त लाइसेंस योजना के अन्तर्गत  
निजी व्यापार द्वारा खाल तेलों के आयात से  
सम्बन्धित सभी पहलुओं का अध्ययन करने  
के लिए कहा गया है।

(ii) लाइसेंस जारी करने की क्रिया-  
विधि बदल दी गई है ताकि जो लाइसेंस

दिये जायें वे वास्तविक आयातों के करीब-  
करीब बराबर रहें। अब लाइसेंस योजनाओं  
द्वारा की गई प्रक्रिया संविदाओं के आधार पर  
जारी किये जा रहे हैं।

#### Complaints regarding delays in Disposal of Loan applications

2492. SHRI D. B. CHANDRE GOWDA: Will the Minister of FIN-  
ANCE be pleased to state:

(a) whether Chief Executives of  
the banks have received complaints  
regarding delays in the disposal of  
loan applications and the unsympathetic  
attitude of branch managers and the field staff towards the smaller  
borrowers;

(b) whether sickness in industry in  
general and in the small-scale units in  
particular became sick for reasons be-  
yond their control and banks should  
be able to institute some kind of an  
early warning system to protect them  
from running into sickness and nurse  
them back to health if they become  
sick; and

(c) whether Government have issued  
instructions that banks also needed  
to strengthen their administration to  
be able to discharge this duty success-  
fully?

THE MINISTER OF FINANCE AND  
REVENUE AND BANKING (SHRI H. M. PATEL): (a) Some complaints  
are received from time to time and  
public sector banks have, therefore,  
been advised to streamline the proce-  
dure for sanction of loans to small  
borrowers. Instructions have been  
issued to field staff to assist small  
borrowers to fill in application forms,  
which are made available to them in  
regional languages. Further in order  
to ensure that loan applications from  
small borrowers are disposed of as  
expeditiously as possible, instructions  
have been issued to public sector  
banks to dispose of applications in-  
volving credit limit upto Rs. 10,000/-

within a period of 3 to 4 weeks and those involving credit limits of Rs. 10,000 and above within a period of three months.

(b) and (c). Cases of sickness can be attributed to both internal as well as external factors. Demand recession, shortage of raw materials, shortage of power etc. are some of the external factors accounting for sickness which are beyond the control of the management. Banks have been advised to set up special cells at their Head Offices and other important regional offices to tackle various problems associated with sick industrial undertakings. Besides, instructions have been issued to banks to identify sick units and monitor performance of units enjoying credit limits of Rs. 1 crore or more. They have been advised to take preventive remedial action in case of units showing signs of incipient sickness. Further it has been enjoined upon banks to start quick nursing programmes in case of sick units which are potentially viable. The system of monitoring incipient sickness will progressively be extended to cover medium and small industries.

अफीम की कीमत में बढ़ि

2493. डा० सर्वोनारायण पांडेय : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अफीम उत्पादकों ने अफीम की कीमत में बढ़ि करने के लिए बार-बार मरकार से अनुरोध किया है, लेकिन उसके मूल्य में मामूली बढ़ि की गई है;

(ख) क्या यह सच है कि गत दो वर्षों के दौरान उत्पादन-न्यायन में काफी बढ़ि हुई है और उत्पादकों को मिलने वाला मूल्य अपर्याप्त है; और

(ग) यदि हाँ, तो इन बारे में मरकार ने क्या कार्यवाही की है?

वित्त मंत्रालय में राज्य मंत्री (भी सतीश चन्द्र प्रधानाल) : (क) से (ग). अफीम उत्पादकों ने, उनको देय, अफीम वे मूल्य में भी बढ़ि की, इस आधार पर वित्त में मांग की है कि अफीम की उत्पादन न्याय बहुत बढ़ गयी है। अफीम की उत्पादन-न्याय में बढ़ि और अन्य संगत कारणों पर, जिनमें अन्य तुल्य फसलों से आय भी शामिल है, विचार करने के बाद, उत्पादकों को दिये जाने वाले, अफीम वे क्रम मूल्य में, फसल वर्ष 1976-77 में उच्चतम मूल्य बण्ड में लगभग 11 प्रतिशत और 1977-78 में प्रत्येक मूल्य बण्ड में लगभग 10 प्रतिशत बढ़ि की गयी थी।

इन्दौर के लिए हवाई यात्रा सुविधाएं

1494. डा० सर्वोनारायण पांडेय : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि यात्रियों की बढ़ी हुई संख्या को देखने हुए इन्दौर-बम्बई और इन्दौर-नर्ह दिल्ली के बीच हवाई यात्रा सुविधाएं अपर्याप्त हैं;

(ख) क्या यह भी सच है कि इन्दौर का हवाई अड्डा बड़े यात्री विमानों के उतारने के लिए उपयुक्त नहीं है।

(ग) यदि हाँ, तो सरकार की इस बारे में क्या प्रतिक्रिया है?

पर्यटन और नागर विमानन मंत्री (भी पुष्पेश्वर मार्किन) : (क) इन्दौर प्राई० सी०-459/460 सेवा द्वारा दिल्ली नया बम्बई वे माथ जुड़ा हुआ है जो इन्दौर में रहकी है। यह सेवा दिल्ली/ग्वालियर/भोपाल/इन्दौर/बम्बई मार्ग पर सत्ताह में पांच दिन परिचालन करती है। गोप दो दिन यह दिल्ली/भोपाल/जबलपुर/रायपुर/इन्दौर/बम्बई मार्ग

पर परिचालन करती है। बम्बई/इंदौर तथा दिल्ली/इंदौर के बीच सीटों का व्याप्टन क्रमशः

27 तथा 11 है। इसकी तुलना में बम्बई/इंदौर तथा दिल्ली/इंदौर के बीच सीटों का उपयोग क्रमशः 27 तथा 8 है। दिल्ली तथा इंदौर के बीच यात्रा करने वाले यात्रियों के लिए सुविधाएँ पर्याप्त हैं परंतु बम्बई/इंदौर यातायात की क्षमता में इस समय और बृद्धि की गुंजाइश नहीं है। इस सेक्टर पर क्षमता में बढ़ि करने पर विचार विमान बड़े की स्थिति में सुधार होने पर किया जाएगा।

(ख) और (ग). इंदौर का विमानद्वेष बोइंग 737 जैसे बड़े विमानों के लिए उपयुक्त नहीं है। इस विमान का बोइंग 737 विमान के परिचालनों के नियंत्रिकाम करने के प्रश्न पर, साधारण तथा उपलब्ध होने की अवस्था में, अगली पंचवर्षीय योजना में विचार किया जाएगा।

मजदूर संघों को मान्यता देने के नियम

2495. द्वा० लक्ष्मीनारायण पांडेय : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या नागर विमानन के विभिन्न विभागों में काम कर रहे कर्मचारियों के हितों की देखभाल के लिए विभिन्न मजदूर संगठन हैं;

(ख) यदि हाँ, तो उनके नाम क्या हैं;

(ग) क्या यह सच है कि एक ही विभाग में एक से अधिक संगठन हैं; और

(घ) मजदूर संघों को मान्यता देने सम्बन्धी सामान्य नियम क्या हैं?

पर्यटन और नागर विमानन मंत्री और पृष्ठबोत्सव कौशिक) : (क) से (ग). पर्यटन और नागर विमानन मंत्रालय के अन्तर्गत तीन विभाग हैं अर्थात्, नागर विमानन विभाग, भारत मौसम विज्ञान विभाग तथा पर्यटन विभाग, इन विभागों में विद्यमान मान्यता प्राप्त यूनियनों के नाम नीचे दिए गए हैं :—

(i) नागर विमानन विभाग :

- नागर विमानन विभाग कर्मचारी यूनियन।
- नागर विमानन विभाग काम्य-निकेटम गिल्ड।
- नागर विमानन विभाग राज-परिवहन अधिकारी एसोसिएशन।

(ii) भारत मौसम विज्ञान विभाग :

- भारत मौसम विज्ञान विभाग राजपरिवहन अधिकारी एसोसिएशन, नई दिल्ली।
- भारत मौसम विज्ञान विभाग अराजपरिवहन कर्मचारी यूनियन, नई दिल्ली।
- भारत मौसम विज्ञान कर्मचाला यूनियन, नई दिल्ली।

(iii) पर्यटन विभाग :

पर्यटन अधिकारी एसोसिएशन।

## (iv) उपर्युक्त के प्रतिरिक्त

1. सेंट्रल गवर्नमेंट कलमसं यूनियन (मुप सी) तथा
2. भारत सरकार चतुर्थ श्रणी कर्मचारी एसोसिएशन (मुप ई) की शाखायें भी काम कर रही हैं।

(अ) सेंट्रल गवर्नमेंट कर्मचारियों की एसोसिएशनों/यूनियनों के बारे में स्थिति बताने वाला एक विवरण संलग्न है। यह पर्यटन और नागर विभाग मंत्रालय के अन्तर्गत सरकारी विभागों में कर्मचारियों की एसोसिएशनों/यूनियनों पर भी लागू होता है।

## विवरण

यूनियनों को भान्यता प्रदान करने के सामान्य नियमों के बारे में विवरण]

1. जे०सी० एम० स्कीम से अतिरिक्त प्रयोजनों के लिए वास्तविक अग्रोपचारिक भान्यता

## (क) प्रैर-प्रौद्योगिक :

केन्द्रीय सरकार के कर्मचारियों के सर्विस एसोसिएशनों को मान्यता प्रदान करने के फिलहार कोई अग्रोपचारिक नियम अथवा विनियम नहीं हैं क्योंकि सी० सी० एस०(फांडेक्ट) नियम, 1955 के नियम 4-वी को, जिसे दृष्टि में रखते हुए मान्यता नियमों को बनाया गया था, उच्चतम न्यायालय द्वारा रद्द कर देने के फल-स्वरूप सेंट्रल सिविल सर्विसेज (रेकमीशन आफ सर्विस एसोसिएशन) नियम, 1959 की मुख्य शर्तों को पूरा करते हैं तो वास्तविक अथवा अग्रोपचारिक भान्यता प्रदान कर सकते हैं। यह सर्विस एसोसिएशनों के प्रत्येक ऐसे वर्ग के वितका कि वे प्रतिनिधित्व का दावा करते हैं कुल सदस्यों के कम से कम 15 प्रतिशत उस एसोसिएशन के सदस्य होने चाहिये।

कि मंत्रालय/विभाग अपने कर्मचारियों के सर्विस एसोसिएशनों को, यदि वे सेंट्रल सिविल सर्विसेज (रेकमीशन आफ सर्विस एसोसिएशन) नियम, 1959 की मुख्य मुख्य शर्तों को पूरा करते हैं तो वास्तविक अथवा अग्रोपचारिक भान्यता प्रदान कर सकते हैं। सर्विस एसोसिएशनों के प्रत्येक ऐसे वर्ग के वितका कि वे प्रतिनिधित्व का दावा करते हैं कुल सदस्यों के कम से कम 15 प्रतिशत उस एसोसिएशन के सदस्य होने चाहिये।

## (क) अद्योगिक :

सरकार के अद्योगिक कर्मचारियों की यूनियनों के मामले में उनकी मान्यता पर जहां किसी संगठन विशेष ने अनुशासन नियमाबली को अपना निया हो, अनुशासन नियमाबली की शर्तों के प्राधार पर ही विचार किया जाना चाहिये। जहां इस नियमाबली को नहीं अपनाया गया है, वर्तमान स्थिति यह है कि मान्यता के अग्रोपचारिक नियमों के प्रधार में, यदि यूनियन रेकमीशन नियम 1959 की उन मुख्य-मुख्य शर्तों को पूरा करती हैं जो उन पर लागू होती हैं तो मंत्रालय/विभाग अग्रोपचारिक भान्यता के लिए आग्रह किए दिना अपनी यूनियनों के साथ सम्पर्क-व्यवहार कर सकते हैं। एक ट्रेड यूनियन के भी, स्टाफ के ऐसे प्रत्येक वर्ग के जिसका कि यह प्रतिनिधित्व करने का दावा करती है, कुल सदस्यों के कम से कम 15 प्रतिशत उसके सदस्य होने चाहिये।

## 2. जे०सी०एम० की स्कीम के प्रयोजनों के लिए तर्ह भान्यता

जे० सी० एम० स्कीम को अन्तिम रूप देने समय कर्मचारियों के नेताओं से परा-

मर्हे करके यह निर्णय लिया था कि ऐवल उन यूनियनों को, जिन्हें वित्त में मान्यता दी जा चुकी थी और जो विभाग के कर्मचारियों के सभी वर्गों का भव भी व्यापक एवं पर्याप्त रूप से प्रतिनिधित्व कर रही थीं, जैसे 30 सौ ० एम० में भाग लेने के लिए मान्यता प्रदान की जानी चाहिये। उन भौतिकयों/विभागों, के मामले में, जहां पहले से कोई मान्यता प्राप्त फैडरेशन/यूनियन/एसोसिएशन नहीं है, अथवा जहां वर्तमान फैडरेशन/यूनियन/एसोसिएशन कर्मचारियों के सभी वर्गों का व्यापक एवं पर्याप्त रूप से प्रतिनिधित्व नहीं करती है, एक नई एसोसिएशन/यूनियन/फैडरेशन को मान्यता प्रदान की जा सकती है। व्यापक एवं पर्याप्त प्रतिनिधित्व की भर्त को पूरा करने के लिए, स्टाफ के उन सब वर्गों के जिनका कि वह एसोसिएशन/यूनियन/फैडरेशन प्रतिनिधित्व करने का दावा करती है, कुल मददयों का कम से कम 15 प्रतिशत उसके सदस्य होने चाहिये। इसके अतिरिक्त इम सौ ० सौ ० पास० (रेकमीनन आफ सर्विस एसोसिएशन) नियम, 1959 की सम्बन्धित मुख्य-मुख्य भारतों को भी पूरा करना चाहिये। ऐसी एसोसिएशन/यूनियन/फैडरेशन को भी वे सभी सुविधायें प्राप्त होंगी जो एक अनौपचारिक अथवा वास्तविक मान्यता आप्त एसोसिएशन आदि को दी जा जाती है तथा इसके अतिरिक्त वह जैसे 30 सौ ० एम० की संयुक्त कॉमिटी में सीधा भेजे की हकदार होंगी।

**Properties forfeited under the Provisions of smugglers and Foreign Exchange Manipulators Act, 1976**

2496. SHRI R. K. MHALGI: Will the Minister of FINANCE be pleased to state:

(a) what is the total number of cases and amount of cost of the properties forfeited under the provisions

of the smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 during the period of last eight months; and

(b) in how many cases the proceedings are in progress and for how long and when they will be concluded?

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH):** (a) According to information readily available, 137 orders under the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976, were passed forfeiting property valued at Rs. 2.08 crores during the period of 8 months ended 31-10-1977.

(b) Forfeiture proceedings are in progress in 752 cases, including 305 cases in which the proceedings have been pending for enquiries for more than a year. In 179 cases, writ petitions have been filed in the High Courts challenging the validity of the proceedings. While efforts are being made to complete the pending proceedings expeditiously, it is not possible to indicate when they will be completed in view of the extensive enquiries that are required and also the need to afford adequate opportunity to the affected persons to rebut the materials gathered by the Competent Authorities who are conducting the proceedings.

**Committee to increase efficiency between Air India and Indian Airlines**

2497. SHRI R. K. MHALGI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether it is a fact that Government have set up a Committee to increase the efficiency and co-ordination between Air India and Indian Airlines, if so, when and who are the members of the Committee;

(b) whether the said Committee have submitted their report, if so,

when and what are its recommendations;

(c) whether Government have accepted the said recommendation; and

(d) if not, why not?

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** (a) Yes, Sir. In June 1976, the Government set up a Committee consisting of Secretary, Ministry of Tourism and Civil Aviation as Chairman and the Director General of Civil Aviation, Director General of Tourism, Managing Directors, Air India and Indian Airlines and the two Joint Secretaries of the Ministry, as members, *inter alia* to identify areas where there should be greater coordination between Air India and Indian Airlines keeping in mind overall national interest, and recommend specific measures for attaining this.

(b) The Committee has not yet concluded its deliberations.

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

#### **Advance Non-plan Aid to States**

2498. SHRI PRASANNBHAI

MEHTA:

SHRI SUKHENDRA SINGH:

Will the Minister of FINANCE be pleased to state:

(a) whether his Ministry has decided to provide advance plan assistance to the States to bridge 50 per cent of the non-plan deficits;

(b) if so, the main reasons for the same;

(c) whether this will be over and above the plan assistance committed for 1977-78 in the union Budget; and

(d) to what extent it will help the state Governments?

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** (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 liabilities by the States, after finalisation of the Annual Plan, have resulted in substantial gaps in resources to finance the State Plans. To enable the States to maintain the approved Plan outlays and to 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 over and above the Central assistance envisaged at the time of Plan formulation. 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 kept under review.

#### **Urban Co-operative Banks in the Country**

2499. SHRI PRASANNBHAI MEHTA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether the R.B.I. has appointed an 11 members Committee to study urban Cooperative banks in the country;

(b) if so, when the Committee is likely to submit its report; and

(c) the main objects of the proposed Committee?

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL):** (a) Yes, Sir.

(b) No date has been stipulated for submission of the Committee's Report, but the Committee aims to present the Report by April, 1978

(c) The terms of reference of the Committee are:—

(i) To evaluate the role of primary (urban) cooperative banks in the banking system.

(ii) In the light of the above, to indicate their future role and, in particular, to assess whether any additional facilities or assistance are needed.

(iii) To examine aspects such as viability, lending procedures and policies particularly from the point of serving the small borrowers.

(iv) To assess the extent of professional management and adequacy of training facilities.

(v) To consider any other problem relevant to the above terms of reference and make recommendations.

#### Public Distribution System

2500. SHRI PRASANNBHAI MEHTA: Will the Minister of COMMERCE AND CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether he had promised in the month of September, 1977 that by the end of October, 1977 scheme for enlarging the public distribution system would be done;

(b) if so, whether this question was discussed by him with the State Governments also;

(c) whether even in the month of November, this scheme has not been prepared and implemented; and

(d) if so, the reasons for the delay?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI KRISHNA KUMAR GOYAL): (a) to (d). Although it was indicated on 22nd July, 1977, that proposals in regard to the strengthening of the public distribution system for essential commodities

would be finalised in a period of three months, it has not been possible to take final decisions on the subject. The delay is mainly due to the fact that commodities cover a wide range of articles and proposals contemplate formulation of long-term and short-term policies, involving issues of complex nature having financial and other implications. In the meantime, short-term measures are being taken to ensure availability of items like edible oil and vanaspati to consumers at reasonable prices, apart from other commodities distributed through the fair price shops. The policy to be adopted in this regard is under active consideration with the concerned Ministries of the Government after which, the matter will be considered by the Cabinet. After the Cabinet decides the policy approach on the subject, the matter will be discussed further with the State Governments before policy decisions are finalised and the State Governments asked to take up their implementation.

#### Appointment of a Committee on Export and Import Policies

2501. SHRI PRASANNBHAI MEHTA:  
SHRI NARENDRA SINGH:

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

(a) whether it is a fact that Union Government have appointed a Committee on import and export policies;

(b) whether this Committee has also the power to recommend changes in import and export policies and procedures;

(c) whether the members of the panel are the same who had been advising the import and export policy to the previous Government also; and

(d) whether in view of this, Union Government are considering to include few new members who are experts in import and export trade?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND CO-OPERATION (SHRI ARIF BEG):

(a) Yes, Sir.

(b) Yes, Sir.

(c) and (d). A Committee under the Chairmanship of Dr. P. C. Alexander, Commerce Secretary has been set up with the following members:—

1. Shri R. N. Malhotra, Addl. Secretary, Department of Economic Affairs, Ministry of Finance.

2. Shri M. R. Shroff, Additional Secretary, Department of Banking, Ministry of Finance.

3. Shri K. V. Seshadri, Chief Controller of Imports and Exports, Ministry of Commerce.

4. Dr. Bimal Jalan, Economic Adviser, Ministry of Industry.

The Committee has coopted the following members:—

5. Shri P. K. Kaul, Additional Secretary, Ministry of Commerce.

6. Dr. Vijay Kelkar, Economic Adviser, Ministry of Commerce.

7. Dr. V. R. Panchamukhi (Member-Secretary), Chief, Research and Analysis Division, Trade Development Authority.

**Amount repaid under Additional Emoluments (C.D.) Act, 1974**

2502. SHRI S. R. DAMANI: Will the Minister of FINANCE be pleased to state:

(a) the amounts repaid so far as instalments under the Additional Emoluments (CD) Act 1974 and the balance outstanding at present;

(b) how much of the repaid amount has been mopped up by investment in the high-yielding bonds;

(c) whether Government has made use of or is thinking of using the deposit amounts in any manner; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH): (a) According to the information received by Government so far, the total amount repaid to employees as on 1-10-1977, as instalments under the Additional Emoluments (Compulsory Deposit) Act, 1974 was Rs. 415.16 crores and the balance outstanding on that date Rs. 36.68 crores. Bulk of this outstanding balance relates to the third instalment of additional wages deposits and the second instalment of additional dearness allowance deposits due in this year, repayment of which is in progress and is expected to be substantially completed shortly.

(b) Reference, presumably, is to the National Development Bonds introduced on 31-8-1977. According to the information received by Government, these Bonds yielded a collection of about Rs. 7.5 crores upto the 15th of October, 1977. As investment in these Bonds is open to the general public and is not confined to employees covered by the Additional Emoluments (Compulsory Deposit) Act, 1974, no separate statistics as to the investment made by the employees in these Bonds are available.

(c) and (d). For sustaining development effort and to provide adequate resources for investment in vital areas of the economy, Government have been borrowing from the Reserve Bank of India against the amount in the blocked compulsory deposits. Thus in the financial year 1976-77, the borrowing in this account amounted to Rs. 488 crores. This was the first occasion when such borrowing was resorted to. In the Budget for the current financial year also, a provision has been made for borrowing Rs. 130 crores against the blocked compulsory deposits.

**Statement Correcting the Answer to USQ No. 5331 dt. 29-7-1977 reg. Reinstatement of Shri Kripa Shankar Srivastava and other employees of the office of Accountant General Uttar Pradesh, Allahabad.**

**THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL):** In reply to Unstarred Question No. 5331 in the Lok Sabha on the 29th July, 1977, it was stated in the reply *inter alia* that "Shri Misra has filed a writ petition in the Allahabad High Court against his termination and it will not, therefore, be appropriate to review his case which is pending for a decision in the court". On receipt of further information recently it was found that no petition is actually pending in the High Court regarding termination of services of Shri D. N. Misra. Accordingly, his case as also that of Shri N. K. Sharma were reconsidered by the Comptroller and Auditor General and order was issued on the 5th November 1977 for taking both of them back in service on their previous levels with immediate effect. The error in the information furnished earlier to the House is regretted.

Soon after the reply was given to the above Question in the House, the House adjourned *sine die* and was reconvened on 14-11-1977. In the meantime, the correct factual information that no petition of Shri Misra was pending in the High Court was received by Government on the 7th October, 1977 when the Lok Sabha was not in session. The earlier information could thus be corrected only during this session at the first available opportunity.

**Statement Correcting the Answer to USQ No. 6421 dt. 5-8-1977 reg. Assessment of Income and Wealth of Shri Vidya Charan Shukla.**

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH):** While laying on the Table of the House, the reply given

to the Lok Sabha Unstarred question No. 6421 on 5th August, 1977 in the thirteenth line of the reply to part (b) of the question, an inadvertent error has occurred in giving the details of the income as "no return no assessment" in place of "Rs. 22,250".

2. I crave the indulgence of the House to correct the reply previously given.

12 hrs.

#### PAPERS LAID ON THE TABLE

#### NOTIFICATION UNDER AIRCRAFT ACT

**THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI PURUSHOTTAM KAUSHIK):** I beg to lay on the Table a copy of the Aircraft (Fourth Amendment) Rules, 1977 (Hindi and English versions) published in Notification No. G.S.R. 1163, in Gazette of India dated the 3rd September, 1977, under section 14A of the Aircraft Act, 1934 together with an explanatory note. [Placed in Library. See No. LT-1228/77]

#### ANNUAL REPORT OF THE MARINE PRODUCTS EXPORT DEVELOPMENT AUTHORITY COCHIN FOR 1975-76

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (SHRI ARIF BEG):** I beg to lay on the Table:-

(1) A copy of the Annual Report (Hindi and English versions) of the Marine Products Export Development Authority, Cochin for the year 1975-76, under sub-section (3) of section 22 of the Marine Products Export Development Authority Act, 1972.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the above Report. [Placed in Library. See No. LT-1229/77.]

**ANNUAL REPORT OF TRADE DEVELOPMENT AUTHORITY, NEW DELHI FOR 1976-77, CERTIFIED ACCOUNTS ETC. OF COFFEE BOARD FOR 1974-75, NOTIFICATIONS UNDER COFFEE ACT, EXPORT (QUALITY CONTROL AND INSPECTION) ACT AND CARDAMOM ACT**

**THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND CIVIL SUPPLIES AND COOPERATION (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 Development Authority, New Delhi, for the year 1976-77 [Placed in Library. See No. LT-1230/77].

(2) A copy of the Certified Accounts (Hindi and English versions) of the Coffee Board for the year 1974-75 and the Audit Report thereon. [Placed in Library. See No. LT-1231/77].

(3) A copy of the Coffee (Second Amendment) Rules, 1977 (Hindi and English versions) published in Notification No. G.S.R. 1327 in Gazette of India dated the 8th October, 1977, under sub-section (3) of section 48 of the Coffee Act, 1942. [Placed in Library. See No. LT-1232/77].

(4) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 17 of the Export (Quality Control and Inspection) Act, 1963:—

(i) The Export of Ceramic Products (Inspection) Amendment Rules, 1977, published in Notification No. S.O. 2580 in Gazette of India dated the 13th August, 1977.

(ii) The Export of Footwear (Inspection) Amendment Rules, 1977, published in Notification S.O. 2583 in Gazette of India dated the 13th August, 1977.

(iii) The Export (Quality Control and Inspection) Amendment Rules, 1977, published in Notifica-

tion No. S.O. 2583 in Gazette of India dated the 20th August 1977.

(iv) The Export of Crushed Bones, Hooves and Horns (Inspection) Rules, 1977, published in Notification No. S.O. 2910 in Gazette of India dated the 17th September 1977.

[Placed in Library. See No. LT-1233/77].

(5) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 33 of the Cardamom Act, 1965:—

(i) The Cardamom (Amendment) Rules, 1977, published in Notification No. G.S.R. 1458 in Gazette of India dated the 5th November, 1977.

(ii) The Cardamom (Licensing and Marketing) Rules, 1977, published in Notification No. G.S.R. 1459 in Gazette of India dated the 5th November, 1977.

[Placed in Library. See No. LT-1234/77].

**ANNUAL REPORTS ETC. OF INDUSTRIAL FINANCE CORPORATION OF INDIA FOR THE YEAR ENDING 30.6.77, GENERAL INSURANCE CORPORATION OF INDIA ETC. FOR THE YEAR ENDING 31.12.74, NOTIFICATION UNDER GOLD (CONTROL) ACT, 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 Industrial Finance Corporation of India for the year ended the 30th June, 1977, along with the statement showing the Assets and Liabilities and Profit and Loss Accounts of the Corporation, under sub-section (3) of section 35 of the Industrial Finance Corporation Act, 1948. [Placed in Library. See No. LT-1235/77].

(2) A copy of the Annual Report (Hindi and English versions) under Rule 6 of the General Insurance Business (Nationalisation) Rules, 1973 on the working and affairs of the General Insurance Corporation of India and its subsidiaries for the year ended 31st December, 1974. [Placed in Library. See No. LT-1236/77].

(3) A copy of the Gold Control (Licensing of Dealers) Amendment Rules, 1977 (Hindi and English versions) published in Notification No. S.O. 751(E), in Gazette of India dated the 4th November, 1977, under subsection (3) of section 114 of the Gold (Control) Act, 1968. [Placed in Library. See No. LT 1237/77].

(4) A copy of Notification No. G.S.R. 710(E) (Hindi and English versions) published in Gazette of India dated the 19th November, 1977, under section 51 of the Finance (No. 2) Act, 1971. [Placed in Library. See No. LT-1238/77].

(5) A copy of the Central Excise (Twenty-sixth Amendment) Rules, 1977. (Hindi and English versions) published in Notification No. G.S.R. 1587 in Gazette of India dated the 19th November, 1977 under section 38 of the Central Excise and Salt Act, 1944. [Placed in Library. See No. LT-1239/77].

(6) A copy each of the Notification Nos. G.S.R. 1588 and 1589 (Hindi and English versions) published in Gazette of India dated the 19th November, 1977, under section 159 of the Customs Act, 1962 together with an explanatory memorandum. [Placed in Library. See No. LT-1240/77].

(7) A copy each of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944:—

(i) G.S.R. 713(E), published in Gazette of India dated the 23rd November, 1977 together with an explanatory memorandum.

(ii) G.S.R. 720(E) and 721(E), published in Gazette of India dated the 26th November, 1977 together with an explanatory memorandum.

(iii) G.S.R. 1629 published in Gazette of India dated the 26th November, 1977 together with an explanatory memorandum.

[Placed in Library. See No. LT-1241/77].

12.03 hrs.

#### MESSAGES FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:—

(i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 1st December, 1977, agreed without any amendment to the Advocates (Amendment) Bill, 1977, which was passed by the Lok Sabha at its sitting held on the 28th November, 1977."

(ii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 1st December, 1977 agreed without any amendment to the Smith, Stanistreet and Company Limited (Acquisition and Transfer of Undertakings) Bill, 1977, which was passed by the Lok Sabha at its sitting held on the 28th November 1977."

(iii) "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

[Secretary]

the 1st December, 1977, agreed without any amendment to the Indian Iron and Steel Company (Acquisition of Shares, Amendment Bill, 1977 which was passed by the Lok Sabha at its sitting held on the 28th November, 1977."

12.05 hrs.

RE. QUESTION OF PRIVILEGE

SHRI VASANT SATHE (Akola): You will recall, Sir, I had given notice of a privilege motion against Shri Charan Singh for having misled the House deliberately by giving wrong information about a date on the question of assault on the Sarvodaya worker at Gandhi Smriti. I had pointed out producing a document, a photostat copy of the order, that it was on 3rd November that he was transferred. But the Home Minister in his statement has said that he was transferred to Library from his post in October in between the first and the second incident, and he based his case on that. Sir, you have conveyed me only this thing that you regret that it is rejected—my notice No. reasons or grounds have been given. I had given a copy even to the Home Minister. If he says that this was a mistake, then *suo motu* on his own, in all honesty to Parliament, he should have corrected that mistake under Direction 115. If he does not do that under Direction 115 and he allows it to be on record, then it is a deliberate misleading. If it is a deliberate misleading, it is a clear case of breach of privilege because the case is made out on that. He says that, in spite of the transfer, this man continued to act as a guide and continued to tell people something about RSS. It this was his case the facts show otherwise; the photostat copy of the order, which I have given to you, reads as follows:—

"Shri N. Damodaran Nayyar,  
Guide in the Gandhi Smriti Samiti.

is posted in the Library until further orders.

Sjd. B. P. Pathak,  
4-11-77."

So, how could a case be made on the basis that this guide was transferred earlier and yet he continued to work as a guide before November? The second incident was on the 30th October. Therefore, the Home Minister was guilty and I had cited instances from Shakdher's Parliamentary Practice to show that any such misleading of the House is a clear breach of privilege. I do not want the Home Minister to be hauled up for a breach of privilege but he must have the courtesy and honesty, in the name of the privilege of the House, to at least come to the House and say 'all right, under Rule 115 it is a mistake: I had mistaken information and I correct that mistake'. Even now if he does that, I will be happy. Let him do so: otherwise it will be a clear breach of privilege. You, at least should uphold justice and see that the House is not misled. Therefore, kindly ask the Home Minister to correct the mistake; otherwise, he will be on record as having misled the House:

MR. SPEAKER: In this matter, the normal convention is that merely the rejection is intimated. But if the Member concerned comes to me, he will be given the reason also. After calling for the comments of the Department and after considering all matters I came to the conclusion that there was no mis-statement. If you had come to me I would have shown you the entire record and it would probably have satisfied you.

SHRI VASANT SATHE: I will accompany you to your chamber: kindly satisfy me that there is no mistake.

MR. SPEAKER: I cannot guarantee that.

SHRI VASANT SATHE: If you show me the file, I will concede it: otherwise he should agree.

12.07 hrs.

## CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

(i) PUBLIC SAFETY ORDINANCE ISSUED BY THE JAMMU AND KASHMIR GOVERNMENT AND REACTION OF GOVERNMENT THERETO

DR. KARAN SINGH (Udhampur): Sir, I am on a point of order. I have a very important submission to make with regard to the Calling Attention Notice we had given. The Jammu and Kashmir Public Safety Ordinance was issued on the 29th October and we started meeting here on the 14th November. From that time we have been seeking an opportunity to raise this issue. Soon after Parliament met we gave a Calling Attention Notice: I gave it, my friend Shri Qureshi gave it and others gave it, but the whole matter was delayed and we were given no opportunity although I met you and I met the Prime Minister. In the meanwhile, 25 or 30 other Hon. Members gave Calling Attention Notices. Now, Sir, one month after the Ordinance was issued and three weeks after Parliament started meeting, the Calling Attention comes up and a ballot is taken, but our names do not come up. I want your protection, Sir. We represent in this House the people whose rights and liberties have been trampled upon as a result of this Ordinance. If you cannot give us an opportunity for a Calling Attention, I would submit that you may allow a Two Hour Discussion so that everybody who wishes to say something on this will have his say. We have been elected to this House by the people and if we do not raise our voice when their rights are taken away, we are not worthy of sitting in this House. As guardians of the rights of the people of India we would request you to give us full opportunity to discuss this matter.

SHRI MOHD. SHAFI QURESHI (Anantnag): Sir my submission to you is that we had made submissions

to you earlier by giving Adjournment Motions and Calling Attention Notices. But what has happened? I am not casting any aspersions on the Chair, but the Chair unfortunately takes a longer time to decide the issue and matters go on accumulating. In the initial stages there were only two or three Calling Attention Notices before you, but what happened subsequently? Other Hon. Members gave their motions (of course they have a right to come to you with their motions) and they have accumulated. We do not take any objection to the balloting system, but here is a peculiar situation which has arisen. You have got powers under the rules to suspend a particular rule if you feel that the rights of the Members are being ignored. Sir, what will be the impression in the Jammu and Kashmir State? We come from that State—Shri Thakur Baldev Jagrotia, Shri Abdul Ahad Vakil, Dr. Karan Singh, Smt. Parvati Devi and myself. An impression will go round in the State that their representatives are sitting in this House but they have not been able to open their mouths on this important issue. I would request the hon. Home Minister to accept the suggestion made by my hon. colleague, Dr. Karan Singh. Let him be helpful in this matter. Instead of having this Calling Attention, you may kindly allow a two-hour discussion.

SHRI DINEN BHATTACHARYA (Serampore): We also support this. Let us have a discussion as suggested by Dr. Karan Singh.

SHRI VAYALAR RAVI (Chirayinkil): Sir, I would like to invite your kind attention to Rule 197 of the Rules of Procedure; Explanation (ii) says:

"Notices for a sitting received upto 1030 hours shall be deemed to have been received at 1030 hours on that day and a ballot shall be held to determine the relative priority of each such notice on the same subject."

[Shri Vayalar Ravi]

This matter has been raised by Shri Mohd. Shafi Qureshi; there may be some other hon. Members including myself who have given calling attention notices. When you announce in the House that you will allow a calling attention—you never said, you have allowed it—give every Member a chance to give a notice on this calling attention. When a ballot is held, it would be obligatory for you to take all the notices together. Once you admit a calling attention notice, the other Members may be given a chance to give their notices also.

**SHRI DINEN BHATTACHARYA:** The only remedy is that a discussion be allowed on this matter as proposed by Dr. Karan Singh. That is the only solution.

**SHRI SHYAMNANDAN MISHRA** (Begusarai): Mr. Speaker, Sir, my humble submission is that a Calling Attention motion has to be admitted in the first instance, otherwise after a lapse of time it ought not to be admitted. The Calling Attention motion relates to a matter of urgent public importance and if an hon. Member had given a notice of it earlier and the Chair had not found it proper to admit it at that time, it looks rather strange that the same subject should form the subject of a Calling Attention motion now. It is for the Chair to consider whether the same subject can be a matter of urgent public importance a little later.

Secondly, it is also for the Chair's earnest consideration whether some Members hailing from the same area should not figure in the list of Members who have given notice of Calling Attention. My submission is that the Chair can exercise its residuary powers to include the names of all those Members who hail from that area.

**SHRI DINEN BHATTACHARYA:** It is a basic question; no question of a Member coming from that particular

State. The matter must be discussed in this House....(Interruptions).

**SHRI KANWAR LAL GUPTA** (Delhi Sadar): On a point of order, Sir.....(Interruptions).

**THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH):** You'd you kindly call upon me to read the statement?

**MR. SPEAKER:** No.

(Interruptions)

**SHRI SAUGATA ROY** (Bairakpur): I am drawing your attention to Rule 54. I gave a Call Attention Motion and Short Notice Question on the affairs of Delhi University. It was admitted on last Monday. I got letter from the Chief Examiner of Questions that it has been postponed by another week. Meanwhile, many things have happened in the University. In the name of arranging business we are postponing things and matters are losing their immediacy and importance. You must take decision immediately to say that such and such a thing has been admitted so that everybody can have his chance to speak on the subject and it does not lose its efficacy. The method, therefore, be corrected.

**SHRI KANWAR LAL GUPTA:** I want to draw your attention to Rule 197.

**MR. SPEAKER:** Upto a certain limit, it is all right. Speaker is not the only person to obey the rules. Members have also to obey the rules.

So far as Call Attention with regard to Kashmir is concerned, the first notice was given only by Shri Baldev Singh and nobody else. He is from Jammu.

(Interruptions)

Why don't you allow me to speak. Is it your monopoly to speak? I have also the right to speak.

The question arose. I withheld it for a few days. I had explained that matter to Dr. Karan Singh and Shri Baldev

Singh. Certain talks were going on. I did not want to interfere with the talks that were going on. Shri Baldev Singh pressed for it. I allowed a statement under 377. By that time some other question came.

The Rule regarding ballotting has been interpreted earlier. Once it is there on the day of ballotting at 10 O'Clock nobody could change it. Whether there should be a two hour discussion, is a different matter? We will consider separately. But so far as ballotting is concerned the Speaker has no authority to change it. Only five persons can be allowed. That is provided in the rule. Nothing can be done now.

(Interruptions)

He is raising a point of order.

Half a day is lost only on points of order. The business of the House is not allowed. Some of them are permanent points of order.

SHRI KANWAR LAL GUPTA: I may invite your attention to Rule 197. I totally agree with the Chair that you cannot force or add anybody's name in the ballot. Whether I belong to Kashmir or I belong to Delhi, it is none of the business of the Chair. That depends upon the chance or luck.

Explanation under Rule 197 is—

"(i) Where a notice is signed by more than one member, it shall be deemed to have been given by the first signatory only.

(ii) Notices for sitting received upto 10.00 hours shall be deemed to have been received at 10.00 hours on that day and a ballot shall be held to determine the relative priority of each such notice on the same subject. Notices received after 10.00 hours shall be deemed to have been given for the next sitting."

My submission is all the notices received upto 10 O'Clock should be ballotted. Whether they belong to a particular area or not is not the question. What has happened in this case is this. I send notice before 10 O' clock. After 10 days many other notices are also received. These get piled up. They come to 20, 30, 40 and so on. They are all ballotted. The person who sends his notice before 10 O' clock is punished unnecessarily. This is what happens. I am an active member; I take keen interest in the matter. I should not be punished for that. It is altogether a different matter whether my name appears in the ballot or not. The moment you admit the Calling Attention Motion, the notices must be ballotted. All notices received upto 10 O' clock should be ballotted. Now you have not been following that old practice. What is going on in your office is this. All those notices received after 10 O' clock or before 10 O' clock or even after 10 days are ballotted together. This is not proper. Admitting Calling Attention is under your discretion. You should restrict it to those cases only where they have given notices upto 10 O' clock. Then you can have a ballot. Those who give notices before 10 O' clock should not be punished. On the other hand they should be rewarded because they are very active. I belong to Delhi and the matter refers to Delhi. If I do not send notice before 10 O' clock, my name will not come. You take those notices received before 10 O' clock and decide who will speak on that.

श्री हुकम बन्द कल्पना (उर्जीन) : माननीय सदस्यों द्वारा जो नोटिस दिया जाते हैं उन पर आपका जो नियंत्रण होता है उसकी मूलना देर में दी जाती है। पहले आपके नियंत्रण की मूलना माननीय सदस्यों को मिल जानी चाहिए।

अब आप दो काम दिलाऊ सुचनाय स्वीकार करते हैं और एक एक सदस्य आप आध बंदा ले लेता है। पूरा आधार ही माननीय

[को हुकम चाहत कहवाय]

सदस्य दे देता है। इसी में नोट आर पट्टे चले जाते हैं। एक ही इस प्रकार के नोटिस को आप ले आर लोग भावण न दें केवल प्रश्न पूछें, इसके बारे में आपका क्या निर्णय है?

**SHRI V. ARUNACHALAM** (Tirunelveli): What I suggest is that the hon. Speaker can call the leaders of the respective political parties to choose any one of the speakers belonging to their party.

**MR. SPEAKER:** The rule does not permit me.

**SHRI V ARUNACHALAM:** The political parties can choose their own speakers so that they can represent their cause effectively. If there is chance for compromise that can be done. If not, then, balloting can be done.

**PROF. P. G. MAVALANKAR** (Gandhinagar): The difficulty arises because the well laid-out rules, practices and directions of the Speaker are occasionally disturbed for a variety of reasons.

That is why this thing comes in. My point is twofold one is that with regard to this particular item of Kashmir, the Ordinance, as was pointed out to you, was issued as early as on 29th October. And, when the House met on the 14th November, some of the Members particularly, from Kashmir, took it alertly and immediately and gave some notices.

Now, in your wisdom you thought that because some information was sought for, you should wait. There was no question of the earlier members giving further notices. Why should they not be ballotted when the motion was accepted by you? I feel that these notices also should have been taken into consideration. That is point number one.

Apart from this, my serious charge is—I cannot substantiate it in this

House openly because it will, take some time and also because some of these things cannot be substantiated by concrete evidence—my charge, however, is serious, and I request you that all these things should be looked into personally by you because the whole business of giving notices is so erratic or so arbitrary that quite often I suspect that blank forms are signed in advance and given to certain officers.

**MR. SPEAKER:** Mr. Maivalankar, why don't you give me this information privately?

**SHRI DINEN BHATTACHARYA:** This is a serious charge. You better look into it.

**PROF. P. G. MAVALANKAR:** I am only suggesting that many people here only whisper and they do not talk. But I am talking. That is my difficulty. This is one aspect of the matter.

**MR. SPEAKER:** Just a minute. If such things are happening and if they are within your knowledge, is it not your duty to bring it to the notice of the Speaker as a Member of the House? The Speaker alone cannot find out all these things unless somebody gives information. This is a very serious charge. If that is so, I must take immediate steps. I entirely agree with you that it is serious if blank papers are signed and given in the office. I have a few other complaints which I am looking into. But, this complaint had not come to me till now. If you had only passed on this information even in confidence, certainly I would have looked into the matter. Instead of making it an issue in the House, the Members should cooperate with the Speaker and help him in the matter and give information if there is any lapse or any such thing. They are very serious matters. Our office must function very effectively and in order to function very effectively, the Members must cooperate with the Speaker and pass on such information because you are all as much interested in seeing that the House functions effectively as

I am. We have to see that the office functions properly. I am looking into the matter.

(Interruptions)

PROF. P. G. MAVALANKAR: My last point was regarding the point of order. I support my friend Shri Shyamnandan Mishra in what he said. When you have certain topics coming from a particular area the entire newspaper media, T. V., Radio and other coverage will say that only non-Kashmir Members in this particular instance participated. Therefore, would it not be possible for you—this may be considered by the Rules Committee—to ensure that if such subjects come, some people from those constituencies affected or, at least, one of them, should find a place in the ballot? I am not saying that all of them should be there but only one, so that at least one from that constituency affected is given the publicity. (Interruptions).

MR. SPEAKER: I have already circulated a letter. Why don't you give your suggestions. I entirely agree with you. (Interruptions).

SHRI VASANT SATHE: Sir kindly listen to me so that all these confusions can be solved. Have you got the Rules Book with you?

MR. SPEAKER: Yes, I have got with me the rules book.

SHRI VASANT SATHE: Kindly see Rule 197. The discretion that we are talking of is that:

"(i) where a notice is signed by more than one Member, it shall be deemed to have been given by the first signatory only;

(ii) Notices for a sitting—we are talking of a sitting that is to be underlined—received upto 10.30 hours shall be deemed to have been received at 10.30 hours on that day and a ballot shall be held to determine the relevant priority of each such notice

on the same subject. Notices received after 10.30 hours shall be deemed to have been given for the next sitting."

Therefore, Sir, supposing today notice is given by Dr. Karan Singh and others. That will be the notice for that sitting. In your wisdom because of certain dialogues you put it off. Then what happens is that that notice becomes a notice for the next sitting. In the meantime other notices come. Therefore these notices which were put off and postponed for the other sitting they also must get in the ballot.

Another thing is if you feel that the matter is of such urgent public importance and the Call Attention does not get reflected—as is the case today that none of these five persons are from Kashmir—then there is a provision under Rule 184 whereby you can allow a discussion again. (Interruptions).

Lastly, Sir, under Rule 56 on a matter of urgent public importance, with your consent, a discussion can be raised. So, there is provision in our Rules where a discussion can be allowed were Call Attention is not enough. 377 is the lowest category; then comes Call Attention and then a discussion. Those who gave the notice first, of no fault of theirs, did not get the opportunity as you put off and that became a handicap for them. So, Sir, you must allow a discussion. Kindly consider these things in totality and allow a discussion where they also get a chance.

SHRI N. SREEKANTAN NAIR (Quilon): Sir, the rules do not permit you to transfer and mingle two days notices. You can transfer it to the next day but on the next day it should not be included in the balloting because the man who gave the notice was not at fault.

SHRI DINEN BHATTACHARYA: Sir, there are so many advisers to give you advice. I will request you to call

[Shri Dinen Bhattacharya]

them in your Chamber. Already half-an-hour has been spent on this.

भी जोम प्रकाश त्यागी (बराडच) : प्रधान महोदय, राज्य सभा में यह नियम है कि "फर्म्ट कम, फर्ट" । आप यहां भी यह नियम बना दीजिए कि जो पहले पांच नोटिस आयें, उनके नाम में ध्यानाकरण प्रस्ताव ले लिया जाये ।

MR. SPEAKER: I have heard everybody....

SHRI MOHD. SHAFI QURESHI: Sir, it is a very sensitive matter.

MR. SPEAKER: Please allow her to raise this issue.

SHRI MOHD. SHAFI QURESHI: If you allow them to have their say and do not allow us to have our say I do not think that we are doing a service to the country. If the rules do not permit.....

MR. SPEAKER: I have heard you.

MR. MOHD. SHAFI QURESHI: I have faced three aggressions from Pakistan, not you. Therefore, we have got a right to say. In all humility I want to tell the Home Minister that we should have a discussion. Otherwise, this will create many misunderstanding and many doubts in the minds of people in the country. My hon. friends here say something: you are talking of provincial autonomy but they are thinking of opting out of this country.... (Interruptions).

SHRIMATI ABILYA P. RANGNEKAR (Bombay North-Central): It is a lie

SHRI JYOTIRMOY BOSU (Diamond Harbour): When Mr. Gandhi was there, you were all like silly fish and now suddenly you have become a great political analyst.

SHRI MOHD. SHAFI QURESHI: You have become tailcoats to Janta.

SHRI JYOTIRMOY BOSU: We are tailcoats to nobody.... (Interruptions).

भी कवद लाल हेम राज जैन (बालाघाट) : प्रधान महोदय, मैं अविलम्बनीय लोक महत्व के निम्नलिखित विषय की ओर गृह मंत्री का ध्यान दिलाना चाहता हूँ और प्रार्थना करता हूँ कि वे इस पर इक बदलाव दें :

"जम्मू तथा काश्मीर सरकार द्वारा व्यक्तियों को 'हिरासत' में लेने, समाचार पत्रों पर नियन्त्रण लगाने आदि के लिए विशेष अधिकार प्राप्त करने हेतु जारी किए गए लोक सुरक्षा प्रधारण और उस पर सरकार की प्रतिक्रिया ।"

(Interruptions)

SHRI DINEN BHATTACHARYA: Mr. Qureshi has lost all his balance; that is why he is making all these allegations and talking rubbish.

SHRI K. LAKKAPPA (Tumkur): You have heard them very patiently. With great respect, I submit that you should agree for a discussion.

SHRI CHARAN SINGH: Am I allowed to make the statement or not?

SHRI K. LAKKAPPA: Shri Karan Singh and Shri Qureshi have submitted notices. You listened patiently. What is the result of that?

MR. SPEAKER: You do not allow me to tell results.

SHRI YESHWANTRAO CHAVAN (Satara): From this way we have been functioning, under the cover of rules we are denying the right of discussing many important public matters. When for the discussion of an urgent matter of public importance notice is given and you take weeks to take a decision in this matter. I must make a grievance out of that. An urgent public matter loses its significance if it is not discussed urgently. Then the whole issue has been put in a straight jacket of

call attention so that only five persons can get up and ask questions. J&K matter is of national importance. You will say that you were working within the framework of the rules. Certainly you have to do so. But sometimes the Speaker has to take a general view of the political situation in the country: what are the issues which are exercising the minds of the people, and then give some scope for them to open their minds here. If you do not do that here, what will happen outside? The whole country is full of an atmosphere of violence and if we do not allow them to open their minds here and express themselves, people will go in their own way. This sovereign body is meant to consider all such matters and we find that whenever we ask for any discussion some evasive replies are given to sidetrack it. This question of Kashmir is a very important issue. Therefore, I should request the hon. Home Minister and also request you that apart from call attention, let there be some discussion. This is an important matter.

**SHRI CHARAN SINGH:** I should like to put in a word. The hon. leader of the Opposition has just now said that when questions of public importance are sought to be raised there were evasive replies from the government, if I understood him correctly...

**AN HON. MEMBER:** The Rules.

**SHRI CHARAN SINGH:** That is a matter between the Speaker and the hon. Leader of the Opposition. But it is sought to convey the impression that Government wants to avoid any discussion or give evasive replies. I humbly protest.

**MR. SPEAKER:** Two questions have been raised. One is whether there should be a larger discussion or not; that is a matter which I will place before the Business Advisors Committee for a decision. I have no authority in the matter. There is rule 184.

**SHRI YESHWANTRAO CHAVAN:** This House can decide.

**SHRI JYOTIRMOY BOSU:** There is rule 193.

**MR. SPEAKER:** Then, there was the second point of order.

**DR. SUSHILA NAYAR (Jhansi):** If you want to have a larger discussion, then there is no purpose in having a discussion with five or four persons, as is allowed in call attention under the rules. In your wisdom you must decide whether it is to be a call attention or general discussion: you cannot have both.

It is wrong to allow some people to express their opinion now and then to have a general discussion on the same matter later on. Whatever method you may follow this should be avoided.

**MR. SPEAKER:** Mr. Home Minister shall we have a general discussion for two hours on this matter?

**SHRI CHARAN SINGH:** I have no objection.

**MR. SPEAKER:** We will have a general discussion on this matter.

अधीक्षण समाज हमराज जन्म : प्रधान महोदय, मुझे बहस में पहले मौका मिलना चाहिये ।

**MR. SPEAKER:** When we have general discussion, you will be allowed to participate.

(ii) **HOME MINISTRY'S REPORTED CIRCULAR re. SPECIAL VERIFICATION OF PERSONS FROM KERALA AND WEST BENGAL SEEKING GOVERNMENT EMPLOYMENT**

**SHRI CHITTA BASU (Barasat):** I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and request that he may make a statement thereon:

[Shri Chitta Basu]

"The Home Ministry's reported circular making it compulsory to enforce special verifications to be done by the Central Intelligence Bureau for those seeking Government employment from Kerala and West Bengal."

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): Sir, With a view to allay certain misgivings in regard to the criteria being followed for verification of the antecedents of candidates for employment in the Central Government, clarificatory instructions were issued in September, 1967 which provided, *inter-alia*, that no person should be considered unfit for appointment solely because of his political opinions and only persons who were likely to be disloyal or to abuse the confidence placed in them by virtue of their appointment should be considered unsuitable for employment in the Central Government. According to these instructions, the following types of persons could be considered unsuitable for employment:—

(a) those who are, or have been members of, or associated with, any body or association declared unlawful, after it was so declared, or

(b) those who have participated in, or associated with any activity or programme—

(i) aimed at the subversion of the Constitution,

(ii) aimed at the organised breach, or defiance of the law involving violence,

(iii) prejudicial to the interests of the sovereignty and integrity of India or the security of the State, or

(iv) which promotes on grounds of religion, race, language, caste or community, feelings of enmity or hatred between different sections of the people.

These instructions were also simultaneously communicated to the State Governments to enable them to issue directions to the district authorities so that the verification of antecedents could be undertaken in the light of the criteria laid down by the aforesaid circular of the Central Government. The object of the verification from the State Government is to ascertain all the relevant facts which may have a bearing on the suitability of the candidate for employment in the Central Government—the final decision in the matter resting with the appointing authority.

The Government of Kerala had informed the Central Government in April, 1967 that it will not be possible for district collectors in Kerala to give facts regarding political affiliations of candidates seeking employment under the Centre. The Government of Kerala were informed in October, 1967 that it was with a view to remove any possible ambiguity as well as any apprehensions of political discrimination that the revised instructions, which I have already explained, had been issued. The Government of Kerala continued to have reservations even about the revised instructions. Nor was there any indication that the Kerala Government had issued any directions to the district authorities to furnish the relevant information in the light of the instructions of the Central Government to the appointing authorities concerned. In the circumstances, the Central Government decided that arrangements should be made to obtain relevant information about the candidates from its own agencies to the extent possible. Accordingly, instructions were issued by the Central Government in September, 1968 for supplementary Verification of antecedents of candidates from Kerala through a Central Government agency.

After the assumption of office by the present Government in West Bengal, the Government received information that the Chief Minister, West

Bengal, had announced that the practice of police verification of antecedents would be discontinued by the State Government. In view of this, instructions were issued in September last that in regard to candidates for Central Services from West Bengal the appointing authorities may seek supplementary information from Central Government agencies.

I would like to make it clear that there is no question of any discrimination against any candidates from Kerala or West-Bengal or for the matter of that from any State or religion whatsoever. The criteria regarding suitability for employment in Central Government service would be uniformly applicable to all candidates irrespective of the States to which they belong. The Central Government are interested only in obtaining full information about the antecedents of candidates and it would be for the appointing authorities to decide in every case whether information in respect of any candidate is such as would render him unsuitable for appointment. If information in this regard is not made available by States, the Central Government will have no alternative but seek to obtain it through their own agencies. The Government of West Bengal have, since informed us that the policy of the State Government in the matter will not affect the verification of antecedents so far as candidates for employment to Central Government services and posts are concerned. The Central Government will, therefore, consider the matter over again.

SHRI CHITTA BASU: I am sorry to express my opinion about the statement made by the Home Minister. It is nothing but an exercise in deliberate evasion of certain things. If you allow me to say so, it is an exercise in deliberate distortion of facts. It is an attempt to lay the blame at the doors of the others viz., Chief Minister of West Bengal and Kerala. I have got in my possession the entire circular which have been circu-

lated to the appointing authorities. It is Ministry of Home Affairs (Department Personnel & Administrative Reforms) O.M. No. 18001/4(S)/77 Estt. (B) dated 19-9-1977. I do not like to read out the entire circular. Of course, he has got the privilege of reading out a long statement. But I think as a private member, I do not have that privilege of reading out the whole circular that is now in my possession.

But I want to read out to you certain relevant extracts of it. The circular says:

"According to the instructions in force, in respect of the candidates selected for appointment to civil posts under the Government of India, the appointing authorities are required to make a reference to the District authorities concerned in various States in the prescribed form together with the attestation form duly filled in by the candidates. In the case of candidates, belonging to West Bengal, apart from the usual verification made through the District authorities in West Bengal, the appointing authorities should, in future, send a separate set of attestation forms for verification to the administrative Ministry/Department concerned with the office where the candidate is to be appointed. The administrative Ministry/Department, in turn, will send the form to the Intelligence Bureau, who would make such enquiries as may be considered necessary and send a report on the candidates to the Ministry/Department concerned. It will be for the Ministry/Department concerned to examine the suitability of the candidate for appointment under the Government in the light of the general criteria laid down [vide Ministry of Home Affairs OM No. 3/8 (S)/67-Estt.(B) dated the 27th September, 1967, as also reiterated in this Department's OM No. 18011/1(S)/75-Estt. (B), dated the 1st August 1975] taking into account the

[Shri Chitta Basu]

RECOMMENDATIONS made by the Intelligence Bureau and come to a conclusion on the suitability of the candidate. The administrative Ministry/Department, on consideration of the recommendations of the Intelligence Bureau, should communicate its advice to the authority which initiated the verification reference and under no circumstances the contents of the report of the IB or the source of enquiry (viz. IB) should be communicated to the authority under which or whom the candidate is to be appointed or to the candidate concerned."

In conclusions it says:

"....detailed verification to be carried out in the interest of security."

Sir, it is clear that the candidates from West Bengal and Kerala are to be subjected to double verification.

SHRI JYOTIRMOY BOSU (Diamond Harbour). An erstwhile Home Minister is walking out.

SHRI K. LAKKAPPA (Tunkur): Why can't you comment on the present Home Minister?

SHRI CHITTA BASU: It is clear from the Circular that the candidates for the appointment to the Central Government posts from Kerala and West Bengal, particularly these two States, are to be subjected to double verification. One verification is normally available, that is, through the District agencies, and another is by the Central Bureau of Intelligence. The reason he has stated is that the Government of Kerala had some reservations at a certain stage; I think it was during the period of Mr. E. M. S. Namboodiripad in the year 1967 who protested against it. Afterwards he also protested against it because of discrimination and because the Government could not have that kind of verification for particular candidat-

es if they are proved otherwise suitable. There he takes excuse that he learnt or he was informed—I do not know who informed him—that the West Bengal Chief Minister has also decided or made an announcement that there should not be any verification for the candidates for appointment under the Government.

I do not know from which source he knew it. My question at this stage is why has he given his assent if at all he has given his consent to the issue of a circular of this nature without verifying the truth of this alleged statement in regard to the position taken by the Chief Minister of West Bengal or by the Chief Minister of Kerala. Was he in communication with or consultation with the Chief Ministers of these States; or did he take up the matter with them I want to know this because he has said that there are 4 criteria determining the eligibility of a person for appointment in the Central Services. There are normal avenues for verification. The antecedents of anybody who falls within some of those criteria can be verified, I think, by other methods. And normally this kind of a circular is not at all needed, for that reason. Is it not a deliberate policy of discrimination against the people of Kerala and West Bengal—the fact being that these people are politically advanced and have installed in power a Government of their choice, without being influenced by anybody? Is it because of the fact that the people of West Bengal and Kerala, particularly young men and students are very much politically active and take part in democratic movements in these two States? Because of their participation in democratic movements, are they to be barred from serving the Government of India or in any of the Central Governments posts? Is it not an insult, and is it not an injury? How has the Government come to the decision that the people of West Bengal and Kerala lack in patriotism and

sincerity? Why should there be a bar? It is an insult and an injury and we refuse to submit to it. I warn Government of India to take note of it. Otherwise there will be political consequences.

**THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH):** If the hon. Member will allow me I will congratulate him for whipping up indignation for a cause which did not exist. There is absolutely no discrimination being made against young men—whether they come from West Bengal, Kerala or from any other State. He has come with certain pre-conceptions; and when he came to the House, he began to speak without reading my statement or hearing my speech; and he has said all these things. What is there in the statement to show that we are going to make a discrimination? The guideline which Government of India laid down as far back as 1967 for determining suitability of candidates, will be applicable to all the candidates, irrespective of the fact of the party to which they belonged. There is absolutely no difference in the criteria which are applied to candidates—whether they are from one State or another. The question was a simple one of verification. We had information that the new West Bengal Government was not prepared to seek such verification from district magistrates or police authorities. That was our impression, or information; but we have received a letter from the Chief Secretary of the West Bengal Government—we received it on the 27th October—saying that whatever they have decided will apply only to the candidates for the State Services; the practice in regard to candidates for Central services will remain unaffected. If that is the position, we have absolutely no objection. Simply we could not issue a letter to the Chief Secretary or a press statement, because of the procedure that has to be followed here in regard to the letter of the Chief Secretary in the Home Ministry; that is the

only reason. I have said that we will consider the matter over again. Even then, as a matter of abundant caution I may state here that the clause in the Government of India circular in regard to verification by a Central Government agency will be deleted. If the Kerala Government also assure us that they will obtain the information that is necessary in regard to candidates for Central Government services from their State, we welcome it. So, why is it being said that there is discrimination, they are fighting for democracy and all that? I accept it.

(i) PUBLIC SAFETY ORDINANCE ISSUED BY THE JAMMU AND KASHMIR GOVERNMENT AND REACTION OF GOVERNMENT THERETO—*contd.*

**MR. SPEAKER:** Before we adjourn I want to state that in regard to the Jammu and Kashmir Ordinance, a statement has been prepared in response to Call Attention Motion. I will treat it as statement laid on the Table. There will be no discussion now. It will be taken up for discussion only when we take up the general motion for discussion.

**THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH):** Sir. I lay the statement on the Table of the House.

**Statement**

The Government are aware of the misgivings about the Jammu and Kashmir Public Safety Ordinance, 1977 which was promulgated on the 29th October, 1977. Such misgivings are understandable.

2. The State of Jammu and Kashmir has special problems of security and the State Government have, therefore, enjoyed very wide powers under their own special laws, viz., the J & K Preventive Detention Act, 1964, the J and K Public Safety Act, 2003 and the Emergency Provisions (Continuance) Ordinance, 2003 and the rules framed thereunder. These enactments were

[Shri Charan Singh]-

allowed to lapse in May 1976 as during the Emergency similar powers were available to the State Government under the Maintenance of Internal Security Act and the Defence and Internal Security of India Rules. The Defence and Internal Security of India Act expired on 27th September, 1977—6 months after the revocation of emergency. The Maintenance of Internal Security Act was applicable to Jammu and Kashmir under Article 250 of the Constitution and, therefore, this law also ceased to be operative in Jammu and Kashmir with effect from the same date. The purpose of the new Ordinance appears to be to fill the gap created by the lapsing of the aforesaid laws in respect of that State and the Ordinance is fully within their legislative competence.

3. Generally speaking this Ordinance confers similar powers to the Government as were enjoyed by them under their special laws which have now lapsed. In certain cases the penalties have been reduced. However, in the case of curbs on the freedom of press, the new law appears to be more stringent in so much as section 10 of the Ordinance which gives powers to prescribe publications containing prejudicial reports does not provide for any judicial review unlike the provisions of the Jammu and Kashmir Security Rules. Further, section 11 of the Ordinance gives wide powers to the Government to restrict the circulation within the State or prohibit or restrict the import into the State of any newspaper, periodical or publication for the purposes of preventing activities prejudicial to the maintenance of communal and regional harmony affecting or likely to affect public order.

4. While we are conscious of the special needs of Jammu and Kashmir, we cannot ignore the gross abuse to which such powers have been put in

the country during the Emergency which is still fresh in our minds. Hence, some of the provisions of the Ordinance, particularly, those relating to the curbs on the freedom of the press and those empowering detention of certain category of persons for a period of 2 years without disclosure of grounds and without reference to Advisory Boards would deserve reconsideration.

5. We have, therefore, drawn the attention of the Jammu and Kashmir Government to these unhappy features of the Ordinance and have requested them to review the provisions of the provisions of the Ordinance so that the restrictions placed on individual liberty and freedom are reduced to the minimum consistent with considerations of security.

(ii) HOME MINISTRY'S REPORTED CIRCULAR re. SPECIAL VERIFICATION OF PERSONS FROM KERALA AND WEST BENGAL SEEKING GOVERNMENT EMPLOYMENT—contd.

SHRI CHITTA BASU: I want to know...

MR. SPEAKER: In view of the statement of the Minister that he is going to withdraw it....

SHRI CHITTA BASU: Is he going to withdraw the circular?

MR. SPEAKER: Yes, he is going to withdraw the circular. We adjourn now to meet again at 2 O'clock.

13.02 hrs.

The Lok Sabha adjourned for lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after lunch at Fourteen of the clock.

[MR. DEPUTY SPEAKER in the Chair]

## CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE—contd.

(ii) HOME MINISTRY'S REPORTED CIRCULAR re. SPECIAL VERIFICATION OF PERSONS FROM KERALA AND WEST BENGAL SEEKING GOVERNMENT EMPLOYMENT—contd.

MR. DEPUTY SPEAKER: Shri Jyotirmoy Bosu.

SHRI JYOTIRMOY BOSU (Diamond Harbour) Mr. Deputy-Speaker, Sir, I have heard the Home Minister with rapt attention. I have also read the statement that has been laid on the Table of the House.

I want to ask a few things in this connection because this is a matter of very great importance. The country and particularly these two States where the young minds are agitated very severely are having a popular Government. Therefore, we would like the whole thing to be cleared once and for all.

The hon. Minister knows that the previous regime, the earstwhile regime of Shrimati Indira Gandhi, had made the country a police State—it was a full-fledged police State. As I have understood it, he stands committed to dismantle it. About the circular a copy of which I have in my possession, I have written to the Speaker to allow it to be laid on the Table of the House. [Placed in Library. See No. LT-1258/77]. I have gone through all the procedure. It brings out a few things. Firstly, this was taken out in 1967. I suggest that the Home Minister be requested to lay all the four orders issued by the Government from 1967 till today on the Table of the House so that we can judge as to what the contents are. The first order was issued on 27th September, 1967; the second order was issued on 12th May, 1971, the third one was issued in August, 1975 and the fourth one which has been quoted by my hon. friend who spoke before me is the Home Ministry, the Department of

Personnel and Administrative Reforms Office Memorandum No. 19001/4(S)/77-Estt.B dated 19-9-77. If the Home Minister says that that has been issued without his knowledge, the House could take note of that. We are not going to say that he knew it and he was suppressing it. I am not a party to that. We would like to know who is responsible for the issuance of this circular, whether it was issued with the full concurrence of the Home Minister.

I want to raise a basic question: Why is the CIB inquiry needed? After reading the circular, it does seem that it smacks of discrimination. Perhaps one is inclined to think that it has been issued because there is an intensity of left movement in the two States. You cannot blame me for that if I say this—because of intensity of leftist movement in these two States'. I am speaking out frankly. I want to ask Chowdhury Saheb as to why this police verification is needed at all. I am not saying this about all policemen in the country and about all administrators, but by and large, if you take an average policeman, we all know what is his standard of performance, what is his standard of honesty, how verifications are made. I know of specific cases where money has been demanded from the candidates by the police for giving a good chit—it is done by the Head Constable or Assistant Sub-Inspector or Sub-Inspector openly. The whole thing is most unscientific and unwarranted. The hon. Home Minister has said about police verification in a democracy; in the statement he has said. I will elaborate on that little.

I would, first, like to draw his attention to the judgment given by hon. Mr. Justice Chinnappa Reddy in writ Petition No. 5218 of 1972 between A. Ramarao, Petitioner, and the Post-Master-General, Andhra Circle, Hyderabad. I will read out only the important paragraphs and sentences. It is said in the judgment:

“India is a democratic republic. It was so resolved by its people

[Shri Jyotirmoy Bosu]

Twenty-five years ago, on 26-1-1952.  
It is not a police State."

Then he says:

"This determination which has been written into the Articles of the Constitution in the shape of rights declared as fundamental and inviolable is what makes India democratic republic of what marks India from authoritarian or police States. The right to freedom of speech and expression is declared fundamental; so is the right to form associations or unions...."

In this case he says further:

"....so is the right to equality of opportunity in matters relating to employment or appointment to any office under the State. Yet, a young man has been denied employment under the Government on the ground that he was a member and an active worker of the Student Federation of India and that he had attended the Yuva Jana Sangh meeting organized by the Marxist Communist Party at Sattempalli. Patently the young man has been denied the right to equality of opportunity in the matter of public employment...."

"This is the third case of its kind which has come before me."

"While he was undergoing training, he received a communication from the Assistant Engineer purporting to discharge him from the Training Centre. No reasons were mentioned. The petitioner protested through his advocate whereupon he was informed by the Divisional Engineer that he had been discharged from the Training Centre as the police verification report was unfavourable to him.

"....I find that the basis of the order of discharge is the following communication received by the Divisional Engineer, Telegraphs, Guntur,

from the District Revenue Officer and Collector:—

The Superintendent of Police, Guntur, reported that Sri A. Ramrao, resident of Perikapadu of Sattenapalli taluk, is the member of student federation and active worker of the S.F.I. It is also reported that the individual has attended the Yuva Jana Sangh Meeting organized by C.P.M. at Sattenapalli on 2-1-72 and it is not desirable to entertain him in the Department."

So, Mr. Home Minister, do you see that what goes on or what is done in the field of application by the people who are subordinate to you is quite different from what you have told us on the floor of the House here?

The judge further says:

"That is the entire allegation against the petitioner. It is seen that it is not alleged that he ever participated in any illegal or subversive activity. Be it noted that neither the Student Federation of India nor the Marxist Communist Party is alleged to be engaged in any subversive activity."

He says further:

"The whole idea of seeking a police report on the political faith and the past political activity of a candidate for public employment appears to my mind to cut at the very root of the Fundamental Rights of equality of opportunity in the matter of employment, freedom of expression and freedom of association."

"But why seek a police report on the political faith of a candidate and act upon it? Does it mean that only True Believers in the political faith of the party in power for the time being are entitled to public employment?"

"What pernicious results would not follow if each of the Governments of the constituent States of India pursued such a policy?"

You say that you are a believer in democracy; you have to convince us about that. You have to convince us that India is a free democratic country. There is no need for you to have police verification. What is the need for it, who does it and what is your machinery? This hon. Judge of Andhra Pradesh has made it amply clear that a young boy was thrown out of employment just because he had attended a meeting of the Students Federation of India, a legally registered body. I consider that police verification itself is undemocratic, unjust and unwarranted. I do not know now, but I knew once upon a time in Home Ministry there were more communal forces than in any other Ministry. I have never known a case where they have sent out a circular realising meaning to implement it against the communal forces. How many Ministers were there in the previous Government who had been members of the communal forces earlier? Once there was a Defence Minister, once a Minister of State himself. To which party did they belong to? Do I have to speak out of this? Did you think of issuing a circular that members of Shiv Sena will not be allowed to join Government service? I have not known about that. I also get a little bit of information; I have not seen such a circular. Can the Home Minister say that a circular has been issued against employing people who were members of Shiv Sena, allies of Congress Party, or other parties branded communalists? What action has been taken by the Home Ministry against those who have been creating communal riots, atrocities etc. We have not heard anything like that. They cannot be touched, there is a powerful lobby run by the agents of the capitalist world, particularly of the West. What has happened to that? I can give you a long list of such people.

Then I come to Anand Marg; we all know about this organization. I have a letter written by erstwhile Home Minister, Shri Yeshwantrao Chavan—documentary evidence—that

Anand Marg was getting money from American sources. Have you ever said that you will not employ people who belonged to Anand Marg? I may tell you, Mr. Home Minister, that the Home Ministry have a number of known Anand Margis. I had received a request from one Congress MP on behalf of a D.I.G. serving with the Central Government for the release of his relation, belonging to Anand Marg in 1969 when we had Government in West Bengal. You do not verify antecedents of persons who have been working for Anand Marg. You see the Public Accounts Committee Report: Shri Patel was also a Member of that Committee at that time. A sum of rupees three and a half lakhs was not returned to the Government. Shrimati Indira Gandhi never wanted that money back. So, the Anand Marg was financed by the Government. In the garb of relief and welfare a lot of money was taken away. I would request the Hon. Minister to check up the position from the treasuries at Allahabad, Varanasi, Ballia, Darbhanga and Lahiri Sarai. I will give him all the details, if he required.

The erstwhile Prime Minister attended the marriage ceremony of Shri Prasad's daughter; Shri Prasad was Customs Collector and top leader of Anand Marg. The then Minister of State for Home Affairs, Shri K. C Pant, met the head of the Anand Margis in Ranchi. Nandaji also tried. These are directed against the leftist movement. We know the attitude of the bureaucracy and the institutions which you command.

SHRI K. LAKKAPPA: On a point of order. Names of Mr. Pant, Nandaji etc. are mentioned. They are not in a position to defend themselves. If you want I can reel out the names of many others.

SHRI CHARAN SINGH: Sir, although I love to hear the speech of Mr Jyotirmoy Bosu, I would like to submit that this is a Calling Attention Motion. He can ask only questions two or three to in order to clarify any doubts that might have been left in my statement.

[Shri Charan Singh]

But he is delivering a speech. It becomes a debate. Then we should be prepared for a debate.

MR. DEPUTY-SPEAKER: He can only ask questions.

SHRI JYOTIRMOY BOSU: I do not desire to contradict the Home Minister, an elder politician. He must have noticed in the last six months that in Calling Attention there is a blending of question and debate. It has already been the practice.

MR. DEPUTY-SPEAKER: That is very unfortunate in my opinion, because, discussion should be a discussion and Calling Attention should be a Calling Attention.

SHRI JYOTIRMOY BOSU: I will not take much time.

SHRI K. LAKKAPPA: Equal time should be given to me also.

MR. DEPUTY-SPEAKER: Please wind up.

SHRI JYOTIRMOY BOSU: I am considering winding up. Police enquiry is a must in some of the cases, in passport, certainly; in respect of visa, it may be necessary in some cases.

SHRI CHARAN SINGH: Why at all?

SHRI JYOTIRMOY BOSU: It may be the practice. I am not talking what you should do. I am talking about the practice. How is it that Anand Margis are throwing bombs at our embassy staff and officials in foreign countries? How many were allowed to get passports for going abroad? Before 1974 I have no figures. After 1974, 11 went out. What were the police doing? The police were inactive. This system of police verification is totally unwarranted, unsatisfactory and unjust. In regard to what he says in the first para of the statement, he is not so innocent. We want all the four orders to be laid on the Table of the House. We should understand what they are. I think the Home Minister has been wrongly advised. I want to know whether the hon. Home Minister is going to give orders forthwith to

withdraw the circular and to do away with police verification altogether.

SHRI CHARAN SINGH: I think that circular was necessary. Now it stands withdrawn, not because it was unnecessary, but because the State Government itself now says that their attitude, their policy regarding verification of antecedents, shall apply only to candidates who seek service under the State, not under the Centre. therefore our circular also becomes unnecessary and so it will be withdrawn. So far as Kerala is concerned, it would be withdrawn cr.lv, when the State Government of Kerala informs us about it and gives us some information which we are seeking.

If they do not, then we must obtain the information through our own source. That is the stand I take. I made this clear only this morning.

Now, the hon. Member has raised three questions—whether any verification at all is necessary. I think he has said this either in the heat of the debate or in his own enthusiasm. Whatever you may say, it cannot be said that every young man is suitable for employment because he has passed through oral or written examination or in the interview. Suppose a man suffers from a certain disease. A medical certificate is necessary. Suppose in addition to physical disease, he suffers from mental disease. We regard people in violence as having a mental disease. In a democracy, a Government can be turned out of office through nonviolent actions. I know Mr. Bosu does not believe in violence. But, those who believe in violence are even to-day identified. Is it justified that they should be allowed to be recruited in service? If they believe in sabotage from within Government, then, I am sure, Mr. Bosu will not support the recruitment of such young men. So, some qualifications, some criteria, for suitability are absolutely necessary. You must agree to that. We may not differ on the kind of criterion or criteria that we should lay down. As I said in the morning the mind of the Government

is open. I am prepared to give up those criteria only after a discussion with all the hon. Members sitting opposite. I am prepared to revise them. But, criteria must be laid down. It cannot be that every young man is entitled to recruitment under the State Service or the service of the Central Government.

SHRI JYOTIRMOY BOSU: They are your children.

SHRI CHARAN SINGH: I am prepared to discuss with your friends what the criteria should be.

The second point that he raised was that the police men are not responsible. They cannot be believed; they can be bribed. Well, everybody can be bribed. Even some politicians can be bribed. Moreover, we require the certificate or opinion of the District Magistrates who seek certain information from the police. It is the District Magistrate who is responsible and not the police. Don't believe the reports of the police. They do not come to us direct; they come through the District Magistrates. He then asked: who is responsible for this circular? Well, whatever to-day goes under the name of the Ministry of Home Affairs, I am responsible for it. I did not see the circular as to when it was issued. But the problem was discussed with me and it was I who authorised the Officer to issue the circular. Otherwise, no Government can be carried on. So, I carry the constructive responsibility for it. I think this satisfies you. I am prepared to revise and discuss with my friends. The criteria should be laid down about the suitability of candidates. Now, this should satisfy my friends.

श्री विजय कुमार मल्होत्रा (दक्षिण दिल्ली): उपाध्यक्ष महोदय, आजी जो सवाल उठाया गया था, गृह-मंत्री महोदय ने उसका जो स्पष्टीकरण दिया, उससे यह बात साफ हो जाती है कि केरल और बंगाल या बहार के लोगों के लिखाफ कोई

दिस्क्रिमिनेशन नहीं है और सारे हिन्दुस्तान में एक जैसी चीज एडाप्ट की जा रही है।

मैं यह समझता हूँ कि कोई लड़का किसी स्टूडेंट फैडरेशन में या या किसी स्टूडेंट बांडी में या इसलिए उसको नौकरी से बाहर रखा जाये, यह भी मुनासिब नहीं है। इसको होम बिनस्ट्र साहब ने क्लरिकाई कर दिया है।

इस समय बास तौर पर ऐंटीनेशनल टाकरें इतनी जोर से एक्टिव हो रही हैं और इस बात की कोशिश कर रही हैं कि गवर्नेंट के अन्दर और बाहर जगह जगह पर टोडफोड, सबोटाज करके जगह-जगह ऐसी हालत पैदा कर दी जाए जिससे फिर से हिन्दुस्तान में एम्प्यूंटी की जरूरत है, यह बात लोगों के सामने साखित हो जाये। इसलिए मैं होम बिनस्ट्र साहब का ध्यान दिलाना चाहता हूँ कि उन्हें इस बात को देखना चाहिये, और वह देख भी रहे होंगे कि इस बक्त कुछ तत्व इस प्रकार की कास्टेशनी बला रहे हैं कि जो लोग सर्विस में आने वाले हैं उनमें अपने लोगों को गवर्नेंट के जितने भी स्ट्रेटिक व्हाइन्टेस हैं, वहां पर लगा कर खा जाये ताकि वह अन्दर से बैठकर देश की व्यवस्था को प्रस्त-अप्रस्त कर सकें।

इसलिए इस बात का ध्यान रखने की बहुत जरूरत है।

मैं मानता हूँ कि पिछली गवर्नेंट ने— श्रीमती इन्दिरा गांधी की गवर्नेंट ने— इस सर्कुलर का बड़ा भित्तियकिया, और उसने अपने पोलीटीकल आपोनेट्स को सरकारी नौकरियों में नहीं आने दिया। लेकिन इस बक्त पोलीटीकल एफिलिएशन का ध्यान नहीं रखा जाना चाहिये। माननीय सदस्य, श्री ज्योतिमंय बसु, ने कहा है कि हम अमरीकन एजेन्ट्स को सरकारी नौकरियों में नहीं रख सकते हैं। मैं इस बात से लहरत हूँ कि चाहे कोई अमरीकन एजेन्ट हो, या रशन, चाइनीज, पाकिस्तानी या इंग्लिश

## [भी विषय कुमार महांकाळ]

एजेंट हो, उसे सरकारी नौकरी में भाने वेळा बहुत बहुत बात है, और इसलिए इस बात का हमेशा ध्यान रखना चाहिए कि सरकारी नौकरी के किसी व्यक्ति का इन्हेस्ट इच मूल्क के बाहर सो नहीं है।

ओ लोग इमर्जेंसी के कोलेक्टरेटसं थ, जिन अफसरों और एम्बलाइंज ने इमर्जेंसी को देख भर में लागू किया, और कई बार के जुल्म किये, उनमें से कुछ आज भी अभी बगहों पर बैठे हुये हैं और फ्लाइंग कर रहे हैं, और अन्दर से ही सारी व्यक्तियां को सेवेट कर रहे हैं। कुलदीप नायर कमेंट की रिपोर्ट में कहा गया है कि जिन लोगों ने बेड के सम्बन्ध में बहुकालकर्त भी थी, उनके खिलाफ एक्सवायरी होनी चाहिए और उन पर रेस्पारिं-डिलिटी फिल्स होनी चाहिए, लेकिन प्रभी तक ऐसा नहीं किया गया है। आज मस्टी-मेस्टरक विषय विजिवेस और पुराना काक्स, वे तीकों मिल कर बड़े आरी रूप का उपयोग कर के हिन्दु-स्तान में तोड़-पोड़ करना चाहते हैं।

इमर्जेंसी के दोरान जिन लोगों को छल्या तोड़ कर नियुक्त कर दिया गया था, जिन के लिए पोस्ट्स क्रिएट की गई थी, वे आज भी उन्हीं पोस्ट्स पर बैठे हुये हैं और फ्लाइंग कर रहे हैं। अगर उनकी तरफ व्यापार न दिया गया, तो बहुत नुकसान होगा। मैं होम मिनिस्टर साहब से कहना चाहता हूँ कि वह इस तरह के लोगों के बारे में खबरदार रहें। कहीं ऐसा न हो कि पुराने काक्स और एक्स-प्राइमिनिस्टर के साथियों ने देश में अव्यवस्था बैदर करने का जो वड्डंड किया है, वह सफल हो जाए। जो तबका इमर्जेंसी के दोरान भयर आ बाया, और जो तबका आज भी देश में इमर्जेंसी साना चाहता है, होल मिनिस्टर को इन लोगों के प्रति चबूद्धार छाल चाहिए।

पिछली बर्लीमेंट ने सूप कांसेप्ट की रीकमेंडेशन पर बहुत से बकीलों को बवर्नें-मेंट के बकील के स्पष्ट में नियुक्त कर दिया था, और वह लोग इमर्जेंसी का प्रबाहर करते रहे तुर्जात्य से उनमें से बहुत से लोग फिर से कई गवर्नर्मेंट एजेंसीज में बवर्नर्मेंट के बकील नियुक्त हो गये हैं। वे लोग हमारे केसिज को किस तरह लीड कर सकते हैं। वे जहर इस बात की कोशिश करते हैं कि गवर्नर्मेंट के केसिज बाबाब हो जाय, और जिन लोगों ने इमर्जेंसी के दोरान जुल्म किये थे, और जिन के खिलाफ कमीशनों डारा एनक्वायरी हो रही है, उनके खिलाफ केशियां सक्षेपफूल न हो पायें।

इसलिए मैं निवेदन करना चाहता हूँ कि देश में जनतंत्र और अपने प्रिसिपल्ज को बचाने के लिए ऐसे तबकों से खबरदार रहने की ज़रूरत है। बजाए इसके कि इस मर्कुलर की खत्म कर दिया जाये, पिछली बर्लीमेंट ने इसका जो नियुक्त किया है, उसे खत्म किया जाए, और इस समय जो खतरे हैं, उन्हें देखते हुये इस मर्कुलर को ज्यादा सख्त बनाया जाये।

श्री चरण सिंह : माननीय सदस्य ने कोई सवाल नहीं पूछा है।

SHRI P. K. KODIYAN (Adoor) : Mr. Deputy-Speaker, Sir, I think that the verification is not as simple as the hon'ble Minister has tried to make out. In actual practice it has assumed the character of political discrimination and in certain areas it has gone to the extent of a sort of MacCarthyism. I am saying this from my own experience, namely, the experience of the people of Kerala. I can tell the hon'ble Minister that only last week a group of people had come from Kerala to submit a memorandum to the Prime Minister. In that memorandum they had appealed to the Prime Minister to re-estate them to the central services

from which they had been thrown out because of adverse police verification report; only last week they had come from Cannanore and Calicut. From these two districts alone, 5000 young-men had been thrown out on this basis. If you take the State as a whole there may be several thousands, 40,000 or 50,000 police verification ruined people.

SHRI CHARAN SINGH: Thrown out of what?

SHRI P. KODIYAN: From 1967 onwards, they have thrown out of employment so many persons; that is why the memorandum was submitted to the Prime Minister last week. The Kerala government had objected to police verification because it has gone against the interest of the educated youngmen of that state; it resulted in a sort of political discrimination, political witchhunt. Therefore I do not think it is a simple matter to find out on the basis of four points he mentioned in the statement. Anyhow, I am glad that he has given an assurance that he is prepared to discuss the criteria to be laid down. I should say that in matters of appointment to central services, except antecedents which show moral turpitude or habitual criminal, no other thing should be taken into consideration. He mentioned about violence. I am afraid here we are entering into a very dangerous area; it has been interpreted by police officers in various ways. We have enough wooden-headed policemen in our country and we have also an archaic police system in the country which goes to the extent of even reporting the arrest of an hon. Member of this House for having caused rowdyism. So, I should like to ask the hon. Minister whether he is prepared to review cases of this nature in Kerala and West Bengal. They had lost their jobs or been denied employment after having been selected otherwise. I suggest that such cases may be left to a committee of this House; let the committee go into those cases. Secondly, will he be kind enough to give the House a list of those persons who had been adversely affected in the matter of employment as a result of police

verification since 1967 throughout the country with State-wise break-up? If it is not possible to give it now, will he collect the information and give it to the House?

SHRI CHARAN SINGH: I am sorry to say that it will not be possible to review the cases in any State whatsoever which occurred long ago. On the contrary, I may inform the House that there have been very few cases like that. I do not know the exact number, but there may not be even one dozen cases in which due to bad antecedents candidates may have been disqualified. We just keep it as a safeguard. We continue to act upon this circular and get the antecedents verified as a matter of safeguard and caution. In actual fact, there are very few cases indeed where candidates have been disqualified even on the four grounds which I had stated, which were mentioned in this circular of 1967 and 1968. Nobody has been discriminated against on the basis of his membership of any particular party.

SHRI JYOTIRMOY BOSU: On a point of order, Sir. The Andhra High Court judge clearly stated it. One judge alone dealt with three cases. Because the boy had attended a meeting organised by the CPI(M), because he was a member of the Students Federation, he was disqualified.

MR. DEPUTY-SPEAKER: Where is the point of order? It is absolutely disorder. The Home Minister said, there have been very few cases. You come out with one case. Let the Home Minister continue. Nobody can get up unless he yields.

SHRI CHARAN SINGH: Only members of those organisations which believe in violence as the means to overthrow the government, which believe in subversion of the Constitution, which believe in clandestine methods for overthrowing the government, which believe in violence of any kind whatsoever—only they are disqualified from entering government services. I am prepared to review these criteria with some of the friends of the opposition. As regards the review of cases of thousands of persons—5000

[Shri Charan Singh]

as he put it—from Kerala and West Bengal, that is not possible or practicable, nor do I think the number he has quoted can possibly be correct.

SHRI K. LAKKAPPA: The whole calling attention is based on the special verification to be done by the Central Intelligence Bureau in the case of persons seeking government employment from Kerala and West Bengal. Most of the members who participated have side-tracked the issue. The Home Minister at certain times was very reasonable in replying to my friend, Shri Jyotirmoy Bosu, because he has been tamed by the government. I want to know what type of honeymoon is the ruling party having with the West Bengal Government. Under Article 60 of the Constitution, nobody should be discriminated against, in the matter of employment opportunities. Articles 309 and 315 deal with the creation of public service commissions.

The Calling Attention motion has arisen out of a special intelligence verification with respect to people from these States. I think there is a special significance attached to these two States. When Mr. Namboodiripad was ruling in Kerala, sometime during 1967—my memory is quite correct—he made a statement saying, "I will mutilate this Constitution. It should be removed lock, stock and barrel." (Interruptions) There was an immediate response to this from no other person than Mr. Jyoti Basu, the present Chief Minister of West Bengal. I will never agree to any kind of verification. But the Home Minister has referred, in his reply, to those who have participated or associated with any activity or programme aimed at the subversion of the Constitution. The idea of subversion of the Constitution was amply clear in the statement of that gentleman, Mr. E. M. S. Namboodiripad, who is your partner today. You are having honeymoon and understanding with them. The Home Minister is a Gandhian. He will come into conflict with this State. Government is encouraging the regional political parties in the States (Interruptions). It

will give a go-by to Article 60 of the Constitution. (Interruptions) I am not talking party politics. I am talking about recruitment policy. (Interruptions). I am not supporting the intelligence verification and special information being collected. But there are certain elements in this country, who might have infiltrated into the present Government through subversive activities. Take the RSS; it is a para-military organization. You want to nurse it. They have infiltrated into the universities, more than into the Government. Anand Marg is operating removing fish plates and indulging in railway sabotage. You yourself know it. All these activities of sabotage are on the increase, because you encourage this tendency of regional political parties. There is need for a uniform approach and understanding, in order to maintain the integrity of this nation. All people should be treated alike in matters of recruitment and other things.

Mr. Bosu has talked about the previous Government; and he gave names. Shall I quote names? (Interruptions) Mr. Subroto Mukherjee was a Congress Minister. Police people have been put in charge of verification work in West Bengal; and Congress people cannot get any of the appointments in West Bengal. Are you going to protect the West Bengal Government which is acting against the spirit of the Constitution of India in the matter of its recruitment policy? This is how discrimination is being operated in West Bengal. We are at the mercy of the different Governments. When discrimination is being made by such States, including West Bengal, are you going to safeguard our people? Suppose people who support Congress are not being recruited, is it not discrimination? If you do not take any steps in these matters, what is the remedy. You must remember that these are the elements which are operating around you. Therefore, you have to ensure that the guidelines in the matter of recruitment are uniformly operated. There should be no discrimination. Suppose some people are sympathetic

tie to some political parties, like the Congress, in the matter of recruitment and verification, how are you going to safeguard the interests of hundreds and thousands of young people who want to seek employment at the State level? Will you kindly give an assurance in this matter?

**SHRI CHARAN SINGH:** I am afraid, my hon. friend has said nothing which is relevant to the motion that is before the House, or which demands a reply, though he has said that he wants a categorical assurance.

**SHRI K. LAKKAPPA:** Sir, I referred to discrimination towards some people in the matter of employment, purely on political grounds. He did not answer that.

**MR. DEPUTY-SPEAKER:** We are discussing a particular circular. All the matters you are referring to do not pertain to that circular.

14.52 hrs.

#### PUBLIC ACCOUNTS COMMITTEE

##### THIRTEENTH REPORT

**SHRI GAURI SHANKAR RAI** (Ghazipur) I beg to present the Thirteenth Report of the Public Accounts Committee on paragraphs of the Report of the Comptroller and Auditor General of India for the year 1973-74, Union Government (Civil), Revenue Receipts, Volume I Indirect Taxes relating to Union Excise Duties.

14.53 hrs.

**PETITION RE. UNEMPLOYMENT, PRICE-RICE, LOWERING OF VOTING AGE, ETC.**

**SHRI C. K. CHANDRAPPAN** (Cannanore): Sir, I beg to present a petition signed by Shri Amarendra Narain Sinha and others regarding unemployment, price-rise, lowering of voting age, inclusion of right to work

in Fundamental Rights, educational reforms, atrocities on Harijans and other weaker sections of society.

#### 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 5th December, 1977, will consist of.—

(1) Consideration of any item of Government Business carried over from today's Order Paper.

(2) Discussion on the Resolution regarding Report of the Railway Convention Committee.

(3) Consideration and passing of the Supreme Court (Number of Judges) Amendment Bill, 1977.

(4) Discussion and voting on Supplementary Demands for Grants (General) for 1977-78.

(5) Consideration and passing of the following Bills as passed by Rajya Sabha.—

(a) The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 1977.

(b) The Betwa River Board (Amendment) Bill, 1977.

It is also proposed to provide for:—

(a) Further discussion on the motion regarding statement on two serious train accidents on Monday, the 5th December, 1977.

(b) Discussion on the Agreement with Bangladesh on sharing of the Ganga Waters at Farakka on Tuesday, the 6th December, 1977.

(c) Discussion on the motion regarding economic backwardness of Eastern U.P. at 3.30 P. M. on Wednesday the 7th December, 1977.

[Shri Ravindra Varma]

(d) Further discussion on the Report of the Commission of Inquiry into the disappearance of Netaji Subhas Chandra Bose on Thursday, the 8th December, 1977.

(e) Discussion on recent floods in various parts of the country on Thursday, the 8th December, 1977.

PROF. P. G. MAVALANKAR (Gandhinagar): I have written to the Chair that I want to make a submission when the Minister of Parliamentary Affairs finishes his statement, and that I want him to request his colleague, the Minister of Education, to make a statement next week on the matter of wet including Ahmedabad, my home city and constituency, in the itinerary of the Bolshoi Ballet from Russia which is now visiting India and is scheduled to go to Bombay, Delhi, Calcutta and Madras. Ahmedabad has got the largest and the best theatre, most well-equipped for this purpose.

MR. DEPUTY-SPEAKER: I am very sorry that the form of Parliament should be used for this. You should have approached the Minister and settled the matter with him.

PROF. P. G. MAVALANKAR: The Ministry was approached, but they do not listen. This is an important matter because every time important international cultural teams come here, they go only to these four cities of the country and other major cities are ignored. Especially when there are facilities available, why should they be denied? I want the Minister to make a statement.

14.57 hrs.

ELECTION TO COMMITTEE  
COFFEE BOARD

प्राणिन्य तथा आपरिक पूर्ति और सहकारिता भवान्य ने राष्ट्र भवी (वी

लक्ष्य सुनार नेता) : उपलब्ध यात्रा, में शास्त्री बन्नारित ने प्रस्ताव करता है :—

"एक काफी अधिनियम, 1942 की वारा 4 की उपलब्ध (2) (a) के अनुसार में इस सभा के सदस्य ऐसी रीति में, जैसा अधिनियम के इन्ही उपलब्धियों के अनुसार काफी बोर्ड के सदस्यों के रूप में कार्य करते के लिये अपने में स दो सदस्य निर्वाचित करें।"

MR. DEPUTY-SPEAKER: The question is:

"That in pursuance of sub-section (2) (b) of section 4 of the Coffee Act, 1842, the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Coffee-Board, subject to the other provisions of the said Act."

The motion was adopted.

14.58 hrs.

LOKPAL BILL

APPOINTMENT OF MEMBERS TO JOINT COMMITTEE

SHRI SAUGATA ROY (Barrackpore): I beg to move:

"That this House do appoint Sarvashri Ragavalu Mohanarangam Daulat Ram Saran and Hukam Deo Narain Yadav to the Joint Committee on the Bill to provide for the appointment of a Lokpal to inquire into allegations of misconduct against public men and for matters connected therewith in the vacancies caused by the resignations of Sarvashri S. D. Somasundaram, Chand Ram and Arif Beg."

**MR. DEPUTY-SPEAKER:** The question is:

"That this House do appoint sarvashri Ragavalu Mohanarangam, Datlat Ram Baran and Hukam Deo Narain Yadav to the Joint Committee on the Bill to provide for the appointment of a Lokpal to inquire into allegations of misconduct against public men and for matters connected therewith in the vacancies caused by the resignations of sarveshri S. D. Somasundaram, Chand Ram and Arif Beg."

*The motion was adopted.*

15 hrs.

#### BUSINESS ADVISORY COMMITTEE

##### EIGHTH REPORT

**THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA):** I beg to move:

"That this House do agree with the Eighth Report of the Business advisory Committee presented to the House on the 1st December, 1977."

*The motion was adopted.*

15.01 hrs.

#### SUPPLEMENTARY DEMANDS FOR GRANTS (GENERAL), 1977-78

**THE MINISTER OF FINANCE AND REVENUE AND BANKING. (SHRI H. M. PATEL):** I beg to present a statement showing Supplementary Demands for Grants in respect of the Budget (General) for 1977-78.

15.02 hrs.

#### MATTERS UNDER RULE 377

(i) REPORTED MIXING OF RAPE-SEED OIL IN MUSTARD OIL AND ADULTERATION OF VANASPATI WITH INJURIOUS OILS AND FATS.

**SHRI JYOTIRMOY BOSE** (Diamond Harbour) Sir, under Rule 377, I wish to raise the following matter:

Once again a big bungling in edible cooking medium is taking place.

The imported rape seed oil which was finding its way in abundance into mustard oil and being sold between Rs. 10 and Rs. 14 was being sold also as rape seed oil at the rate of Rs. 7.50 per kilo.

Due to failure on the part of concerned authorities, the edible oil reserves of STC in the north have touched a new low. This situation is being taken advantage of by the Vanaspati makers. It is reported that the Government is now being made to supply them the rape seed oil at the rate of Rs. 5.85 a kilo which means about Rs. 2.50 less than what it costs the Government and for this the exchequer is to pay to cover the loss of the STC. Besides taking advantage of the situation, most injurious oils and fats are being used as adulterants for production of Vanaspati. The makers of Dalda Vanaspati, i.e., the Hindustan Levers, one of the biggest multi-national corporation have been caught in Ghaziabad in processing adulterated til oil for which a case is pending before a court in U.P. Sometime ago, the makers of 'RASUI' vanaspati, (Modi's) was caught in Calcutta using linseed oil as an adulterant.

The Ministers of Commerce and Health may please be asked to make a statement on this serious issue.

(ii) DEMAND FOR WITHDRAWAL OF RESTRICTIONS ON REFUND OF DEPOSITS UNDER COMPULSORY DEPOSIT SCHEME.

**बो बद्रेश्वर लाल (कानपुर) :** उपाध्यक्ष महोदय, 25 जून, 1975 को इस देश में श्रीमती निवार गांधी और कांग्रेस ने इमर्जेंसी का काला कानून पास किया था। इमर्जेंसी के दौरान मजदूरों के लिए कम्पलेसरी किया जिए

## [बी भनोहर लाल]

स्कीम लागू की गई थी और उनका बोनस का अधिकार छीन लिया गया था। जनता पार्टी की सरकार बनने के बाद सी०डी०एस० को खत्म कर दिया गया और बोनस के अधिकार को रेटेंटर कर दिया गया। लेकिन सी०डी०एस० के तहत कर्मचारियों का जो पैसा जमा था, उसे बापस करने के सम्बन्ध में कुछ शर्तें लगा दी गई हैं, जिनके कारण कर्मचारियों को बहुत दिक्षित का सामना करना पड़ रहा है, और बड़ा भ्रष्टाचार भी फैल रहा है। सरकार से भेरा निवेदन है कि जो शर्तें लगा दी गई हैं, उन्हें खत्म करने के सम्बन्ध में मंत्री महोदय एक स्टेटमेंट दें, जिससे कर्मचारियों का व्यापक असंतोष, और भ्रष्टाचार, खत्म हो और सी०डी०एस० के तहत जो पैसा जमा है, वह कर्मचारियों को बापस मिल सके।

## (iii) Dacoit MENACE IN THE CHAMBAL VALLEY

श्री छविराम शर्मा (मुरैना) : उपायक महोदय, मैं नियम 377 के अन्तर्गत चम्बल नदी में डाकू समस्या के पुनः पैदा होने की ओर सदन का ध्यान आकर्षित करना चाहता हूँ।

चम्बल नदी उत्तर प्रदेश, राजस्थान और गढ़ प्रदेश, इन तीन राज्यों की सीमा बनती है। चम्बल नदी के आस-पास का इलाका डाकुओं की वजह से बदनाम और पीड़ित था। माननीय लोकनायक जयप्रकाश नारायण ने 1974 में डाकुओं का आत्म-समर्पण कराया। उसके बाद उस क्षेत्र के लोग शान्ति से जीवन असीत करने और विकास-कार्यों में अपना ध्यान लगाने लगे थे। परन्तु खेत की बात है कि उस क्षेत्र में अब विस्तृत फिर से विगड़ गई है।

4-11-77 को परजाता अम्बाह, बिला मुरैना के गांव रैपुरा में डाकुओं ने भावानक डकैती ढाली। डाकुओं की गोली से एक महिला, सावित्री, भी बटनास्त्रय पर ही मृत्यु हो गई एवं डाकुओं की भयंकर गोली-बारी से नाहर सिंह, मायादेवी, दीपा राम, मुषुरा सिंह, बैजनाथ सिंह, सिया दुलारी और मायादेवी आदि गम्भीर घायलावस्था में अस्पताल में भर्ती हैं।

5-11-77 को किशोरगढ़ में डकैती पड़ी, जिसमें डाकू एक साथ रुपये का माल लूट कर ले गये। 6-11-77 को जौरा मुरैना रोड पर एक ट्रक के पायद्य में गोली भार कर डाकुओं ने ट्रक के माल को लूट लिया। गवालियर में, जहां डी०आई०जी, एस०पी०, ए० आई०जी० और डी०एस०पी० रहते हैं, इंद्रांज थाने के पास डकैती पड़ी। वह कमिशनरी स्थान है। पुलिस के देखते-देखते डाकू माल लूट कर ले गये और एक आदमी की हत्या कर दी।

इस प्रकार की अनेक घटनायें हो रही हैं। चम्बल नदी के आस-पास के इलाकों में रहने वाले लोग डाकुओं के भय से मुक्त और सुरक्षित हो गये थे। लेकिन अब वे पुनः यह महसूस करने लगे हैं कि उनका वहां रहना मुश्किल हो गया है। वहां पर हरिजन और आदिवासियों की भ्रष्ट सम्पत्ति को दिन-दहाड़े लूटा जा रहा है। स्वेच्छा मुरैना में एक हरिजन महिला को जिन्दा जला दिया गया और वह एक मास से मरणासन अवस्था में अस्पताल में भर्ती है।

जनता पार्टी की सरकार और प्रधान मंत्री, श्री मोरारजी देसाई, ने यह घोषणा की है कि अगर कहीं हरिजनों तथा आदिवासियों पर अत्याचार या अन्याय होगा, तो वहां के एस०पी० और कलेक्टर को दोषी ठहराया जायेगा। मैं सरकार से यह जानना चाहता हूँ कि इस प्रकार की जो घटनाएं हो रही हैं,

उनके सम्बन्ध में कितने एस०पीज० और कलेक्टर्ज० के खिलाफ कार्यदाही के गई हैं।

डाकू भ्रम्भ्या के लिये लिये के लिए समाप्त करने के लिये नियम सरकार को ठोस कदम उठाने चाहिए और चम्बल बीहड़ तथा अन्य बीहड़ों का समन्वयकरण करने के लिए कोई योजना बनानी चाहिए। जब आत्मसमर्पण हुआ था, तो वह कांग्रेस सरकार का डाकुओं के सामने आत्म-समर्पण हुआ था; न कि डाकुओं ने कांग्रेस सरकार के सामने आत्म-समर्पण किया था। उस समय इस समस्या पर योड़ा बहुत हल लिकल आया था। जैसा कि मैंने कहा है, यह समस्या हमेशा के लिए समाप्त हो, इसके लिए केन्द्रीय सरकार द्वारा चम्बल बीहड़ का समतानीकरण कराया जाए, और जमीन की कमी को देखते हुए रेवाइन रीलेशन के अन्तर्गत समतित की हुई भूमि को इरजनों द्वारा प्रादिवासियों में बाट दिया जायें।

एक बात मैं और सरकार से कहना चाहता हूँ...।

उपर्युक्त महोबयः मैं आप से बाह्य अपने के लिए कह रहा हूँ।

श्री छविराम अर्पणः मैं नियम के तहत अपनी बात उठाना चाहता हूँ, उसमें आप मने क्यों रोकना चाहते हैं?

उपर्युक्त महोबयः देखिए 3 बजे नान-आफियियल बिजेनेस यहां पर शुरू होना चाहिए, इस समय 3 बजकर 5 मिनट हो गे हैं। इसलिए मैं आप से समाप्त करने के लिए कह रहा हूँ।

श्री छविराम अर्पणः मैं यह कह रहा या कि डाकुओं ने जब समर्पण किया था तो सरकार के साथ उनका समझौता हुआ था।

उत्तर में उन्हें भूमि बांटने, सहायता देने तथा उत्तराधिकारियों देने का वायदा किया गया था। ये सारी चीजें पूरी की जानी चाहिए डाकुओं को जो जमीन बांटी गई है वह नदी के किनारे की जमीन का पट्टा उन्हें दे दिया गया है या पहाड़ों के किनारे की पहाड़ी भूमि का पट्टा उन्हें दे दिया गया है। मेरा निवेदन है कि उन्हें कांग्रेस कांग्रेस भूमि का पट्टा देना चाहिए और उनके साथ हुए समझौते को पूरा करना चाहिए। यह अत्यंतर समस्या है, इसके ऊपर गंभीरता से सरकार को विचार करना चाहिए और इस समस्या को समाप्त करने के लिए सरकार को कदम उठाना चाहिए।

MR. DEPUTY-SPEAKER: Prof. Mavalankar. Before you start raising your matter under rule 377, I would like to take the sense of the House. We have business for another five or ten minutes—Prof. Mavalankar is the only one left to raise matter under rule 377 and then we have to take the vote of the House on Mrs. Parvathi Krishnan's substitute motion....

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): The Government is not prepared to have any other business after 3 O'Clock. Since it has already been announced that the Private Members' business will start at 3.

MR. DEPUTY-SPEAKER: It is now upto the House to decide...

PROF. P. G. MAVALANKAR: I am surprised that the Minister of Parliamentary Affairs is taking this attitude....

SHRI RAVINDRA VARMA: I was only referring to the vote on Mrs. Parvathi Krishnan's motion.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): It can be taken up on Monday.

MR. DEPUTY-SPEAKER: Yes; it has to be.

Prof. Mavalankar.

(iv) CLOSURE OF AHMEDABAD LAKSHMI COTTON MILLS LTD. RESULTING IN UN-EMPLOYMENT TO OVER 1,700 WORKERS.

PROF. P. G. MAVALANKAR (Gandhinagar): I am grateful to you, Mr. Deputy-Speaker, for permitting me to raise the state of affairs of one of the textile mills of Ahmedabad. The Ahmedabad Lakshmi Cotton Mill, which has been more or less closed for the last several months—practically since June this year. But the tragedy of the situation is that, from November 15, the mill is totally closed, and the result is that more than 1,700 workers and several members of clerical and administrative staff have been thrown completely out of job, and the situation has become very serious. All these families of more than 1,700 people are without any assistance because the dues in terms of salaries, wages, provident fund amount, insurance amount, etc., of all these workers, which have to go to the bank in a proper way, have not been credited by the management. Therefore, the problem has become more acute. I want to invite the attention of the Ministers of Industry and of Commerce to this grave matter and I want them to look into this matter urgently because so many hundreds of families are involved. The Minister of Parliamentary Affairs is here, and I hope he will convey this to those Ministers.

My esteemed friend, the Finance Minister, if he was on my side, would have supported me; perhaps he may not do it now because he is in the Government. But the point is this. Coming as I do from Ahmedabad, I know the plight and lot of these unfortunate people who have been without jobs for several months and whose legitimate dues—provident fund and other dues—are not being credited to their account in the bank.

tiousable. Therefore, my point is this. Unless the Government of India and the Government of Gujarat jointly, in a cooperative way, look into this matter and do something quickly, nothing will happen.

Lastly, the bonus has not been paid to the workers of this Mill this year. The workers of the other mills of Ahmedabad—there are more than 65 of them—have got this, but the workers of this particular mill did not get the bonus. Let the hon. Minister of Parliamentary Affairs note this. I am not suggesting that you should immediately take over this mill under your care under the Industries (Development and Regulation) Act of 1951. I know that it has been the practice for the last several years not to take over sick units under this Act. What I want is that the Government of India and the Gujarat Government should jointly look into the matter quickly with a view to restarting this mill. In view of the fact that the ATIRA and other groups have opined about the viability of the mill it is all the more necessary that this mill should be started very urgently. The mill has already got very good equipments and their building and machinery are reportedly in good condition. If the mill is started very soon, the people of my constituency will get immediate and quick relief. Thank you.

15.11 hrs.

#### COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

##### EIGHT REPORT

SHRI YADVENDRA DUTT (Jaunpur): I beg to move the following:

"That this House do agree with the Eighth Report of the Committee on Private Members' Bills and Resolutions presented to the House on

MR. DEPUTY-SPEAKER: The question is:

"That this House do agree with the Eighth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 30th November, 1977."

The motion was adopted.

15.12 hrs.

**PROFITEERING PREVENTION AND PRICE CONTROL BILL\***

SHRI K. LAKKAPPA (Tumkur): I beg to move for leave to introduce a Bill to regulate the prices of essential articles of daily consumption and to prevent profiteering in such articles.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to regulate the prices of essential articles of daily consumption and to prevent profiteering in such articles."

The motion was adopted.

SHRI K. LAKKAPPA: I introduce the Bill.

**TRADE UNIONS (RECOGNITION) BILL\***

श्री हृष्म चन्द्र कल्याण (उज्जैन) : उपर्युक्त मंत्रोदय, में प्रस्ताव करता हूँ कि मुझे व्यवसाय संघ को मान्यता देने की प्रक्रिया का उपचार करने वाले विधेयक को पुरस्पापित करने की अनुमति दी जाये।

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the procedure for recognition of Trade Unions."

The motion was adopted.

श्री हृष्म चन्द्र कल्याण : मैं विधेयक को पुरस्पापित करता हूँ।

**DOMESTIC WORKERS (CONDITIONS OF SERVICE) BILL\***

श्री हृष्म चन्द्र कल्याण (उज्जैन) : उपाध्यक्ष मंत्रोदय, में प्रस्ताव करता हूँ कि मुझे घरेलू कर्मकारों की भजदूरी के नियतन के लिये तथा उनकी दशा में सुधार करने का उपचार करने वाले विधेयक को पुरस्पापित करने की अनुमति दी जाये।

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the fixation of wages and for improvement of working conditions of domestic workers."

The motion was adopted.

श्री हृष्म चन्द्र कल्याण : मैं विधेयक को पुरस्पापित करता हूँ।

**CONSTITUTION (AMENDMENT) BILL\***

*Amendment of articles 74 and 163*

श्री हृष्म चन्द्र कल्याण (उज्जैन) : उपाध्यक्ष मंत्रोदय, में प्रस्ताव करता हूँ कि मुझे भारत के संविधान के प्रत्युच्छेद 74 तथा 163 का संशोधन करने वाले विधेयक को पुरस्पापित 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.

\*Published in Gazette of India Extraordinary Part II, section 2, dated 2-12-1977.

श्री हुकम चन्द राय : मैं विधेयक को पुरस्थापित करता हूँ।

**STARVATION DEATHS (PRECAUTIONARY MEASURES AND RESPONSIBILITIES) BILL.**

श्री हुकम चन्द कच्छवाय (उज्जैन) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि मुझे भूत से मृत्यु न होने वेने के लिये और इस सम्बन्ध में उत्तरवाचित्व के लिये शाम एवं रात्रि विधान प्राधिकारियों द्वारा पूर्वविद्धानी उपायों का उपबन्ध करने वाले विधेयक को पुरस्थापित करने की भनुमत दी जाये।

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for precautionary measures by village and district authorities to avoid starvation deaths and for responsibilities therefor."

*The motion was adopted.*

श्री हुकम चन्द कच्छवाय : मैं विधेयक को पुरस्थापित करता हूँ।

**LIQUOR (REGULATION OF PRODUCTION, SUPPLY AND DISTRIBUTION) BILL.**

श्रीबाबरी राम गोपाल सिंह (दिनहोर) उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि मुझे शराब के व्यापार और वाणिज्य और उसके उत्पादन, प्रदाय और वितरण के सम्बन्ध में कतिपय निर्बन्धनों का और उससे सम्बन्धित या आनुबंधिक विधयों का उपबन्ध करने वाले विधेयक को पुरस्थापित करने की भनुमत दी जाये।

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for certain restrictions in relation to trade and commerce in, and production, supply, and distribution of, liquor and for matters connected therewith or incidental thereto."

*The motion was adopted.*

श्रीबाबरी राम गोपाल सिंह : मैं विधेयक को पुरस्थापित करता हूँ।

**INDIAN MEDICINE CENTRAL COUNCIL (AMENDMENT) BILL.**

(Amendment of Sections 2, 17 etc.)

श्री लक्ष्मी नारायण पांडेय (मंदसौर) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि मुझे भारतीय चिकित्सा केन्द्रीय परिषद अधिनियम, 1970 का संशोधन करने वाले विधेयक को पुरस्थापित करने की भनुमत दी जाये।

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to amend the Indian Medicine Central Council Act, 1970."

*The motion was adopted.*

श्री लक्ष्मी नारायण पांडेय : मैं विधेयक को पुरस्थापित करता हूँ।

**PROHIBITION ON INDICATION OF CASTE BILL**

SHRI D. D. DESAI (Kaira): I beg to move for leave to introduce a Bill to provide for prohibition on indication of caste, religion, community or region, etc., with the name.

\*Published in Gazette of India Extraordinary Part II, section 2, dated 2-12-1977.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for prohibition on indication of caste, religion, community or region, etc., with the name."

*The motion was adopted.*

SHRI D. D. DESAI: I introduce the Bill.

**CONSTITUTION (AMENDMENT) BILL\***

Insertion of new Articles 23A, 23B and 23C)

श्री यमुना प्रसाद शास्त्री (रीवा) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि मुझे भारत के संविधान का और मंगोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाये।

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 यमुना प्रसाद शास्त्री : मैं विधेयक को पुरःस्थापित करता हूँ।

**INDIAN SOCIAL DISPARITIES ABOLITION BILL\***

श्री रघुनाथ सिंह यादव (प्रतापगढ़) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि मुझे सामाजिक विषमताओं और जातिवाद का उत्तरान करने तथा हरिजनों, गिरिजनों और धन्य पिछड़े बर्गों के शैक्षणिक, सामाजिक और आर्थिक पिछड़ेपन को दूर करने का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाये।

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for abolition of social disparities, casteism and removal of educational, social and economic backwardness of Harijans, Girijans and other backward classes."

*The motion was adopted.*

श्री रघुनाथ सिंह यादव : मैं विधेयक को पुरःस्थापित करता हूँ।

**CONSTITUTION (AMENDMENT) BILL\***

(Amendment of Article 80)

श्री ओम प्रकाश त्यागी (बहराइच) : उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि मुझे भारत के संविधान में अनुच्छेद 80 का समोधन करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाये।

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 ओम प्रकाश त्यागी : मैं विधेयक को पुरःस्थापित करता हूँ।

**CODE OF CIVIL PROCEDURE (AMENDMENT) BILL\***  
(Amendment of Order XVII)

SHRI NIRMAL CHANDRA JAIN (Seoni): I move for leave to introduce a Bill further to amend the Code of Civil Procedure, 1908.

MR. DEPUTY-SPEAKER: The question is:

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[Mr. Deputy-Speaker]

"That leave be granted to introduce a Bill further to amend the Code of Civil Procedure, 1908."

*The motion was adopted.*

**SHRI NIRMAL CHANDRA JAIN:**  
I introduce the Bill.

**CONSTITUTION (AMENDMENT)  
BILL.\***

(Amendment of Article 352)

**SHRI CHITTA BASU** (Barat): I 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:** I introduce the Bill.

15.17 hrs.

**CONSTITUTION (AMENDMENT)  
BILL**

(Amendment of Article 124)  
By **SHRI P. K. DEO**—contd.

**MR. DEPUTY-SPEAKER:** Now, we move on to further consideration of the motion moved by Shri P. K. Deo I think Shri Deo was on his legs.

**SHRI P. K. DEO** (Kalahandi): Mr. Deputy-Speaker, Sir, the other day while taking part in consideration of my Constitution (Amendment) Bill, I pointed out that though the Constitution of India provides for the procedure for appointment of the judges of the Supreme Court, the

Constitution of India lays down no procedure or guidelines regarding the appointment of the Chief Justice of the Supreme Court. It is entirely left at the discretion of the President. You all know the President under the Constitution acts on the advice of the Council of Ministers. So, for all practical purposes, the Chief Justice of the Supreme Court is appointed by the Executive of this country.

Sir, while discussing this aspect, I suggested a very simple method in this Constitution (Amendment) Bill. It says:

"Provided further that the senior most Judge of the Supreme Court shall be appointed as the Chief Justice."

'Shall be' is a mandatory provision. It further says:

"Provided further that the senior shall be appointed the Chief Justice who has not served for at least two years as a Judge of the Supreme Court".

This is a simple provision and needs an amendment to Art. 124 of our Constitution. While discussing I had pointed out the sordid manner in which some of our eminent judges had been superseded by the previous Government which created an uproar throughout the country. And mostly, all the Bar Associations passed a near unanimous resolution condemning the Executive action of the Government.

It related to the supersession of Justice Shelat, Justice Hegde and Justice Grover who distinguished themselves as the upholders of the rule of law and citizens' rights. One day prior to that, in an important constitutional case, in Shri Keshavnand Bharati's case, they gave a judgment which was not to the liking of the Government and the Attorney General had the cheek to speak in the Supreme Court that some political

\*Published in Gazette of India Extraordinary Part II, section 2, dated 2-12-1977.

action is necessary and next day they were superseded and Justice Ray was appointed. Now, the question is that if they could fit admirably as the judges of the Supreme Court were they not fit to become the Chief Justice of the Supreme Court. The various spokesmen in the last debate in this House highlighted on the Fourteenth Law Commission Report and wanted to take shelter behind those recommendation. But, Sir, if you read carefully the Fourteenth Law Commission Report you will find that they suggested the 'most suitable person'. That does not mean the suitability from the point of view of the then Government but suitability from the angle of justice, administration and impartiality. All these aspects should have been taken into consideration. The Law Commission further said in their report and I quote:

"For the performance of the duties of Chief Justice of India, there is needed, not only a judge of ability and experience, but also a competent administrator capable of handling complex matters that may arise from time to time, a shrewd judge of men and personalities, and above all, a person of sturdy independence and towering personality who would, on the occasion arising, be a watch-dog off the independence of the judiciary....In our view, therefore, the filling of a vacancy in the office of the Chief Justice of India should be approached with paramount regard to the considerations we have mentioned above. It may be that the seniormost puisne Judge fulfils these requirements. If so, there could be no objection to his being appointed to fill the office."

We all know that these qualities needed by the Law Commission were the criteria which makes the strongest possible case for not superseding these three judges of the Supreme Court.

Because of their administrative compe-

tence and fearlessness Justice Shellat and Justice Hegde had the distinction of being the Chief Justices of Gujarat and Delhi High Courts respectively. There was not the slightest indication of administrative incompetence against Justice Grover. If he had been appointed the Chief Justice he would have retired after Justice Ray.

Sir, in that marathon debate which took place in this House I quoted last time and I would like to reiterate again because Government's main spokesman Late Mohan Kumaramangalam came out in his true colours and spoke out from the heart and said:

"The Chief Justice should be one who would rather help the Government."

Further

"Whose political philosophy would be most suitable from the Government point of view."

So, Sir, you can very well know what was the intention of the Government when to supersede these eminent judges of the Supreme Court. The Chief Justice is not to be selected from the viewpoint of the executive as today the Government of India is the largest litigant in the country. More cases have been filed against the Government of India than against any other party and if the litigant himself selects his own judge then it will be the end of the judiciary in this country. Mohan Kumaramangalam further stated the 'need for forward looking and not backward looking judges' Government virtually wanted judges not to subscribe to the philosophy of the Constitution but to that of the ruling party. Indirectly he wanted to have committed judiciary. In those days there was talk throughout the country of having a committed judiciary. Where is the judiciary committed not to the philosophy of the Constitution but to the philosophy of a political party in that country? It

[Shri P. K. Deo]

is a communist country where only one party is permitted to function and the judiciary functions only to help implement the government programme. It is to that abyss that this country was being led to. That is the philosophy of dictatorships.

You may call a dictator by the name of dictator of the proletariat or a military dictator or even a monarch who in those medieval days established star chambers and in medieval Europe had them to suit their own convenience and had judges according to their own liking. Mohan Kumaramangalam speak about 'prerogative' of the Government. The word prerogative itself is a feudal concept.

This country is a free country, different political parties function here and they have different political persuasions, besides there are various independents, eminent independents like my friend Mr. Mavalankar. There cannot be any monopoly of power of any party. it is impossible and it cannot be permitted to function here.

Mahan Kumaramangalam wanted a Chief Justice, a court which would be able to recognise Parliament as sovereign in this country. The Constitution is sovereign we have all taken the pledge to uphold this Constitution. That is how our Constitution is to be interpreted by the government themselves.

All actions had their reactions. Government could get anything passed in Parliament by their brute majority, by their requisite strength, they can amend the Constitution and it was okayed by the committed judiciary but it cannot be okayed by the people. Before the people's coup they had to bow, they had to eat a humble pie. People had their final say. I should say that the last election was the biggest experiment of democracy in the world and the changeover that took place was a bloodless coup. People

always react when there is injustice. Even in the elevation of Justice Desai, though it is not very relevant but only corollary, from the Gujarat High Court to the Supreme Court superceding two senior judges, one of whom ultimately resigned, there was public resentment. A few days ago there was a noisy scene in the House and even M. C. Chagla a well wisher of the Janata Party expressed strong resentment at this action. Even my friend Shri Shyamnand Misra to whom my congratulations go for having been elected as deputy leader of the Janata Parliamentary Party expressed his unhappiness said: "Everything being equal, seniority should be the ~~s~~ point." At the swearing in ceremony of Justice Desai, the Attorney General, the Solicitor General and the Additional Solicitor General abstained and boycotted that because of the resolution of the Supreme Court Bar. To avoid all this controversy, it is high time that some guidelines were provided in the Constitution. It should not be left to the discretion of the President, who acts on the advice of the Council of Ministers. Seniority, like maternity, is a fact whereas merit, like paternity, is a doubtful question. So, taking into consideration all these facts, I hope the Law Minister will not leave any loophole in the Constitution and will make it a completely fool-proof and ideal Constitution.

With these words, I commend that this Bill be taken into consideration.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill further to amend the Constitution of India be taken into consideration."

डॉ. रामलीला सिंह (भागलपुर) : उपाध्यय महोदय, अभी माननीय सदस्य, श्री पी० के० देव, ने सर्वान्वयन्यायालय के मूल्य न्यायाधीश की नियुक्ति के सम्बन्ध में, जो विद्येयक प्रस्तुत किया है, वह एक जास्त परिस्थिति में अपना महत्व रखता है। वस्तुतः न्यायालय के साथ अन्याय का प्रारंभ

उत्ती समय हुआ, जब सबै चक्र न्यायालय के तीन न्यायाधीशों—भी भौवर, भी ईलट और भी हेगडे—को अवक्षित (सुपरसीड) किया गया था। जब न्यायालय विवाद का विषय बन जाता है, तो वह और सब कुछ रह मकता है, लेकिन न्यायालय नहीं रह मकता है।

देश में दस बचों से एक तानाजाही प्रवृत्ति की तीयारी चल रही थी और एक प्रतिवद न्यायपालिका, प्रतिवद शिक्षा और प्रतिवद मासन का सिद्धान्त चल रहा था। यही कारण था कि बहुत जोर-शोर से न्यायालय के सामाजिक दर्शन—सोशल फ़िलासफ़ी भास्क जजेज—की बात चल रही थी। हम लोगों के मामने यह प्रकल्प है कि क्या हम वरीयता को नियुक्ति का मापदण्ड मान सें। लेकिन, जैसा कि ला कमीशन ने भी कहा है, हम वरीयता को इसका मापदण्ड नहीं मान सकते हैं।

"It is obvious that succession to the office of this character cannot be regulated by mere seniority."

य श्रिय ला कमीशन ने कहा है कि वरीयता को आधार नहीं माना जा सकता है, लेकिन उसके बाद भी ना कमीशन ने कहा है कि उसके साथ-माय तीन बातों को और ध्यान में रखना पड़ेगा : वह व्यक्ति एक कुशल प्रशासक—कार्मिंटेंट एडमिनिस्ट्रेटर, स्वतंत्र मति—स्टर्डॉ हॉडियॉर्ड्स और उत्तर्ग व्यक्तित्व—टार्किंग परसेनेलिटी का हो। हम ने देखा है कि जिन तीन न्यायाधीशों को सुपरसीड किया गया था, उनमें ये तीनों युग उपस्थित थे। लेकिन जब प्रशासन अपनी स्वेच्छा की बात करता है, तो वह सही मापदण्ड को मान कर सब समाप्त कर देता है, और यही कारण है कि हमारे अनुभवी और विद्वान मिल, श्री पी० के० देव, यह कहते हैं कि यदि हम कोई एक आवजेंटिव मापदण्ड नहीं स्थापित कर सकेंगे, तो शायद हम इस तरह से बातें बराबर उठाते रहेंगे, और शायद न्यायपालिका कार्य पालिका की दासी बन कर रह जायेगी।

सचमुच में दुनिया के इतिहास में न्यायाधीशों की नियुक्ति के विषय में अलग-अलग तरह के सिद्धान्त हैं। अमेरिका में राष्ट्रपति अगर न्यायाधीश की नियुक्ति करता है तो उसके लिए सिनेट की सम्मति प्राप्त करनी पड़ती है। लेकिन डा० भीमराव अम्बेडकर साहब ने विधान निर्मातृ परिषद में यह कहा था कि हमारा भारतवर्ष का जनतंत्र और हमारी न्याय-बुद्धि भी इन्हीं परिपक्व नहीं है कि हम इसके इतने अधिक लोगों के सामने खुला रख सकें इसलिए कि वह एक विवाद का विषय हो जायेगा अगर सिनेट या पार्लियामेंट की बहस के अनुसार उसकी नियुक्ति हो। लेकिन विषय के इतिहास में एक कूसरा उदाहरण इस्टेंड का है जहां काउन को ही न्यायमूर्ति की नियुक्ति करने का अधिकार है। हम समझते हैं कि भारतवर्ष के संविधान निर्माताओं ने मध्यम मार्ग का अवलम्बन किया। "मध्यम अध्ययम" बेद ने कहा है और "मध्यम प्रतिपदा" बुद्ध ने कहा है। इसलिए शायद डा० भीमराव अम्बेडकर ने नव-बुद्ध होने के कारण न्यायमूर्ति की नियुक्ति के सम्बन्ध में मध्यम मार्ग का अवलम्बन किया है।

जब भेन श्री पी० के० देव के विद्येयक को गोर से देखा तो उसमें मुझे बहुत बल मिला। एक बात यह भी है कि अगर सभी चीजें बराबर हों तो अधिकर कोन सी चीज से तय करेंगे? इसलिए निश्चित है कि अगर कुशल प्रशासक होना, स्वतंत्र मति का होना और उत्तर्ग व्यक्तित्व का होना, ये सभी चीजें बराबर हों तो हम समझते हैं कि उसमें वरीयता को आधार मानना ही चाहिए। वरीयता से ज्यादा कोई आवजेंटिव काइटी-रिया नहीं हो सकता। अभी जनता सरकार के समझ भी कुछ न्यायाधीशों की नियुक्ति के संबंध में लोग चर्चा उठाते हैं। लेकिन नियुक्ति के एक प्रबल समर्थक हमारे कानून मंत्री ने स्पष्ट किया है कि कार्यपालिका ने न्यायमूर्तियों की नियुक्ति में किसी प्रकार

## [डा० रामजी विह]

का भी हस्तक्षेप नहीं किया है। इसका नितलब है कि इस सरकार ने जो न्यायपालिका को सम्मान दिया है उसी का प्रतिफल यह है कि हम लोगों ने कोई भी अपना हस्तक्षेप नहीं किया है। लेकिन मैंने इस बिल के सम्बन्ध में थोड़ा सा संशोधन रखा है। न्याय हमारे देव साहब भी मुझसे सहमत होंगे कि केवल वरीयता को स्वीकार करने से न्याय हमारे सामने कठिनाई हो। वरीयता को केवल स्वीकार कर लेते हैं तो अच्छाई के लिए या कार्यक्रमालय के लिए कोई विशेष प्रेरणा नहीं हो पाती है। इसीलिए मैंने बहुत विभिन्नता के साथ उनके भावों का समर्थन करते हुए एक थोड़ा सा संशोधन उपस्थित किया है कि हमारे मुख्य न्यायाधीश की नियुक्ति के संबंध में यह ठीक है कि वह सभी की बहस का विषय नहीं हो, न कार्यपालिका की स्वेच्छाचारिता उसकी नियुक्ति में आए, उसकी नियुक्ति के लिए ऐसा करना चाहिए कि राष्ट्रपति, सर्वोच्च न्यायालय से भूतपूर्व मुख्य न्यायाधीश और जो हमारे लोक सभा के अध्यक्ष हैं, इन तीनों की राय से उसकी नियुक्ति होनी चाहिए। इन तीनों पर हम ने निष्पक्षता की मोहर लगा दी है। हम समझते हैं कि कार्यपालिका की स्वेच्छाचारिता का विषय तो यह नहीं ही होना चाहिए। लेकिन देव साहब मेरी इस बात को स्वीकार करेंगे कि अगर वरीयता को लंगे तो फिर प्रतिभा कहां जा कर टिंगी? प्रतिभा को कहां जा कर आश्रय मिलेगा?

ओ बी० के० देव : प्रतिभा की कसौटी क्या है?

डा० रामजी विह : प्रतिभा की कसौटी— ठीक है, कम से कम मुझसे तो आप ज्यादा प्रतिभाशाली हैं ही, यह सब जानते हैं। प्रतिभा की कसौटी बाहुगत कसौटी होती है, वह तो स्पष्ट ही है लेकिन केवल वरीयता

को रखने से मुझे लगता है कि प्रतिभा कुंठित होगी। हम लोग मावलंकर साहब की तरह शिक्षक हैं, हम देखते हैं कि अपर केवल वरीयता को स्वान दिया जायगा तो फिर शोषणे के लिए, प्रतिभा के निवासन के लिए कहां कोई गुजाइश नहीं रह जायगी। वरीयता के मुताबिक फिर कोई अनुसंधान की तरफ प्रेरणा नहीं रह जायगी। इसीलिए मैं अपने माननीय मित्र देव साहब से आग्रह करता हूँ कि उनकी इस भावना से मैं सहमत हूँ कि इसमें कार्यपालिका की स्वेच्छाचारिता नहीं आवे और मैं अपने तथाकथित प्रगतिशील मित्रों की उस बात को नहीं मानता हूँ कि संसद या कार्यपालिका के विचारों की रवर स्टैम्प न्यायपालिका बने। इसीलिए उन तथाकथित समाजवादी देशों में जहां न्यायपालिका केवल कार्यपालिका की रवर स्टैम्प रह जाती है, मैं उम्मो न्यायपालिका नहीं मानता हूँ। मैं उम्मो न्यायपालिका नहीं मानता हूँ जहां न्याय निष्पक्ष न रह सके।

पक्षपाते न मे बीरे नरागादि कगिलादिषु  
'युक्तिमत वचन'

युक्तिमुक्त जो वचन होना है उमे न्याय कहा जायेगा। इमलिए देव साहब की जो भावना है वह उम्मो पूरी तरह से आनी चाहिए लेकिन उम्मो यह आपर छोड़ देना चाहिए कि केवल वरीयता को हम लें। मैंने निष्पक्षता और आद्वेकितव निष्पादन के लिए आपां भासने मुकाबल दिया है कि भारतवर्ष के राष्ट्रपति जो निष्पक्ष माने जाते हैं, लोक सभा के अव्यक्त निष्पक्ष माने जाते हैं और भूतपूर्व मुख्य न्यायाधीश जिनकी नियुक्ति प्रमाणित है—इन तीनों की समिलित राय से भारतवर्ष के मुख्य न्यायाधीश की नियुक्ति हो जिसमें सारी चीजें देखी जायेंगी, वरीयता देखी जायेगी, कार्यक्रमता देखी जायेगी और उनके उत्तुग व्यवितरण को भी देखा जायेगा। इस प्रकार की सारी

भीं देखी जावेगी। मूँह बिश्वास है कि रखनास्तक दृष्टि से इन्हें जो सुकाव रखा है वह मेरे यित्र देव साहब को भी स्वीकार होगा और न्याय तथा निपटाना के लिए लड़ने वाले हमारे कानून मंत्री, श्री शांति भूषण को भी स्वीकार होगा। धन्यवाद।

PROF. P. G. MAVALANKAR (Gandhinagar): Mr. Deputy-Speaker, Sir, I welcome the Bill of my good friend, Shri P. K. Deo, not because I agree with the course he has suggested in it and therefore I am supporting the Bill but because of totally different reasons. I think this Bill serves a very useful purpose of pinpointing the discussion on the importance of the independence of the judiciary at the highest level, particularly that of the Judges of the Supreme Court, and more particularly and obviously of the Chief Justice of the Supreme Court.

This debate is going on in our country, more acutely since 1973, when for the first time the supersession of three senior judges of the Supreme Court took place, and those three judges were all eminent people, competent people, one of whom happily is with us in our own House as our own Speaker.

But the point is, if you really go rigidly on the lines of seniority alone as the criterion because the other criteria are not concrete or specific according to my friend, Shri Deo, then my feeling is that the seniority criteria alone may not also serve the purpose. I see his point, of course, because this is not the difficulty of our democratic policy alone; it is the difficulty of many democratic countries of the world, where independence of the judiciary is respected and implemented, where political interference is disliked and discarded. I do agree that even the smell of political interference should not be there. But how do you ensure that even the smell of political interference is not there, or even the remote suggestion that

one or two members of the Council of Ministers, much less the Prime Minister, had anything to do with the appointment to the exalted office of the Chief Justice of the Supreme Court in a democratic country is also not there?

Shri Deo's argument is that except seniority, all other criteria are not concrete and specific whereas this is the safest and most readily available and workable criterion namely to have the senior-most judge of the Supreme Court for appointment to Chief Justiceship. But, if you accept this principle, as my hon. friend, Dr. Ramji Singh was saying, we will be deprived of several talented individuals in various walks of life, judicial, educational, administrative and even diplomatic and political. Why is it that many people, very old and experienced, do not become Ministers of the Cabinet while younger people become members of the Cabinet, and the older people have to work as Ministers of State under the younger people? Why should you not say that it should also be on the basis of seniority? But you do not say that. If all other things are equal and seniority also helps, wonderful but if all other things are not equal, then the seniority of the Judge alone may not be a very helpful criterion. That is my honest view. Therefore, I am not able to agree with Mr. Deo's argument that seniority is the only criterion because the other criteria are vague, are not something on which we can lay our hands specifically and concretely. Dr. Ramji Singh was being asked: what is *pratibha*, how do you, locate it? I can tell Mr. Deo that where there is *pratibha* or genius, you do not need any light to show it to the people, they will find it out.

If the Government in a democracy appoints anyone with less of genius than his colleagues, it will be hauled up before the people, Parliament, press and everybody in the world. Therefore it should not appoint anybody who is less in terms of genius and

[Prof. P. G. Mavalankar]

ability. So, the reply to Mr. Deo is that genius is not difficult to locate, it can fairly and easily be located.

Prof. Harold Laski of the London School of Economics and Political Science in his writings, articles, lectures and books used to say that the members of the judiciary, particularly in the Western democratic countries, by habits of historical tradition etc., tended to be more or less conservative, were people of *status quo* mentality not trying to upset or disturb things too much. His argument was that if a democratic Government wants to do something radical in terms of social and economic justice without losing the basis of democracy and individual freedom, it cannot achieve it if it has too many conservative people in the judiciary.

15.47 hrs.

[SHRI D. N. TIWARY in the Chair]

Therefore, Government must see that they have in the judiciary people equal in terms of legal experience acumen etc., but that the programme which they want to promote through democratic parliamentary and constitutional means is not thwarted by the mentality and the social, political and class background of some of the important Judges, particularly the Supreme Court Judges and the Chief Justice of the Supreme Court. So, I want the Government to have a certain free hand in the appointment of the Chief Justice of the Supreme Court.

Of course, the Constitution does not mention anything except that the appointment will be made by the President of the Union in consultation with the Council of Ministers because he is aided and advised by them. It is here that I want to make a rather important point. If the Government is wedded to democracy—I am sure this Government has so far shown ample

evidence that it is wedded to democracy—it must do three things. Firstly, it must not give even an impression that it is doing things hastily or on a basis of incomplete or inadequate consultation or consultation with a small number of people. I am sure my esteemed friend the Law Minister will agree with me when I say that the appointment of two Judges to the Supreme Court recently did create a considerable stir in the country, not only among the general public but among the lawyers and advocates of the Supreme Court and High Courts. They were so much agitated that unfortunately they even decided to boycott the ceremony of the swearing in when the two Judges came. Why was it? I do not think it was any reflection on the two eminent judges who have been appointed as judges of the Supreme Court, Justice Desai from Gujarat and Justice Tuljapurkar from Maharashtra. I do not think the reflection was on the merit of the two judges concerned. It was mere a reflection or an anger directed against the *modus operandi* and the manner in which appointments were made and at least the Government of India gave such an impression at that time when the appointment of these judges was made. So, my first point is, let the Government be extraordinarily careful and be sensitive to this matter of *modus operandi* and the mode of doing things. Let not an impression go that the Government, in any way, directly or indirectly, remotely or in a very close way, is concerned or affected or bothered about this or that individual for this or that post, particularly of the judge of the Supreme Court.

Secondly, in regard to these two judges, Justice Desai and Justice Tuljapurkar, Justice Desai comes from Gujarat and I have been watching his performance as an Indian citizen from a distance in the High Court of Gujarat. He is one of the ablest judges of India. It is good that some of the ablest judges are elevated to the post of the judge of the Supreme Court.

But the point is that you cannot do it in a manner by which you give an impression that equally competent or even more able judges are sidetracked or left out. This was true in Justice Desai's case because the people who were superseded were some of the people who were punished during Emergency. Of course my hon. friend the Law Minister says, no, by shaking his head. But I can tell him that Chief Justice Diwan of our High Court in Gujarat was during Emergency wrongly transferred to Andhra Pradesh. Will he deny this fact? Will he say honestly that his transfer was motivated by genuine or *bona fide* considerations of transfer? Was it not a political act? Was it not like other transfers of judges in those days of Emergency? Here is a case where a good, capable, judge was transferred and, when Emergency is gone, when normalcy is restored, when rule of law is restored then the judge who was punished in abnormal circumstances, the same judge is not rewarded in normal circumstances!

I am mentioning this point by way of detail only to make my point clear, namely the Government must not give an impression of doing anything which may mean some kind of interest shown by the Government in 'X' and not in 'Y', in 'P' and not in 'Q'. That is a kind of impression which was created. Therefore, I say that the Government should be very careful about these things.

Lastly, I also feel that this debate has been very useful from another angle, that is, public opinion is made stronger by way of discussion in this House and outside in warning the Government, no matter how democratic it is on paper and even in spirit, that on such matters, every time, the Government takes a step it should make one hundred per cent sure of their step that they are contemplating to take so that the public credibility, public faith and public confidence in the hundred per cent total independence of judiciary is not damaged or

impaired even in the slightest way, even upto 0.1 point or 0.01 point per cent. I hope, the hon. Law Minister, when he replies, will give an assurance which we need and, if he goes on giving such an assurance on the floor of the House, it will be binding on him and his Government and also for the future Governments of democratic India that no democratic Government, even though the appointment is in their hands, will do anything which has the slightest political touch or colour. That is my point. Otherwise I agree that the Government must have a final say. But all things being equal, they must give a chance to those who are competent legally, competent in terms of experience and competent also in terms of genius and scholarship.

SHRI SOMNATH CHATTERJEE (Jadavpur): Mr. Chairman, Sir, the Bill is a short Bill, but an important Bill. It raises a very fundamental question as to the method of appointment or selection of the Chief Justice of India which is the highest judicial office in this country. But, Sir, what is the solution? Is the solution to be obtained by appointing the senior-most judge always? Speaking for myself, I have been watching in my humble experience in the Bar that the level is going down both of the Bench and of the Bar. I am very unhappy to say that, although I am very much a part of the Bar, the profession itself.

Nowadays, judgeship has become, in many cases, a matter of recommendation. I do not know whether my hon. friends will believe me if I say that, when my father became a judge in 1948, I came to know of it from the newspaper that he had been appointed a judge. But now a days we know whose names are being considered, we know who is supporting which person for judge-ship, we know who are the persons to be approached. We know, as soon as the names are sent to Delhi, the prospective candidates come and request even the Members of Parliament thinking that even

[*Shri Somnath Chatterjee*]

MPs can get judges appointed. Requests are made to us even: 'Please speak to the Law Minister if you can, I am a good person, I should be taken to the Supreme Court as a judge'. There is a downward trend in this, and this is the most unhappy state of affairs.

I know what prompted the hon. Member to move this Bill, because, we know what happened in this country in the year 1973—when a judge was selected as the Chief Justice of India not on merits as such. I am not saying that he did not have the merit, but the people of this country were satisfied that three hon. judges had been penalised and that the executive authority had been utilised for the purpose of inflicting a sort of condign punishment on three eminent judges of the Supreme Court for the simple reason that one of the learned judges or two of them had delivered judgments which did not suit the then Prime Minister of India in her personal case, or that some judgments were not to the liking of the powers that be at that time. Therefore, a judge who does not deliver according to the wishes of the Prime Minister or the ideas of the Prime Minister of India or of somebody or of, maybe, her progeny will not be entitled to hold the highest judicial office in this country! At that time you will remember, Sir—you were here then—we had strongly opposed this. We had said that the supersession was a motivated supersession, it was by way of inflicting punishment on three very eminent and capable judges. Those who try to keep track of the Supreme Court judges or judgments may now—nobody will dispute this—that Justice Hegde who is now with us was one of the ablest judges, the same can be said about the other two judges also—Justice Shelat and Justice Grover. From that point of time a doubt has arisen in people's mind that it seems that

the Chief Justice-ship in this country is a matter of negotiation or is an office which has to be given to those only who behave like good boys, who subserve the interests of the executive in this country, sitting on the Bench. From that point of view, from that day, in this country the feeling has necessarily arisen. I am not saying that it was not justified. It was justified. That is why, on the recent appointment after the new Government has come, eyebrows were raised whether the same tradition was being followed. I have no manner of doubt that there is no comparison between what happened in 1973 and what happened in 1977. Speaking for myself I have the fortune or privilege of appearing before the Supreme Court often. In a very recent case I appeared before Justice Dusai. I can unhesitatingly say this. He is the most fittest person to adorn the Supreme Court benches. Members of the Bar are very happy that he is there. But I am not making any comparison with anybody at all. He has been a very apt choice. But as Prof Mavalankar said, let the Government not do anything which leaves any doubt—any iota of doubt—in the people's minds. The point is whether the solution lies in getting the views of the different Bar associations especially in the matter of appointments to the Supreme Court is concerned. Is it better to take the Bar into confidence? In the United States what happens is this. There is no question of the senior person becoming a judge. It is purely the prerogative of the executive to appoint the Chief Justice. When appointment of judges come in the Bar associations and in their recommendations. In England it is not the seniormost judge who becomes Lord Chief Justice. It is not the seniormost legal and judicial functionary who becomes the Lord Chancellor. Therefore, seniority as such cannot be the only solution for it. I do not agree with my friend Mr. P. K. Deo fully but I do appreciate the spirit behind this Bill which he has brought before the honourable House.

16 hrs.

First of all, what is important is, we have to have, on the part of the Government, a commitment to the building up of and maintenance of an independent judiciary. This commitment must always be there. This was what was lacking in the previous administration. If the people have the confidence that this Government stands for the setting up of a strong judiciary they will not have any doubts in their minds. Therefore, what is important is, they will have to earn the confidence of the people of this country. The ordinary people can hardly afford to take recourse to judicial proceedings. Employees may have been retrenched; they may have the award in their favour. Those persons are dragged to courts. He has to go to the Supreme Court. These are more important things. Lot of delay in the dispensation of justice takes place. Litigation goes on for years and years together. There was a person who has got a writ for reinstatement in the Calcutta High Court, regarding the Philips Company, and for the last 10 years this matter is pending in the writ jurisdiction of the Calcutta High Court. He is not able to enjoy the fruits of the award which directed his reinstatement. These are matters which are more important. I request the Minister to have a look into such matters. You have to take the confidence of the people of the country. I have always said, I am not enamoured as such of the judiciary in this country. There are many people who should not have been in the Bench, but who are there. I have some humble experience of different high courts in India including the Supreme Court. I do not impute motives to anybody. Mr. Shanti Bhushan is as much a prisoner of the system that is functioning in this country as anybody else. The best judges are not attracted there. Their terms and conditions are such that nobody wants to become a judge. As in England for instance, the sense of involvement in the judicial set up in

this country, has not developed. There, after three requests, a lawyer will not refuse to become a judge. That feeling is not there in this country. Because the alternatives are so much. Mr. Gokhale is an example. He was a judge; he resigned because the emoluments were not sufficient. That did not attract the competent people to the Bench. Look at these problems first. If you have a strong and competent judiciary, then there is no question of appointment of the Chief Justice. If Mr. Shanti Bhushan or ministers in this Government want to make motivated appointments, we cannot stop. We can only criticise.

Sir, I am not in favour of making the seniormost judge automatically the Chief Justice. There may be many cases; there may be physical handicaps. We know one of the judges in the Supreme Court who was the seniormost puisne judge, but for his resignation, there would have been a problem for the Supreme Court. He was persuaded to resign. Otherwise he was the seniormost judge. And in the normal course, if he did not resign and if he were to be superseded for bona fide reasons, would this law not stand in the way?

My submission is that the spirit behind the Bill should be kept in mind by the Government. They should try to see that in the normal course, the seniormost judges become the Chief Justice. That should be doing justice to them also and that maintains a particular system which will avoid Government's intentions which are sometimes motivated or which may not be motivated but that cannot be justified. Therefore, it is very necessary—an overhauling is necessary in the judicial system. The laws delay, as I have said, is also there. When the question of legal aid to the Poor comes, how do you help that? You try to minimise it by making the laws more understandable. Of course some of the laws that are passed are not understandable; some of them are of course cumbersome ones. These require attention.

Therefore, I request the hon. Law Minister—only for that purpose, I

[Shri Somnath Chatterjee]

am taking this opportunity to speak on this Bill—that when there is a change from the last administration and when there is a change in the outlook towards the judiciary, utilise this opportunity. I am sure that the people will be with you. And, speaking for ourselves, if we find that you are really trying to reorient the judiciary system keeping in mind the teeming millions of the people in this country, let them get some advantage of it. The disparity between litigants inside the courts is known to my friends. You are also aware of it. What is the good of asking Bir as and Tatas in engaging the best legal talents in this country and why are they pitted against somebody if there are some people who are willing to help the ordinary people? Otherwise there is no match. Is this justice I want to know from the hon Law Minister. Is this the sense of justice of this Government? Is this the sense of justice that the people who after a good deal of trouble, get an order in their favour after waiting for years and years?

Sir, I will resume my seat after giving one instance. A peon in the Income-tax Department was dismissed. His basic and substantive salary was Rs. 40. After his dismissal, he appealed to the Calcutta High Court and he filed a writ petition there as a pauper. Even the judge requested me to appear for him. I had to argue for five days; Government lawyer argued for fourteen days before the court of appeal. The judges differed. Then with another third judge I had to argue for three days. Then Government lawyer argued for 16 days to get the peon out of the job. And ultimately I won in the Calcutta High Court. The matter is now pending for four years or so. I wish I could produce here that gentleman. He comes to me running at my place in Calcutta when ever I go. He is a living skeleton. I cannot get his matter heard. I have to mention this

with great difficulty. After pendency for four or five years, the matter has come up. Does this not shock the conscience of the Government? Therefore if he is X or Y judge, if there is no motive, then I cannot go into the matter. Are the people of this country getting justice? This is the test. Therefore, I request the Law Minister that this opportunity is got through this Bill and we have placed our viewpoints before the Government. Please look into them. If you take the people with you in this matter, it is all right. There has been no such complaint in the matter of appointment of Justice Desai. It is a very good appointment. More such things will arise in future.

SHRI G. M. BANATWALLA (Ponnan): Mr. Chairman, Sir, hon'ble Shri P. K. Deo has piloted a Bill of great significance. The crux of the Bill is that the appointment of the Chief Justice of India should be on the basis of seniority.

Now, Sir, the anxiety—as everyone can understand—is the maintenance and strengthening of the freedom of judiciary. Here there can be no two opinions about it. Everyone who believes in Democracy ardently desires a free judiciary. We are very fortunate that we have a judiciary of a very high standard. But the standard has not only to be maintained but has also to be further promoted. This whole question about the appointment of Chief Justice of India and the freedom of judiciary arose because of the instance of supersession of judges in 1978. Till then, I believe, seniority was the convention that was followed in the appointment of Supreme Court judges. It was only in 1978 when seniority was bypassed that this problem and threat to judiciary came up.

There is no difference of opinion that the appointment of Chief Justice of India cannot be at the discretion of the Government. I understand that the appointment is made by the President, but as the Constitution stands,

the President of India has not only to take the advice of the Cabinet but is also bound by the advice of the Cabinet. In other words, the Chief Justice of India is appointed by the Cabinet or the Executive. This is a very undesirable feature and must be corrected at the very first instance.

Sir, the entire issue raises two points. In the first place we have to concede the desirability of having a convention, namely, a convention with the necessary legal sanctity with respect to the appointment of the Chief Justice of India and secondly we have also to decide as to what that convention should be. As far as the first point is concerned, namely, that there must be a convention with legal sanctity about the appointment of Chief Justice of India there could be no two opinions. Where there is no convention the arbitrary power of the Government creeps in. I am firmly of the view that the Government must have no say whatsoever in the appointment of not only the Chief Justice of India but also the other judges whatsoever in this country. The Government is the biggest litigant and a litigant cannot have the freedom to choose the judge. There must, therefore, be healthy norms for the appointment of the Chief Justice of India and the other Supreme Court and High Court Judges. I firmly believe that so long as the appointment of any judge whatsoever is at the discretion of any Government then we are far away from our concept of freedom of judiciary. Now this particular thing, this particular point, namely having a convention for the appointment of the Chief Justice of India is possibly agreed to by almost all sections of the House. As far as I understand everybody has conceded the desirability of having some convention or the other. When I say convention, I mean the legal sanction for the appointment of the Chief Justice of India. Otherwise arbitrary and discretionary elements creep in. What should be that convention?

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Here is the difference of opinion. Hon. Member P. K. Deo wants that the senior-most judge of the Supreme Court should become the Chief Justice of India. Other Members have come forward with other suggestions. There is this particular point that seniority cannot be the sole criterion.

Here before pronouncing a judgement we must consider the point as to how the Supreme Court judges are appointed from among whom the Chief Justice is to be appointed? The Chief Justice of India must possess not only very high legal competence in the field of law but also a high degree of competence in the administrative field. He must have both legal and administrative competence. That is why this hitch comes up, namely, that seniority cannot be the sole criterion because a person with a very high legal competence may lack administrative competence or vice versa. So an element of pick and choose has to come in.

I must say that this is a misconception. In the appointment of judges of the Supreme Court, both those factors, both those elements, namely, a high degree of legal competence and a high degree of administrative competence are taken into account. It is this cream of talents, not merely the fallen but the cream of talent that we have on the Bench in the Supreme Court. Every Judge appointed to the Supreme Court is supposed to possess not only a high degree of legal competence but also administrative competence. Therefore, there should be no hesitation whatsoever in having only seniority as the criterion for the appointment of the Supreme Court Chief Justice. Otherwise unhealthy trends do come in. However we may concede here that perhaps in no country of the world seniority is the sole criterion. I have been trying to read a lot on the subject since 1973; my articles have also appeared in the legislature journals and other places. Different countries have different conventions. As the situation in India

[Shri G. M. Banatwalla]

is, I think that the best convention would be to have the seniormost judge of the Supreme Court as the Chief Justice of India. I am convinced about that.

Now a mere convention will not do because we have seen the fate with which those conventions are confronted. It is necessary that there should be a legal sanction, legal provision for this matter. Though there may be difference of opinion as to the mode of appointment to the office of the Chief Justice, at least one categorical assurance we must have from our hon. Law Minister. That is, to the effect that a proper guideline in the Constitution itself would be laid down in due course of time with respect to the appointment of Chief Justice. In laying down these guidelines, I am sure the Law Minister will also give us a categorical assurance that in the appointment of the Chief Justice of India the Government should have no say whatsoever, not only not the final say but no say whatsoever. This is necessary in view of the position that the Government is the biggest litigant in the country and that litigant himself cannot have the choice of the judge on the Bench.

**बोधरी बलबीर सिंह (होमियरपुर)** · समाप्ति महोदय, श्री देव ने एक बहुत ही नाज़ुक और महावृपूर्ण मसले की तरफ हमारा ध्यान खींचा है। हन्दुस्तान की जनता द्वारा उनी ही सबसे बड़ी समा को यह मोक्ष मिला है कि वह इस पर अपनी बात कह सके। मोनियार्टी से सुप्रीम कोर्ट के चीफ जस्टिस या दूसरे जजों को चुना जाये या इसके लिए कोई और तरीका इस्तेमाल किया जाये इस पर आज हम विवार कर रहे हैं। यह बड़ी खुशी की बात है कि इस बहुत लाभिस्टर यहां मौजूद हैं और वह बहुत नुलसे हुए व्यक्ति हैं और एवोरेंट लायर भी है। उनको

प्रैक्टिकल एक्सपरियेंस है कि इंसाफ के से मिलता है। इससे गहरी नजर से देखने की ज़रूरत है कि लोगों को जन्मी और सत्ता व्याय मिले। बड़ी अदालतों में 15-15 और 20-20 साल तक केमों का फैसला नहीं होता है और जब फैसला नहीं होता है तो व्यक्ति जिसने व्याय किया था वह फैसला की होनी है या नहीं होनी है। उम्मी बाद उम्मी कैसे पढ़ावाया जा सकता है। मेरे एक कर्तव्य दोस्त है। यूरोपीयों की हाई कोर्ट में उनका एक केस चल रहा है। 12-15 माल हो गए हैं अमेरीका उम्मी फैसला नहीं हुआ है। लोटी अदालत में ना फैसला मिल गया था। इमर्ल बाद हाई कोर्ट में सरकार ने अपरिवार दायर कर दी और वह फैसला पड़ी हुई है। अब यहां बताये कि उपरां के फैसला तब दोगों जब वह मर जाएँगे? वह मरने के पर्यावरण दुष्प्राप्ति है। जब उन्होंने तो मिल जाएँगी नेकिन उम्मी बैचारे को ना व्याय न मिला। वह नो मुश्किल काट कर चला गया।

■ इपका एक और पहलू भी है। जो बड़ा बकील कर लेता है, ज्यादा पैसा दे देता है आम नौर पर वही जीत जाता है। मैं एक बड़ा बकील कर लैं। हां और मेरा मुख्यालिक जो गराव है वह बेचारा इनका खुच नहीं कर सकता है, बड़ा बकील नहीं कर सकता है या वह कर सकता है और मेरे पास इतना पैसा नहीं कि मैं कर सकूं ना। इमर्ल का मतलब तो यह हुआ कि यह लडाई इमाक की नो न हुई, इसकी हुई कि दो भें मेरी कोन ज्यादा पैसा दे सकता है और कोन नहीं दे सकता है।

हाई कोर्ट और सुप्रीम कोर्ट में जा कर जानित भूवर्णजी या इसरे बकील लोग इस तरह की भी दरोंले देने हैं कि 1912 में करां जज ने यह फैसला दिया था और उसके बिलाक नहीं जाया जा सकता है तो उस कीज

को मान लिया जाता है। अब आप देखें कि कहाँ 1912 और कहाँ 1977 कितना फक्त हो गया है। या 1888 से फलां जज ने जो बड़े एमीरेट जज थे या फलां बैच ने यह फैसला दिया था या सुप्रीम कोर्ट ने या हाई कोर्ट ने तब यह फैसला दिया था इस बासे उसके खिलाफ नहीं जाया जा सकता है तो कैसे जां छोटा जज है वह उसके खिलाफ जा सकता है। अंत सब चीजें हैं जिनको आपको देखना होगा और कोई गत्तना निकलना होगा। जिस आम आदमी ने, जिस माध्यारंथ आदमी ने, जिस सीधे सारे आदमी ने बोट डॉन कर हम को भेजा है उसमें हर को नुमाइंदगी व्यक्त कर सके, उस आदमी को इनाफ कैसे दिना मानें हैं, उसको देख सके तो।

समाप्ति भ्रहोदय बिन न। दुर्गा है।

चौथरी बलबीर सिंह मैने पहले बहा या गायः आरेने, यान नहीं दिया कि मानवन्य मनस्ये ने हमें मोका दिया है कि हम इन मामले पर अपनी बात आपके नामने रख सके। सुप्रीम कोर्ट के चोफ जज के बारे में जिस ढंग में यह ममला आया है कि उनको किस ढंग में इन्साफ मिले, उस पर हम अपनी बात कर सके। प्रीम कोर्ट के जा चोफ जज हैं जिस ढंग से बोने, उसके लिये हम यहाँ बहस कर रहे हैं जिससे लोगों को इन्साफ मिल सके।

इनाफ किससे चाहिए? जो बाजार में छोटा गरीब जनता का आदमी है, उसके साथ अगर कोई बेइसापी है, तो उसे इनाफ चाहिए। कल एक मामूली डाकबाजाने का कर्मचारी भेरे पास आया। 8 माल में उसका मुकदमा पेंडिंग रहे, और अब उसके हक में फैसला हो गया सब-जज की अदालत में। लेकिन सरकार ने सौशन जज के यहाँ अपील दाय कर दी। बताइंदे 8 साल उसे मुकदमा लड़ते-सहते हो गये और जब फैसला हक में हो गया उसके बाद भी हाई-कोर्ट और सुप्रीम

कोर्ट तक उसका मामला आ गा। पता नहीं कितना समय इस लगेगा। लेकिन सबाल यह है कि इन्साफ मिल जाके और इसके लिये जज किस ढंग से एवाइन्ट किये जायें और किस ढंग से उस पर इस हाउस बाले अपनी बात कर सकें ताकि उसके बारे में सरकार अपनी राय बना कर फैसला कर सके।

वैसिंह मवाल यह है कि हर प्रादमी को इन्साफ कैसे मिल सकता है। अगर इन्साफ पैमे से मिलना है, तो जिसके पास उदादा पैसा है, जिसना बड़ा बकील वह खड़ा कर ने उसका इन्साफ मिलता है।

एमजॉन्सी में हमारे सुप्रीम कोर्ट के जजें जने गवर्नरेट के मांशल फिलासफी का प्रचार करता गुरु कर दिया। उन्होंने ह कहना गुरु कर दिया कि जितने बाकी जजें हैं उनको भी पढ़ाना चाहिए; कि सांशल फिलासफी क्या है। सोशन फिलामफी के भी जज हों ऐसा होना चाहिए। मैं जानता चाहता हूँ कि आज किस किस्म की सांशल फिलासफी जजों को पढ़ाई जायेगी। मैं जाति भूषणजी से कहना चाहता हूँ कि वह यह देखें कि उस समय जो जज ना हिन्दुस्तान में बकर लगा कर साशल फिलासफी का प्रचार करते थे, हर बार हाई कोर्ट से सोशल फिलासफी की बात करते थे, उनसे पूछा जाये कि अब किस सोशल फिलासफी की बात करेंगे और किस सरकार की करेंगे। कोई और सरकार अगर आती है तो क्या? जूडेशियरी उसी ढंग से बात करेगी।

बाहर के देश में, अमेरिका में इनैक्टेड जजें भी होते हैं। वह कैसे इन्साफ दे सकते हैं, यह उनकी बात है। लेकिन हमारे देश में इन्साफ मिल सके, जिस पर सरकारी, पोलिटिकल और पैमे बालों का दबाव न हो सके। यह होना चाहिए आज ये तीनों दबाव काम कर रहे हैं।

## [चोष्ठरी बदलवारी सिह]

मेरे साथी मुझे यह कहने के लिये प्राप्त कर रहे हैं कि शराब से भी इन्साफ मिलता है। एक शराब की पार्टी कर दी गई, रवीन महफिल बत गई तो रवीन पार्टीयों में छैठ कर इन्साफ मिल गया। तो इस तरह के कुछ मसले हैं जिन पर मात्र भूषण जी एक कमेटी बैठाये उसमें फिर एमीनेन्ट वकील ही न हो बल्कि जो जनता के नुमाइन्दे हैं, उन्‌होंने भी बात करे। जो एमीनेन्ट वकील है उन्हें तो अपना जेव की बात भी करनी होती है। अकबर इलाहाबादी ने एक शेर कढ़ा था—

“गत राष्ट्रों की, दिन ल्लोहर का,  
उमका पेशा है, उमकी पेशी है॥

इम बारे में उन लोगों की भी गय लंबी चाहिए जिनका इससे डायरेक्ट ताल्लुक है, कि किस ३ में लोगों का इन्साफ मिल सके और उसके लिये मिर्क जोंको की सीनियो-रिट्री का ही रुपाल रखा जा या कोई और कार्डरियन मूर्कर बिया जाये। यह बिल व प्रटोट्रॉक्शन की अम्बड़मेट की शब्दल तो नहीं लेसकता है लेकिन इसक जरिय सरकार का ध्यान इस मामले की ग्राह खीचा गया है और नाउम को इस पर चर्चा करने का मौका मिला है। यह जहरा है कि लोगों को जल्दी और सम्भाइन्साफ मिल सके और जज बयेर किसी बदाव के इन्साफ कर सके। कहा जाता है कि कानन सोम वी नांद है, जिधर चाहे मोड़ लो। वकील उसको अपनी-अपनी तरफ मोड़ना चाहते हैं और जज को उसे देखते हाएँ अपना फैसला करना पड़ता है। हिन्दुस्तान में जिस मसले पर मन् 1973 से लेकर आज तक बहुत बड़ी बातचीत हो रही है उसके बारे में बहुत सी दोनों तरफ पर फैसला करना चाहिए। बुनियादी बात यह नहीं है कि मुरीम कोट्ट का चीफ जस्टिस सीनियो-

रिट्री के आधार पर बने या किसी और मैदान से, बेसिक बाइन्ट यह है कि इस देश में आम आदमी को न्याय कैसे ठीक ढंग से मिल सकता है।

भी विवर बनव जैन (सिवनी) सभापति महोदय, माननीय सदस्य जी पी०० के० देव ने इस विधेयक के द्वारा जो भावना व्यक्त की है, वे समझता है कि सभी लोगों ने उसका ममर्यन किया है। मैं यह भी समझता हूँ कि माननीय विधि मंत्री महोदय भी उसका समर्यन करेंगे। लेकिन सिर्फ श्री बनातबाला को छोड़ कर अन्य किसी सदस्य ने यह हिम्मत नहीं दिखाई कि इस विधेयक का स्पृष्ट स्पष्ट से समर्यन करें। मैं इस विधेयक का पूर्णरूप मे समर्यन करने के लिये बड़ा हुआ हूँ।

16.33 hrs.

[SHRI DHIREDRANATH BABU in the Chair]

मुझे याद है 1973 की वह घटना जिसन हमारे ३ न्यायाधीण की सीनियारिटी को नज़रन्दाज कर। विसी आंग को मृत्यु न्यायाधीण बनाया गया था। उम समय काफी बवन्दर मचा था और जनता पार्टी, जो आज बहुमत म है, अधिकाराय लोगों ने उमका विरोध किया था। बार नाउमिल ने उसका विरोध किया था और हमारे यहा की हाईकोर्ट की बार एसोसियेशन और इस्टिक्ट बार एसोसिएशन ने भी उसका विरोध किया था। उमका बहना था कि परम्परा का निर्वाह करें जो सीनियर जज है, उसे चीफ अन्टम बनाया जाना चाहिये था। हम सब ने दुहाई दी परम्परा की। आज भी लोग दुहाई देते हैं कि परम्परा तो बनी रहनी चाहिए, लेकिन कानून नहीं बनना चाहिये। मैं यह कहना चाहता हूँ कि परम्परा तोड़ी जा सकती है, और तोड़ी गई है। इस सदन मे जो आपकासन दिये गय, उम्ह भी कही बार

लोडा गया है। इस सदन में यह आवासन विवाह वा था कि मीसा का दुरुपयोग राजनीतिक बन्दियों दे: खिलाफ नहीं किया जायेगा, लेकिन कितने विस्तृत रूप में मीसा का दुरुपयोग राजनीतिक बन्दियों दे: खिलाफ किया गया।

जब मैं गिरफ्तार हुआ, तो हैवियम कारपस की पैटीशन की थी। मैंने स्वतन्त्रता उस पर बहस की। मैं भी पेंज से बड़ील हूँ। उसके बाद जब मुझीम कोट्ट में बह आई तो मैंने निवेदन किया कि इटर्कीनर के नाते भी मुझको मुन लिया जाय लेकिन वह खारिज कर दी गई। शानि भूषण जी ने उस पर बहस की ओर हम लोग उस समय जेल में थे, हम लोग ममाचार पढ़ते थे वटी अच्छी बहम उन्होंने की, बड़े योग्य तक उन्होंने दिग्गज भागर उम बाद जो फैमला हुआ वह फैसला राजनीतिक रण रख बन किया गया। २ स्टाट कर में यह कहना चाहना है कि यहाँ पर जो फैमला हुआ था वह राजनीतिक फैसला था और वह मिर्टसलिंग हुआ था कि तीन जेज़े की सीनियारिटी को दबा कर उनके बाद २ जेज़ को यहाँ पर मुद्य-न्यायाधिपति बनाया गया था। इस तरह की परम्परा चली जिम लिए मस्कूट म एक बड़ा इलोक है—अहो रूपम आहो छवनि बाली बात हुई। एक गधा था और एक कीवा था। दोनों ने एक दूसरे बो देखा तो सोचा कि कैमें तारीफ की जाय। नो गधे की आवाज मुन कर कीवे ने कहा कि क्या मधुर छवनि है और कीवे के रण को देख कर गधे ने कहा क्या अच्छा तुम्हारा रण है? जब-जब यह विवेक की बात, दिल्लीजन की बात आरी है तब-तब यह आहो हम आहो छवनि का वह श्लोक चरितार्थ होता जाता है। एमजॉसी दे: दौरान यह सब हुआ जिसको शानि भूषणजी ने भुगता है, जिसको हम सब लोगों ने भुगता है। यह बात समाज होनी चाहिए।

मैं इस सरकार के लिए नहीं कहता हूँ। मैं जानता हूँ कि यह निष्पत्ति सरकार है। लेकिन यह सरकार पांच बर्ष रहेगी, वह सर्व रहेगी, पन्द्रह बर्ष रहेगी। आखिर कहीं न कही तो यह सरकार बदलेसी और अगर उसमें गलत व्यक्ति प्रधान मवी और विवि भवी बन जाते हैं तो किर वह आहो रूपम आहो छवनि: की कल्पना ए किर से दोहरायी जायेगी। तो जिसको हम परम्परा में रूप में मान्यता देते थे उसको कानून के रूप में मान्यता देने में हमको क्या एतराज है, यह बात मेरी समझ में नहीं आती।

परम्पराएँ और बतायी जाती हैं कि विवेदों में यह नहीं होता। विवेदों में तो और भी बहुत भी चीजें नहीं हुआ करती जो हम यहा पर करते हैं। विवेदों में गाधी नहीं हुआ जिसकी इम यहा दोहराई दिया करते हैं। हम कहते हैं कि गाधियत फिलास्फी होनी चाहिए तो हम यह नहीं कहते कि चर्चिलियन फिलास्फी होनी चाहिए व्योकि इन्हें ने चर्चिलियन फिलास्फी को न्वीकार किया है। हमारी जो बात है हम उसको अपने डग से रखना चाहते हैं। हमारी जो परम्पराये हैं, प्रजातव की नाकत जिस प्रकार से चलती है उसको यदि हम उस डग से देखना चाहते हैं तो हमें पुराने सबक सीखने चाहिए और यह सबक मिला है हमें यहाँ कि जब-जब नीजे से गलत आदिमियों को उठा कर ऊपर बैठाया गया है तब तक कुछ गलतिया हई है।

यदि इम विवेदक को ध्यानपूर्वक देखा जाय तो यह जब ने एप्लाउट होने का नहीं है, यह चीफ जन्स्टस ने एप्लाउट होने का है। जब बहुत अच्छा होगा। एमजॉसी की जो बात कही गई, उसका उत्तर में यहाँ पर देना चाहता है। आप उसकी प्रतिभा मान कर उसे

## [श्री निर्मल बन्द जैन]

हाई कोर्ट से सुप्रीम कोर्ट में लाते हैं या उसे डायरेक्ट सुप्रीम कोर्ट में जज बना लेते हैं। यहां पर वह जज रहता है। उसकी अपनी प्रतिभा है, उसके अनुसार वह अपने फैसले देता है। लेकिन यहां पर एक चीफ जस्टिस बैठ कर चाहे वह प्रतिभा का धनी हो या प्रतिभा का धनी न हो, दूसरे जजें के समान उसकी प्रतिभा हो, लेकिन सुधार न्यायाविधित का काम कर सकता है और यह करते चले आना चाहिए। बीच में किसी को किसी प्रकार का रिवांड देने की बात समाप्त होनी चाहिए। रिवांड देना समात होता है तब तो स्पष्ट रूप में हम ने जिसको प्रतिभागाली समझा और जिसको सुप्रीम कोर्ट का जज बनाया वह यदि बरिष्ठ वहां पर होता है तो बरिष्ठ जज को सुप्रीम कोर्ट का चीफ जस्टिस बनाने में वह अपने विवेक, संयम, न्याय, प्रतिभा, प्रशासनिक प्रतिभा, मब्र को नियर और कायम रख सकता है।

श्री बनातबाला साहब ने एक बात कही कि सरकार को यह अधिकार नहीं होना चाहिए। मैं इसका विरोध करना चाहता हूँ। विशेष तर्क की बात नहीं है लेकिन यदि सरकार अभी तक करती चली आई, 1973 तक तो शायद न्याय की प्रतिभा पर कोई कलंक नहीं लगा हमा था जबकि सरकार ही नियुक्त करती रही है, कलंक तो उस समय लगा जिस समय एक को छोड़ कर दूसरे को चुनने की जेटा की गई। यह चुनने की प्रया बन्द हो, उम्में लिए, यह विशेषक है और मैं इसका पूर्ण रूप से समर्थन करता हूँ।

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): I have keenly heard the very important speeches which have been made by so many hon. Members of this House

on this Bill on a very important subject. I fully respect and appreciate the sentiments which lie behind this Bill and behind the various speeches which have been made in this House because the position of the Chief Justice of India is a very important one and in a way he can be said to be the pivot of the whole functioning of the judiciary on account of the fact that he plays a very crucial role not only in the working of the Supreme Court but also in the manning of the various High Courts of the country.

As the House knows, in the matter of appointment of judges in the High Courts, not only the Chief Justice of the High Court concerned, not only the Governor of the State which obviously includes the Chief Minister of the State also has to be consulted. But the Chief Justice of India has also to be consulted in those appointments. The Chief Justice of India's advice is a very important piece of advice to which very great importance has to be attached by the Government in all those cases. Therefore, it is evident that the Chief Justice of India plays a very crucial and pivotal role in the functioning of democracy in which judiciary has a very important role to play. But so far as the Bill is concerned, I am sorry to say that it is not possible to accept the terms which are contained in the Bill.

Before I mention the more important objections to the Bill, while appreciating the sentiments behind the Bill, may I invite the attention of the mover himself to the two provisos which he seeks to add to article 124. The first proviso provides as a positive and mandatory requirement:

"Provided further that the senior most Judge of the Supreme Court shall be appointed as the Chief Justice;"

It does not leave any discretion, in any circumstances whatsoever, that anybody who ever happens to be the senior most Judge of the Supreme Court at the time a vacancy occurs has got to be appointed as the Chief Justice. I have not been able to understand what is then the functioning of the second proviso, namely:

"Provided further that no one shall be appointed the Chief Justice who has not served for at least two years as a Judge of the Supreme Court;"

If there had been alternative provisions, I would have been able to appreciate them. On the one hand, it says that the senior most Judge shall be appointed as the Chief Justice at the time a vacancy arises, on the other hand it says that no one shall be appointed the Chief Justice who has not served for at least two years as a Judge of the Supreme Court.

Now, supposing at one time a large number of Judges of the Supreme Court, almost all happen to be of the same date of birth, or all of them retire roundabout in the same year with the result none of those persons who are appointed to take their place has two years standing, in that case, neither the senior most person nor the junior most person will be of two years standing, who is to be appointed as the Chief Justice? Perhaps, there will be a constitutional break-down in that contingency and nobody will be appointed at all. In any case, if the senior most judge has to be appointed in every case, what is the function of the second proviso, namely, why insist on two years service? Obviously, the senior most person would have put in more than two years service. I have not been able to quite appreciate the second proviso. Perhaps, it might have been just a case of over-sight; perhaps, the mover himself was not serious about the second proviso; maybe, he himself entertained doubts about the propriety of the proviso

and he was thinking that at some stage, he would surrender the first proviso; he would accept that the first proviso will not be workable and, therefore, he must have the second proviso, namely, some other limitation must be imposed that anybody who is to be appointed as the Chief Justice must be a Judge of the Supreme Court for two years. I do not know whether he was really thinking that there should be no direct appointment to the office of the Chief Justice from the Bar. Maybe, he wants that there should be no direct appointment from the Bar to the office of the Chief Justice. Of course, under the Constitution, it is permissible. We have had the occasions when a person has been appointed as a Judge of the Supreme Court directly. There has been no case so far of a direct appointment from the Bar to the office of the Chief Justice. I do not know whether the Bar will appreciate that. In any case, I understand the feeling or the spirit behind that proviso.

Now coming to the first proviso itself, namely, treating it as if the second proviso had not been suggested, whether it would be right to adopt it, it is very important that the independence of the judiciary in this country must be maintained at all costs if democracy is to function; we have to an independent judiciary. So far as the present Government is concerned, I submit that its commitment to the independence of the judiciary is total and complete; if it is possible to have more than a total commitment, then it is more than total. So far as independence of the judiciary is concerned, the present Government attaches a great importance to that because we can have a balanced democracy only if we have an independent judiciary.

But then sometimes when we have a bad experience, we are inclined to think of a remedy without comprehending other things. It is human experience that, when we have too much anxiety to find out a remedy in respect of a bad experience that

[Shri Shanti Bhushan]

we have had we do not sometimes comprehend as to whether that remedy itself will not bring in other factors which we have not comprehended at that time because we rely upon past experience and somehow projection about future is not possible

I would like to stress at this stage that Constitution is a document which is supposed to be for a very long time, and it would not be quite correct to merely rely upon a certain instance and then bring forward a remedy without projecting the various other possibilities which can arise in future. Thirty years of experience would not be adequate to think, 'Allright; difficulties of other kinds cannot arise at all'. In fact, even during these 30 years of experience we have had occasions when, if a provision had been there like the first proviso, there would have been a very difficult situation.

There was a case to which reference has been made. Soon after the Constitution was framed, a vacancy had arisen in the office of the Chief Justice. The senior-most judge was a judge who was physically not in good health, who was not in a position to discharge properly the onerous functions of the office of the Chief Justice of India and yet he had not resigned. It was also, perhaps, not possible or feasible or advisable to do anything because, as the House is aware, a judge can cease to be a judge only by the process of impeachment. And so far as the process of impeachment is concerned, only two grounds are mentioned under the Constitution—and very rightly. So far as judges are concerned, the termination of the office of a judge is possible only on very very limited grounds which are provided in the Constitution, namely, proved misbehaviour or incapacity. Otherwise, the independence of the judiciary would come under an onslaught—if it was made wider, and so on. So far as incapacity is concerned, what happens if a persons is in a bad health and he has himself

not resigned? Well, he can sometimes, off and on, come to the court and so on. But then so far as the functions of the Chief Justice are concerned, as I have said, they are so crucial that it is necessary that a person should be in a fit state of health. One difficulty which can be easily envisaged is this. What will happen if this absolutely mandatory provision is added that only the senior-most person must, on every occasion, be appointed as the Chief Justice of India? What will happen if one or two senior-most judges were in the same kind of health—as I have mentioned—at some future point of time? Would those persons who are not in a position to function properly at all have to be appointed as Chief Justice of India in such a large country, in such a big country, where there are so many problems and so on? That is a matter which requires a very deep consideration of the hon. Members of this House.

Then another point, which it does not take into account, is this. I know from my old experience that such occasions have arisen in the High Court that a Chief Justice was retiring whose date of birth was, say, 17th May, and the senior-most judge's date of birth was 18th May. On 17th May the Chief Justice was retiring and the question was whether the senior-most judge who was going to retire the very next day, should be appointed as the Chief Justice—give him the 'welcome' in the morning and the 'farewell' in the evening on the same day! There were such rare occasions within an interval of one or two or three days. Should the office of the Chief Justice be brought to such a pause that a rigid mathematical formula has to be introduced in the constitution? It is said that able and eminent persons get born because of the conflagration of the stars, etc. The conflagration of stars is such that very eminent judicial people must be born during that period. Therefore, there will be large number of eminent people who get born within an interval of two days or three days.

The senior most judge is born on a particular day, the next judge two days after, the third judge three days after and so on. Would the office of the Chief Justice to be changing with every such frequency in every two days or three days?

I am very happy to say that we can very well be proud of the judicial system of this country and the judiciary of this country. So far as independence is concerned they are not behind any judiciary anywhere else in the world. But the point is this. After all judges are also human. In a distant point of time, a situation may arise when there may be a senior most judge. There may be a vacancy arising at that time. The country as a whole may be of the view that he may not be the desirable person to occupy the post of Chief Justice. Would our Constitution to be such that even when there may be a general consensus throughout the country that he is not desirable, he should be appointed? There is no politics involved. There is a general consensus in the country that he is not a fit person or a desirable person to occupy such a glorified office as the Chief Justice of India. He cannot bring any lustre to the office. Should the constitution compel us saying that he should be appointed to that high office?

Therefore, if the independence of the judiciary of this country is the very important objective to be achieved in every sphere that can be thought of, it is necessary that there should be safeguards that this prerogative,—in whomsoever it is vested of making appointment to the Chief Justiceship,—cannot possibly be abused or misused, cannot be used for any extraneous considerations, and only the best possible person must be chosen for the office of the Chief Justice of India. The Supreme Court has an important and a vital role to play. It has to see in which direction the law develops, how legal principles are evolved, so that justice can be done to the

people and it must be manned by the best available talent in the country.

And, therefore, in the matter of appointment of the judge in the Supreme Court, it has never been advocated by anybody; nor anybody has ever applied the principle of seniority to the matter of appointment of a judge of the Supreme Court.

But, so far as the Chief Justice is concerned, I quite agree that, normally, a person who, by virtue of his ability, his independence, his brilliance and so on, has been chosen to be a judge of the Supreme Court. It would be a very rare case that he would not be suitable for being a Chief Justice of India also. And that is why we find that except in case when the seniormost judge did not possess sound health—upto 1973—this principle had been applied in the matter of selecting the Chief Justice because most of the functions of the Chief Justice are also the same which are the functions of the Puisne judge, an ordinary judge of the Supreme Court or the High Court. It is true that, so far as the administrative matters are concerned, they are the special prerogatives of the Chief Justice unlike the other judges. Well, on that ground, the Law Commission had said that in the matter of appointment of Chief Justice also, since the administrative principles are important and relevant, seniority alone will not do. They had therefore advocated that there should be some convention, some principles that may be laid down. These are the matters which are posed; they are very difficult ones. On the one hand it is said that a fit and appropriate person must be the Chief Justice and on the other hand it is also said that there shall be no politics; there shall be no favouritism and that the matter shall be decided objectively. Therefore, there should be safeguards. These considerations are certainly important and they can be thought of. Objectivity in the matter can be ensured. That of course is one thing. Something has happened in 1973. Even though

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in the matter of appointment of Chief Justice of India, there are no constitutional requirements of consultations etc. in the case of appointment of a judge, for instance, in the appointment of a judge in the Supreme Court, the Chief Justice of India has to be consulted; the Government cannot make an appointment without consulting the Chief Justice of India.

**श्री सुरेन्द्र बिक्रम (शाहजहांपुर) :** सभापति महाविद्य, अमीर हम लोगों को पता चला है कि नागपुर के पास एक रेलगाड़ी का एक्सट्रीमेट हो गया है और 6 डिक्ट्री पटरी से उतर गए हैं। इस दृन में 9 मंसूद-मदम्य भी ड्रेल कर रहे थे। हम उन सदस्यों और जनता जो सफर कर रही थीं, उसकी सेपटी के बारे में जानना चाहते हैं।

**THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VERMA):** We have no information on this. We shall enquire and find out. If we receive any information, the House will be informed of what we learn.

**SHRI SURENDRA BIKRAM:** A Minister from M.P. was also traveling in that train.

**MR. CHAIRMAN:** You will please carry on.

**SHRI SHANTI BHUSHAN:** What I was saying was that so far as appointment of judges of the high courts is concerned, because some reference was made in regard to that also, the constitutional requirements appear to be fairly adequate, namely, that the Chief Justice of the High Court has to be consulted; even the Governor has to be consulted; then the Chief Justice of India has also to be consulted so that the process of selecting them obviously cannot be regarded as an ideal formality. In a recent judgment of the Supreme Court, it has been indicated therein

that the principle has to be laid down that the authority has to be consulted. Its view is not completely binding on the authority. They have also said that the requirement of consultation means that if the authority wants to differ, then it has got to be on very adequate grounds, objective grounds. It can be said that his opinion could be disregarded so that if that is the concept of consultation, as has been explained, then, in that case, the fact that not only the Chief Justice of the High Court; but the Chief Justice of India is also required to be consulted in the matter of appointment of the judges of the High Court and the Chief Justice of the High Court, and, in that case, it is not possible for any Government to misuse that power and to make the appointment on political grounds or on extraneous grounds and so on.

So far as the appointment of judges of the Supreme Court is concerned again, such judges of the Supreme Court or the High Court can be consulted as the Government considers appropriate namely the President considers appropriate.

But the Chief Justice of India has got to be consulted now. It was said—I think it was said by Shri Mavalankar—by an hon. Member and he gave expression to something namely there was in the recent times, in the Supreme Court some consternation. I had an occasion to refer to the fact on an earlier occasion also in this House. I am very happy to say that yesterday, this matter came up in the other House. Rajya Sabha and one hon. Member there belonging to the Opposition, in his speech, congratulated me for the appointment of that judge, Justice Desai. He said that he was one of the brilliant man who had been appointed. He said that he would like to congratulate the Law Minister for that appointment. Sir, I said that if he were to congratulate, he should congratulate the Supreme Court for this selection. Here also I am very happy that Mr. Mavalankar and Shri Somnath Chatterjee have also expressed the same view that a

very able and eminent judge has been selected in the Supreme Court.

17 hrs.

But, Sir, Mr. Mavalankar said that perhaps even in selecting the best people more caution has to be exercised so that public misgivings might not arise. Sir, although Article 124 permits the President not only to consult the Chief Justice of India but also to consult other judges on prior occasions no other judge had been consulted. Only the Chief Justice of India was consulted. In recent years a feeling had been growing that not only the Chief Justice but senior judges should be involved in the process so that the selection can be more objective. Sir, for the first time this process was applied. The process of consultation was widened. It was not confined to the Chief Justice but was extended to two senior judges also. For the first time the process of consultation was extended and I am very happy that a unanimous recommendation of the three judges including the Chief Justice was received and on the basis of that those appointments had been made. What further safeguard is possible.

I am very happy to say that both these appointments have been received very well in the country. I had an occasion earlier also to say as to why is it if some protest is received it comes from one State only. This matter requires to be looked into. If somebody is interested in organising some kind of protest and gets hold of one or two convenient facts a protest can be organised. The protest was organised but it remained confined to a particular State.

Then a reference was made earlier about the Supreme Court resolution and the law officers of the Union, namely, the Attorney General, Solicitor General and the Additional Solicitor General. Mr. P. K. Deo made reference to that. In the Supreme Court the appointments had been notified several days back. On a parti-

cular day when the two judges were supposed to take the oath at 1030 hours—because the Supreme Court starts work at 1030 hours—obviously when the Supreme Court starts work at 1030 hours the members of the Bar come at 10.30 or a little before. Only a very few people come long before 1030 hours. The Supreme Court lawyers are very busy people and they start coming between 1015 and 1030 and many of them who do not have work in the beginning come much later. If there had been prior notice that there would be a meeting of the Supreme Court Bar Association. I can understand; on this very important matter members of the bar association would have taken care to come earlier. If a notice is put up on the notice board earlier, one would have understood. But there was no move at all. The move developed the same morning. Few people got that idea and they put the notice on the notice board only that very morning, just before 10 O'clock and held the meeting at 10 O'clock. The few who did this met at 10 O'clock and passed a resolution which had already been cyclostyled before hand. As and when other members of the bar started coming at 10.15 or 10.20, they were handed over a copy of the resolution said to have been passed by a few persons who met together at 10.00 a.m. half an hour before the Supreme Court started work. What is the value to be attached to a resolution of this kind? I should like to leave it to the hon. Members themselves to judge. The law officers like the Attorney-General, Solicitor General, Additional Solicitor General, as they arrived were handed over a copy of the resolution by somebody and told: here is a resolution which had been adopted by the Supreme Court bar association, what can they do? Straightaway at 10.30 a.m. the swearing in ceremony is held. They happened to be members of that association. They were put in a very difficult situation. I can assure the hon. Members of the House that there was no intention on the part of the law officers to protest; in their view there was nothing wrong in the

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appointment. They were put in this difficult situation, that as they arrived in the court they were handed over a copy of the resolution and were told: you are a member of the Supreme Court bar association and therefore this resolution is binding on you. There was no time for them to find out facts and therefore at 10.30 they could not go to attend the ceremony. I should like to assure the Members of the House that there was no intention on their part to protest; there was no dissatisfaction in their mind about the selection of the two judges. You listened to various Members giving their experience of the working of the two judges; there is complete satisfaction, I am very happy to say, about their selection, now that facts are coming to light. It was in those circumstances subsequently a larger number of members of the bar gave a requisition for annulling that resolution. That took place, the matter was discussed in the meeting for two hours and thereafter the meeting was adjourned; that meeting did not complete nor could it conclusively discuss this matter. These were the circumstances in which the appointments were made.

One of the reasons given by Shri P. K. Deo for adopting seniority was that seniority, like maternity, was certain and merit was like paternity and there was uncertainty; it was wholly uncertain. So far as this country is concerned, we have traditions where paternity is also very much certain. Now about this Bill, I do not know whether the hon. Member regards himself as the mother of this Bill or as the father of this Bill because there is no uncertainty so far as whoever is the person responsible for this Bill. Shri P. K. Deo is responsible for this Bill. Of course if there is uncertainty about that, it is a different matter....(Interruptions) I am happy about this information and I request him to give it to the House.

STATEMENT re. REPORTED ACCIDENT TO G.T. EXPRESS

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (Shri Ravindra Varma): We made some enquiries from the Railway Ministry and our information at the moment is that the G.T. Express which left New Delhi yesterday evening met with an accident near Narkhed, about 90 km. from Nagpur, in the Amla-Nagpur section of the Nagpur division. Seven bogies are reported to have derailed. Eight M.P.s. were travelling in the train; none of them has been injured. Six other passengers received minor injuries. No death has been reported. This is the information we have at the moment.

CONSTITUTION (AMENDMENT) BILL (AMENDMENT OF ARTICLE 124) BY SHRI P. K. DEO—contd.

SHRI SHANTI BHUSHAN: Shri Somnath Chatterjee said something about the administration of justice. In fact, somebody pointed out that it was not relevant to the Bill. But I consider it very relevant. We are indulging in this exercise about the crucial appointment of the Chief Justice because the administration of justice is so important for a democratic country. If the system of justice does not play its proper role, whatever may be the reason and if people do not get justice, all this exercise as to how the Chief Justice should or should not be appointed becomes futile. It is said, the rule of law is the very foundation of democracy. Therefore, whenever the right of a person to approach a court for the enforcement of his rights is suspended, democracy is in peril, as we saw recently. This is quite true, but is the rule of law ensured merely by restoring the theoretical right of a person to approach a court of law to vindicate his legal rights? I would like hon. members to devote some thought, to this. Merely recognising or restoring the theoretical right of

a person to approach a court to vindicate his legal rights is not enough. It must be ensured that the system of justice would give him justice within a reasonable time and at a reasonable cost.

SHRI SAMAR GUHA (Contd.): The time allotted for this Bill is 2 hours. More than 2 hours have been spent on it. I want at least five minutes to move my Bill.

SHRI K. LAKKAPPA (Tumkur): After that, I want 5 minutes for moving my Bill.

SHRI SHANTI BHUSHAN: I shall conclude in a couple of minutes. It is said that justice delayed is justice denied. Also, justice hurried is justice buried. We want that thought should be devoted to this problem so that the whole system of justice can be made to work in a manner without sacrificing the essentials of justice and yet it should be ensured that people are able to get justice not only within a reasonable time but also those who may not have the financial capacity to obtain justice are also enabled to get justice. This will be the primary concerned of this government.

Mr. Banatwalla said that the government should not have any say in making judicial appointments. After all, why are powers given to the government in a democratic country? It is true that there must be safeguards against abuse or misuse of those powers by the government. But the government is responsible to the House and through the House it is responsible to the people. The people are entitled to supervise the functioning of the government and the exercise of the powers by the government. That is the essence of democracy. The safeguard against abuse of powers is a vigilant House. If there is a vigilant House and a vigilant public opinion, no government can get away with the misuse of power. We saw how in 1973 the whole coun-

try stood as one man in protest against the supersession of the judges.

Nobody had criticized it when there was a supersession i.e. when the senior-most Judge was in failing health.

SHRI K. LAKKAPPA: The same thing happened in Gujarat.

SHRI SHANTI BHUSHAN: The same thing did not happen. The hon. Member is not correct.

SHRI SAMAR GUHA: The time for the consideration of this bill has not been extended. This is going on without the sanction of the House.

SHRI SHANTI BHUSHAN: I have only to submit that the Government has decided that the whole question—it is a very difficult and delicate question—should be referred to the Law Commission for studying whether some method can be devised and something evolved which will serve the purpose which is the sentiment behind the introduction of this Bill. Government fully recognizes that if possible, there should be a method which ensures that things are done in such a manner that no public criticism arises in the matter of appointment of the Chief Justice of India, even of the Judges. I am happy to say that a reference will be made to the Law Commission for studying the matter in depth, so as to see whether the existing provisions can be further improved upon for the purpose of achieving the objectives which are behind this Bill. I am grateful to you Sir, for giving me all this time.

SHRI SAMAR GUHA: I have to make a submission. In the Agenda Paper, it has been written categorically that at 5.30 p.m., the half-an-hour discussion will be taken up. I want your clear direction—Mr. Deo will no doubt get some time for reply—and I want an assurance that before I start speaking on my bill, the discussion on the half-hour-discussion will not be taken up. The reason is that to-day is the second day my bill is here. If I do not get even one minute to day

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this bill will lapse, which I don't want; I think you should also not want it. For that reason, at least few minutes should be given to me; and then the half-an-hour discussion can be taken up.

**MR. CHAIRMAN:** There is one amendment.

**AN HON. MEMBER:** There is no amendment.

**SHRI P. K. DEO:** Mr. Chairman, Sir: I am extremely grateful to all the colleagues who have participated in this debate—and particularly to the Law Minister. This bill has stimulated a good deal of interest; and some new light has been thrown on the subject.

Sir, 'Once bitten twice shy' is the proverb. The experience of 1973 has compelled me to bring in a Constitution (Amendment) Bill. Though I know very well how difficult it is for a private Member, especially an Independent Member, to get his bill passed, I have still made an effort to focus the attention of the nation to this important aspect and to make the House give its thought to this matter; and to bury for all times any controversy that might arise in regard to the appointment of a personality like the Chief Justice of the Supreme Court. I wanted to have a statutory guideline, so that the matter will not be left to the discretion of the President, or of the President acting on the advice of the Council of Ministers.

The Law Minister expressed his doubts regarding the two provisos that have been mentioned in this Bill. Every country has its own conventions. In the United Kingdom, generally the Attorney-General is first offered the Chief Justiceship of the Supreme Court there. So, I wanted to bring a legislation which will be in consonance with our accepted practice.

In the Third Lok Sabha, when Justice Imam was the senior-most puisne

judge at that time, who should have succeeded as the Chief Justice, Dr. Singhvi and I invoked sub-clauses (4) and (5) of article 124 and started collecting signatures from Members of Parliament so that we can address the President, because Justice Imam had a stroke and he had lost the power of both hearing and speaking. So, taking into consideration the practice that has been followed so far, in 1973 we had to think of this step, which created a great hullabaloo in the country.

In order to put an end to this controversy, I brought this Bill. My purpose has been served, because the Law Minister in his reply has stated that they are going to refer this matter to the Law Commission again and that they are going to have second thoughts on this.

I also know very well that a Constitution Amendment Bill cannot be passed very easily. Even the present Government, in spite of their best efforts, have not been able to repeal the Constitution (Fortysecond) Amendment Bill, because there are so many constitutional safeguards against the amendment of the Constitution. Such a Bill should get the support of more than half the total members, at least 273 in our case, and two-thirds of the members present and voting. At the fag end of Friday, when we ring the bell even for quorum, it would be a futile exercise on my part to seek an amendment of the Constitution. Therefore, since my purpose has been served, I want to take the leave of the House to withdraw my Bill. So, I seek leave of the House to withdraw my Bill further to amend the Constitution of India.

**MR. CHAIRMAN:** The question is

"That leave be granted to withdraw the Bill further to amend the Constitution of India".

*The motion was adopted.*

**SHRI P. K. DEO:** I withdraw the Bill.

17.24 hrs.

NATIONAL HOLIDAY ON NETAJI  
SUBHAS CHANDRA BOSE'S  
BIRTHDAY BILL

by Shri Samar Guha

SHRI SAMAR GUHA (Contd): Sir, I beg to move:

"That the Bill to provide for observing the birthday of Netaji Subhas Chandra Bose as national holiday be taken into consideration."

SHRI K. LAKKAPPA (Tumkur): Sir, I want to make one submission. My Bill is pending for a long time. Therefore, before the half an hour discussion is taken up, I may be allowed to move my Bill so that it will be included in the agenda next time.

SHRI P. K. DEO (Kalahandi): That is not possible, because Shri Guha's Bill cannot be disposed of in two minutes.

SHRI SAMAR GUHA: Sir, I would have been only too willing to give some time to my friend, Shri Lakkappa for moving his Bill, but I am sorry the time allotted for my Bill is only two hours and I have only seven minutes at my disposal today. I cannot finish my speech today. I will take one hour myself to introduce the Bill.

It has been accepted by the people of our country, by all the impartial historians of our country, even outside also by many historians who are reading the history of the freedom struggle of India, British, American, German, Japanese and many others, it has been admitted by most of them, and almost generally by the historians of our country, that Netaji Subhas Chandra Bose should be recognised as the greatest hero of our freedom struggle. He has made an epoch in the history which would be written in golden letters. He has given inspiring inspiration and new idealism, not only to our generation, not only to the future generations of our country, but

to the future generations of many countries which have aspired to have some kind of revolutionary idealism to spread in their country for a right cause. But I want to draw your attention to the fact that there is only one birthday observed as a holiday officially, and that is the birthday of the Father of the Nation, Mahatma Gandhi. Therefore, I do not want to create an impression in the House that I want Netaji's birthday to be declared a national holiday because I want to introduce here worship or some kind of political idolatry. That is not my objective.

This Bill which I have brought appears to be simple, just wanting to declare 23rd January, the birthday of the greatest hero of our freedom struggle, as a national holiday. That is not my objective. I have to justify historically, philosophically and even politically why Netaji's birthday should be declared a national holiday. Therefore, I hope the House will bear with me on the next occasion when I will have to labour much and put forth many convincing arguments in favour or in support of my Bill.

Netaji's birthday is observed as an official holiday in West Bengal. If I am asked, I would say that the Government of West Bengal, instead of honouring Netaji, has really dishonoured him by this because they have not really appreciated the greatness and the magnitude of the greatness of Netaji. They have not been able to evaluate the importance of the personality of Netaji. Otherwise, they would not have tried to create an impression that Netaji is only a hero of Bengal and therefore the Bengalis should observe his birthday as an official holiday.

Netaji was by birth an Oriya. He was a Bengali, no doubt, but more than that he was an Indian whose whole being was consumed by, and who completely merged himself in, the concept of Indianism. I do not know who else can claim to be a true Indian. It may not be known to you that when

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he was the Supreme Commander of the INA, the head of the Provisional Government of Free India, there was not a single Bengali in his personal or household staff. Every one of them naturally came from the other parts of the country because he did not divide one part from the other. India as a whole was his motherland. He never used the word "India" to mean a country; whenever he mentioned India he referred to it as motherland, *janani, janmabhumi*. Therefore, to him, India was a concept, much more than a geographical entity. It was something else to him. Whoever came from any part of the country was his brother, as any brother from Orissa or Bengal.

I particularly mention that the Bengal Government has done a wrong and an injustice by declaring 23rd January as an official holiday. They should have made a demand; they should have waited; they should have struggled; they should have made a demand; they should have tried to influence the Government of India that until and unless the Government of India declared 23rd January as a national holiday, no State, what to speak of Bengal, can separately declare 23rd January as an official holiday.

The question will naturally arise why only the birthday of Netaji Subash Chandra Bose should be observed as a national holiday. During the freedom struggle of our country, there had been many great men. India had produced many great leaders who had made immense contribution to the freedom struggle of our country. Why not the birthdays of all great men should be observed as national holidays? This is a very pertinent question, a very reasonable question. Besides a national holiday that is being observed on the birthday of the Father of the Nation, why I want that the birthday of Netaji should be observed as a national holiday. I have to justify it, as I used the word, I use

it again, historically, philosophic and politically too.

With this poser, why the birth of Netaji should be observed as a national holiday, I will plead to you, Sir, next time that at least I have to take enough time to justify the reason for my pleading that birthday of our greatest hero of freedom struggle should be observed as a national holiday.

With these introductory remarks just postpone my speech to the next day.

MR. CHAIRMAN: You may continue your speech on the next day.

17.33 hrs.

#### BUSINESS ADVISORY COMMITTEE

##### NINTH REPORT

SHRI SAMAR GUHA (Contd): I to present the Ninth Report of Business Advisory Committee.

THE MINISTER OF STATE IN MINISTRY OF LABOUR AND PLELIAMENTARY AFFAIRS (DR. R KIRPAL SINHA): Mr. Chairman, about the Report which has been submitted, I have to make a submiss

As agreed to in the Committee, discussion on the recent cyclone hit the Southern parts of the country and relief measures will be taken between 5 P.M. and 7 P.M. on Tuesday, the 6th December, 1977. Consequently, the discussion on the Fars Agreement which was proposed to put down for that day will now be taken up on the 15th December. I hope, the House will agree with consequential re-adjustment of business.

17.35 hrs.

#### HALF-AN-HOUR DISCUSSION

##### DEVELOPMENT OF FORESTS

MR. CHAIRMAN: We now take the Half-An-Hour Discussion. I Yuvraj.

SHRI K. LAKKAPPA (Tumkur): Sir, I beg to move for leave to introduce a Bill.....

MR. CHAIRMAN: You cannot move now.

SHRI K. LAKKAPPA: I am only introducing the Bill....

MR. CHAIRMAN: Now we have the Half-an Hour Discussion. Mr. Yuvraj.

SHRI K. LAKKAPPA: I am only introducing the Bill. The discussion of that may be taken up later.

MR. CHAIRMAN: As per rules, you cannot.

SHRI K. LAKKAPPA: Under what rule, Sir?

MR. CHAIRMAN: Two things cannot be taken up together. You are a senior parliamentarian.

SHRI K. LAKKAPPA: That is why, Sir, I am asking for the rule. There are no rules to say that I should not introduce this now. My Bill has been pending for a long time.

MR. CHAIRMAN: Please sit down. I have called Mr. Yuvraj.

SHRI K. LAKKAPPA: You have not told me, Sir, under what rule I cannot introduce.

MR. CHAIRMAN: Please sit down. You are a senior parliamentarian. Two things cannot be taken up together. Mr. Yuvraj.

बी युवराज (कटिहार) : सभापति महोदय, आधे घंटे की चर्चा के लिए जो समय निर्धारित है उसका सम्बन्ध बन के स्टाफ थे है। 14 नवम्बर, 1977 को जो तारांकित प्रश्न पूछा गया था उस सिलसिले में जो उत्तर सरकार ने दिया था वह बहुत ही अस्पष्ट, भ्रामक और तथ्यों से परे था, इसलिए जहरत पड़ी कि दोबारा मैं उस तिलसिले में चर्चा करूँ।

आप देखें कि 16 अगस्त, को भारत सरकार के विज्ञान एवं प्रौद्योगिकी सचिव ने एक सेमिनार बुलाया था। उस सेमिनार में उन्हें ने बतलाया था कि जो बन के उत्पादन या फारेस्टी के लिए दस करोड़ रुपये का आवंटन किया गया था उस में बेकार भूमि, बैरेन लैण्ड या ग्राम पंचायतों की जमीन के लिए भारत सरकार ने पांच करोड़ रुपए रखा था और जो बन उआइ गया था, दोबारा उस बन को बनाने के लिए, दोबारा कहा बुलारोपण करने के लिए पांच करोड़ रुपये रखा था। इस तरह कुल दस करोड़ रुपए का उपबन्ध किया गया था और यह बतलाया गया था कि इससे स्थानीय लोगों को यानी जो ग्रामीण लोग वहां बसते हैं या जो स्किल्ड हैं, कार्यकुशल हैं उनको दोजारा मिलेगा। लेकिन आप देखें कि आज शनै-शनै बन की बृद्धि होने के बजाय उसका बड़ा नुकसान हो रहा है। बन उत्पादन या बन का विकास भारत की अर्थ-व्यवस्था में बहुत बड़ा योगदान रखता है। उद्योग के काम में, प्रति रक्षा के काम में, संचार और रेल के काम में इसका उपयोग होता है। यह दुख की बात है कि हम कागज, पेपर बोर्ड या न्यूजप्रिट आदि करोड़ों रुपए का आज आयात करते हैं। तीम वर्षों के बाद भी हम सक्षम नहीं हो पाये कि जो हमारी आवश्यकता है उसे प्रपने यहां बना सकें। जैसे कागज के बिना हम काम नहीं चला सकते, वह कागज महीने में करोड़ों रुपए का हमें बाहर से मंगाना पड़ता है।

मैं आपका ध्यान इस प्रोर आकृष्ट करना चाहूंगा कि किस तरह से बेकार भूमि और पंचायत की भूमि में जो बन लगाने की योजना है उसमें दिन व दिन विरावट आई है। बन के बिना किस तरह में वर्षा नहीं हो सकती है, बन नियंत्रण के अभाव में बाढ़ नियंत्रण का काम नहीं

## [श्री युवराज]

हो सकता है, बन के अभाव में जो हमारती लकड़ी प्राप्त होती थी वह प्राप्त नहीं हो पा रही है, अधिगिक लकड़ी जो प्राप्त होती थी उसका भी अभाव है, इस प्रकार से बन के अभाव में इस देश की अव्यवस्था पर प्रहार हमा है जो कि हमारी अव्यवस्था का थीतक है।

मैं आपका ध्यान इस और भी आकृष्ट काना चाहता हूँ कि यहां पर जो एस्टीमेट्स कमेटी की 65वीं रिपोर्ट प्रस्तुत की गई उसमें सरकार के निकम्मेपन की चर्चा की गई थी। उस रिपोर्ट में यह कहा गया:

The Committee are greatly concerned that no concrete steps have been taken so far. The very first step suggested in the First Five-Year Plan document (that an immediate reconnaissance survey of wasteland be made so as to know how much wasteland would be available in any State and what proportion of wasteland would be suitable for raising plantation) has not been included in the Fifth Five-Year Plan.

यानी करीब-करीब 15-16 वर्षों से कोई काम नहीं हुआ। हमारे देश में कितनी ही जमीन बेस्टलैण्ड है जहां पर हम बन लगा सकते हैं। वहां पर छोटे बड़े जंगल लगाने का काम किया जा सकता है। हमारे पास उसकी कोई फ़ीरां तक उपलब्ध नहीं थी। दोबारा किरण प्रयास किया गया और आप देखेंगे कि सबसे पहला जो बन का कानून था वह 1927 में बना था। तूसी दफा 1952 में बन के लिए एक पालिसी बनाई गई। इस तरह से आप देखें कि इस काम में कितनी शिथिलता थी। बन

के बिना आज हमारे जो उद्देश हैं वे जोपट हो रहे हैं। बन के बिना हमारी आर्थिक व्यवस्था दिन प्रति दिन गिरती जा रही है। हमारती लकड़ी, ईंधन की लकड़ी, इस प्रकार की तमाम चीजें हम वहां से प्राप्त करते हैं। आजकल रेलवे एक्सीडेन्ट्स की बड़ी चर्चा हो रही है लेकिन आपको पता हीगा इस देश में रेलवे लाइनों के लिए जो स्लीपर्स की व्यवस्था करनी पड़ती है, रेलवे लाइन के नीचे जो लकड़ी ढाली जाती है उसके लिए भी इतनी लकड़ी नहीं है कि सरकार स्लीपर्स की व्यवस्था कर सके। इसका मतलब यह है कि वनों का दिन प्रति दिन हास होता जा रहा है। वनों में दिन प्रति दिन गिरावट आती जा रही है।

इस सम्बन्ध में मेरे पास जो कुछ फ़ीरां हैं उनकी ओर भी मैं आपका ध्यान आकृष्ट करना चाहूँगा। इस देश में वनों का टोटल एरिया 746 लाख हेक्टेयर है जो कि कुल जेव का 22.7 प्रतिशत है। हमारी योजना थी कि हम 33.3 प्रतिशत हिस्से में वनों का विस्तार करेंगे लेकिन वह नहीं हो सका। वनों के नाम पर करोड़ों रुपए खर्च किए गए। वनों के लगाने के नाम पर, पौधे लगाने के नाम पर, लकड़ी के उत्पादन के नाम पर और वनों की रक्खा करने के नाम पर नीकरजाही में करीड़ों रुपए बर्बाद किए लेकिन परिणाम कुछ नहीं निकला।

दनों के आस पास आदिवासी लोग रहते हैं, बनवासी लोग रहते हैं लेकिन आप देखें कि विहार के हजारीबाग जिले में क्या होता है और मध्य प्रदेश के जंगलों के पास की बसियों में क्या होता है? गिरिह में बेचारे आदिवासियों की मौरुड़ी पैदिक जमीन है, उनकी एन्सेस्ट्रल प्राप्ती

है जिनके पास 1954 का रिकार्ड है, जब जलीवारी उम्मूलन हुआ उनका जिनके पास रिकार्ड है, रसीद और पर्चे हैं वहां पर वन विभाग के अधिकारी पांच हजार ले अधिक मुकदमें छोटे-छोटे किसानों पर चला रहे हैं। आज वहां पर पांच हजार मुकदमें संबंधित हैं। इस प्रकार से छोटे किसानों को परेशान किया जाता है। वे कोटं में जाते हैं तो उनके केस कम्पाउन्ड करा दिए जाते हैं। उन से रुपया लिया जाता है, उनकी मौरूसी जमीन से उनको बंचित किया जाता है। आज "बन सीमा" के नाम पर जो शोषण होता है—विहार के आदिवासी लोगों में, मध्य प्रदेश में, उस के कारण छोटे-छोटे किसान तबाह हो रहे हैं। इसलिये मैं हृषि मंत्री जी से कहना चाहता हूँ कि आज जो असंतोष फैला हुआ है, वह किन लोगों में है? उन लोगों में है जो मध्ये बीकर संवैधान है, जो आज की सुविधाओं से बंचित है, जो आज की टैक्नोलॉजी की सुविधा से बंचित है, जो वैज्ञानिक सुविधा से बंचित है, जो आज की सम्यता से दूर है, जो भूखे रहते हैं, जो खेती पर काम करते हैं और जो केवल ढढ़ या दो रुपये रोज़ की मजदूरी पर काम करते हैं—ये बेरोजगार आदिवासी आज बहुत परेशान हैं और आपके वन के अधिकारी उनको तबाह और परेशान करते हैं। आप इसकी जांच करवाइये कि गिरिहीं, हजारी-बाग, संयाल परगना—तमाम दक्षिणी विहार में वहां के स्थानीय किसानों को—छोटे-छोटे किसानों को—किस तरह से तंग और तबाह किया जा रहा है। ये हजारों मुकदमे जो पैंडिंग हैं, उनको आप वापस ले और उन किसानों की मौरूसी जायदाद और धैतिक सम्पत्ति पर जो कब्जा कर लिया गया है, उसको उन्हें वापस दिलाया जाये। आज जनता पार्टी के नाम पर यह कलंक है—उन लोगों को जनता पार्टी की सरकार से बड़ी अपेक्षायें थीं—वह अपेक्षा आज धूमिल मढ़ रही है।

हमारे देश में 746 लाख एकड़ में वन है, 22.7 परसेंट एसिये में जंगल वना हुआ है और वाकी विवर-बैली के नाम पर, जो हमारे रिस्यूजी भाइ आये उनको बसाने के नाम पर, नये-नये शहरों के बसाने के नाम पर, बनों को उजाड़ा भया। हमारे यहां इतना विजाल वन था, लेकिन उसको काट कर शहरों को बढ़ाया गया। तब मैं आपसे पूछना चाहता हूँ कि आपने बनों के नाम पर कितना खर्च किया? आज बनों के बिना वर्षा नहीं हो सकती, बनों के अभाव में बाढ़ को नहीं रोका जा सकता, बनों के अभाव में उद्योगों का विस्तार नहीं हो सकता, बनों के अभाव में प्रतिरक्षा का काम नहीं हो सकता, बनों के अभाव में संचार का काम नहीं हो सकता और बनों के अभाव में हमारी इण्डस्ट्रीज खड़ी नहीं हो सकती, लेकिन इस पर आपने कितना खर्च किया? पहले प्लान में 9.6 करोड़ रुपया, जो टोटल पब्लिक सेक्टर पर जितना खर्च हुआ—उसका 0.49 परसेंट। बाये प्लान में आपने 92.5 करोड़ रुपया खर्च किया जो टोटल पब्लिक सेक्टर आउट-से का 0.58 परसेंट था।

अब इस चीज़ को देखिये कि हमको बनों से आमदानी कितनी होती है, बनों से कागजी आमदानी कितनी होती है? 1972-73 में स्टेट फारेस्ट डिपार्टमेंट से रायल्टी के रूप में 111.58 करोड़ रुपये प्राप्त हुए थे और माइनर-फारेस्ट से प्राप्त हुए थे—50.19 करोड़ रुपये। हम इमोर्ट कितना करते हैं? 1965-66 में जहां वेपर और वेपर बोर्ड के लिए हम 13.48 करोड़ का इमोर्ट करते थे—1974-75 में 58.85 करोड़ रुपये का इमोर्ट किया। उसी तरह से न्यूज़ीलैंड जहां 1965-66 में 6.18 करोड़ का किया था वहां आज 44.99 करोड़ का

## [स्थी बुद्धराज]

करते हैं। इनसे हमारी आवादनी भी बटती आमी नहीं है। बनों का विस्तार कितना हुआ है इसके आंकडे भी मैं आपको बता देना चाहता हूँ। इनके विभाग का यह आकड़ा है, इंदिया 1975 का है। स्लासिफिकेशन आफ टोटल फारेस्ट एरिया 1960-61 में 6 लाख 98 हजार 556 स्क्वेयर किलोमीटर या जो कि 1972-73 में घट कर 4 लाख 49 हजार 389 स्क्वेयर किलोमीटर रह गया। यह बन सम्पदा का हाल है।

देश की इकोनोमी का सब से बड़ा आधार कृषि है, इंडस्ट्री है। दोनों का सम्बन्ध बनों से है। बनों का विस्तार, उनका इम्प्रॉवमेंट करने के बाजाय दिन प्रति दिन इसमें गिरावट आई है।

बनों के जो आकस्तर होते हैं उनके आचरण को आप देखें। संघ लोक सेवा आयोग से फारेस्ट सर्विस में लोग लिये जाते हैं। क्या उनका करेक्टर होता है इसको आप देखें। गरीब आदमी जो इनके यहां दो रुपये रोज पर काम करता है उनकी कल क्या स्थिति थी और आज क्या हो गई है इसको आप देखें। आपके आत्माम तो बहुत सुन्दर बन हैं। इन्हीं सौगां के परिश्रम के बल पर सम्पूर्ण देश और दुनिया बड़ी है और यहीं वे सौग हैं जो आज दाने दाने के लिए मोहताज हो गए हैं ये वे लोग हैं जो बनों के आस पास रहते हैं। जो कल तक मानिक हुआ करते थे जमीन के बे आज दाने दाने के बिना परेशान हैं। बनों का विस्तार किये बगैर उद्योग स्थापित नहीं हो सकते हैं, उनके बिना हुक्म में सुधार नहीं हो सकता है, प्रतिरक्षा का काम नहीं हो सकता है, देनों का आवागमन नहीं हो सकता है। आज स्लीपरों की कमी है। इनको हमें बाहर से इम्पोर्ट करना पड़ेगा। न इम्पोर्ट करें यह दूसरी बात है। लेकिन जहरत इनको इम्पोर्ट करने की है। मैं कहना चाहता हूँ कि 20-30 वर्ष में

बनों को सम्पूर्ण करके हम अपने देश की इकोनोमी को मजबूत बना सकते थे, वह काम हमने नहीं किया, उसकी ओर व्याप नहीं दिया। तँड बड़ उद्योग खोल में की ओर व्याप दिया, लोटे उद्योगों की उपेक्षा की। बनों पर जो जीने वाले लोग थे उन तमाम गरीब लोगों को परेशान किया गया।

इन शब्दों के साथ और आपके माध्यम से मैं कहना चाहता हूँ कि जब तक बनों का विस्तार नहीं किया जाएगा देश की आर्थिक हालत नहीं सुधरेगी, बनों का विस्तार नहीं होगा तो देश के उद्योग नहीं पनपेंगे, विस्तार नहीं होगा तो हमारी संचार और प्रतिरक्षा व्यवस्था मजबूत नहीं होगी। इस बास्ते आपका व्याप अद्वितीय इस ओर जाना चाहिये।

PROF. P. G. MAVLANKAR (Gandhinagar): Mr. Chairman, Sir, I am glad that my friend, Shri Yuvraj brought this half-an-hour discussion on an important subject about which not only we should have continuous discussion but what is more important is that there should be more urgent implementation. As a member of the Board of Management of the Gujarat Agricultural University, for the last four years I have been somewhat closely associated with the problems of agriculture and, also, in particular, with problems of forestry.

Sir, I am distressed to find that the kind of attention one needs to pay to the problem of forests and their development is not being paid. It is truism to say that we are an agricultural country. Of course, we know that India is rich in resources but the trouble is that although we are rich in resources, yet we are poor in utilisation of these resources. I should further say that we do not have an integrated, well thought out and continuously well-implemented plan or approach in regard to exploitation of our natural resources including those of forestry. I want Shri Barnalaji to

tell us what the new government are thinking in terms of intensifying not only agriculture in general but forestry in particular. When I say forestry I mean the trees, animals, rainfall, drinking water, climate, etc. When we say potential resources, why are we not paying enough attention to the problem? We seem to slip into short term gains and also to certain kind of commercialising. The manner in which the forests of long duration in our country are removed and got rid of is a colossal and highly unfavourable commentary on the planners and politicians and public men in this country. We feel that we can get certain other advantages, industries and agriculture and other things from the deforestation, some earnings in foreign exchange, private, commercial business, trade, etc. Is this really a sensible thing? Should we not think in terms of both short term commercial and industrial benefits and also long term needs of the agriculture of the country. I feel therefore that afforestation needs to be developed. I cannot say what exactly is the present statistics with regard to afforestation in our country. My suspicion is it is not as high as it ought to be and coming from Gujarat, I can say that the Gujarat percentage is much below the national average.

MR. CHAIRMAN: What is the percentage in Gujarat?

PROF. P. G. MAVALANKAR: You are cross-examining me and if I give you wrong information, it will be a privilege matter! If my memory, however, does not fail, I believe it is between 9 and 11 per cent whereas the national average is 21.22; my impression is that it is less than 12 in Gujarat, almost half the national average. We are way behind. My point is that not only in Gujarat but in other parts of the country also where it is possible, in addition to pumping money, there should be better planning and urgent implementation regarding afforestation.

I was in the Andamans during the emergency period; of course, govern-

ment did not send me there and I went on my own to see Andamans in one of the intermediate journeys to see the country. I was more than impressed and delighted to see the richness of the forests, the scenery, the climate and everything. Particularly the forest wealth in these islands, there are several hundred islands, is something which you have to see with your own eyes; you cannot imagine it. I should like the hon. Minister to tell us something on that, to tell us how you propose to go ahead with these forests in Andaman Nicobar Islands and in other places in our country.

Wild life is very much part of our forestry and you cannot go about killing animals, because certain part of animal life is also part and parcel of forest life. When you say afforestation it also means preservation of wild life, animal life. I do not believe in rigid memberships of societies for prevention of cruelty to animals. I look at it not from that angle, but from the angle that animals form an inseparable part of forests and we must not neglect them.

18.0 hrs.

Instead of having a narrow, short-term commercially based and quick profit-making approach in these matters, can we not have a long-term approach and see that in order to gain some short-term benefits we do not do damage to our long-term needs of the country, a country of this size, this richness of variety and resourcefulness in agriculture?

I am glad the minister in his original reply said a word about social forestry. I am reminded of a useful seminar held in Ahmedabad, my home town, last year on social forestry. I attended a part of the proceedings of that seminar and I know how useful and fruitful it was. Experts from all over India gave useful ideas. The Minister should tell us whether

[Prof. P. G. Mavalankar]

the government have taken any further action in regard to the fruitful decisions arrived at in that seminar.

**SHRI GIRIDHAR GOMANGO (Koraput):** Forests play an important role like agriculture and preservation of forests is vital to the country. I want to ask two questions. In the forest areas, the majority of local population comprises of tribals. Forests were their traditional rights. In 1894 the British Government passed an Act whereby forests were given to the tribals as a right and privilege. In 1952 the Government of India enacted the Forest Act and gave rights and concessions. But at present the government is giving only the concessions but not the rights. I emphasise it because the tribals are exploited by those who go to the forests to exploit the natural resources. Instead of exploiting the natural resources, they exploit the tribals. That is why a working group was set up to study in depth "Tribal Development Programmes based on Forests". They have given about 27 recommendations. I want to know how many of them have been adopted by the Agriculture Ministry and whether the government have given directions to the States to adopt those recommendations. I also want to know what is the present forest policy of the Government of India to protect the tribals from exploitation by those who go there to set up industries or to exploit the natural resources. I request the minister to reply to these two questions.

**श्री रोतलाल प्रसाद चर्मा (कोडरमा) :** सभापति महोदय, मैं आपके माध्यम से केवल एक बात जानना चाहता हूँ .....

**MR. CHAIRMAN:** No, no. I have already called the Minister.

**श्री रोतलाल प्रसाद चर्मा :** जो ग्रामीण सत्रव्य गुवराज जी ने भी और लोगों

ने दिया है उस संबंध में मैं कहना चाहूँगा, वन नीति और वन सीमा की ओड़ में वन विभाग के पदाधिकारी बहुत व्यापक भ्रष्टाचार कर रहे हैं। जंगल के किनारे जो लोग वसे हुए हैं, जिनमें अधिकांश हरिजन, आदिवासी और भूमिहीन लोग हैं, जिन्होंने बीस पचास सालों से जी तोड़ मेहनत कर के उस जमीन को खेती के लायक बनाया है, मैं जानना चाहता हूँ क्या उनके साथ उस जमीन का बन्दोबस्त कर दिया जायगा... (ध्वनिमाला) ..

दूसरी बात वन सीमा के नाम पर आज क्या हो रहा है? जिन किसानों का उस भूमि पर कढ़ा है, जिनके पास उसके कागजात हैं, उसकी रेन्ट रखी दे है उन पर मुकदमे चल रहे हैं। मैं जानना चाहता हूँ कि क्या उनकी जमीन छोड़ दी जायगी?

तीसरी बात मैं यह निवेदन करना चाहता हूँ कि वन रोपण के नाम पर जो काम चल रहा है उस में वन रोपण के बजाय वन को उड़ाने का काम अधिकारी लोग कर रहे हैं। वडे पैमाने पर वन की लकड़ियां कटवा कर वे लोग बेचवा रहे हैं। डिफारेस्टेशन हो रहा है। तो क्या सरकार उन अप्ट अधिकारियों को निलम्बित या डिस्मिस करने का विचार रखती है?

**PROF. P. G. MAVALANKAR:** On a point of order I am very glad my friend in a way was given an opportunity to speak; but I hope what you have done to-day, would not become a precedent, because the rules are very clear on this subject.

**MR. CHAIRMAN:** The rules do not permit it; and I have not permitted him.

**THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI SURJIT SINGH BARNALA):** Mr. Chairman, Sir, I am very glad that my friend Mr. Yuvraj brought in this half-an-hour discussion on this sub-

ject. And some very good suggestions have come from the hon. Members. It is correct, as it has been said, that full and proper attention was not given towards forestry till now. In fact during the last many years, we have seen that there has been denudation of forests, instead of afforestation. There has been spoiling of forests; and lot of damage has been done. Just now, you were hearing two views. One view was: "Some people have cleared some jungles and started cultivation; would you like to take back land from them?" It has been happening so. Some good forests have been taken up by some people; the forest or jungle was cut off from those areas and they were brought under cultivation. Gradually, encroachment occurred in this manner; and forest areas were being spoiled in many States. For public needs also, i.e. whenever there was need for any project or a colony, forest areas were being given; and land in the forest area was given because much money was not needed for it. I received information that 1 lakh hectares of forest area was given every year for this purpose. That is why we have such a thin area of forests. This area is decreasing, as my friend pointed out. In some of the States, the position is actually very bad. For example, the percentage of forest in Gujarat, compared to the geographical area, is only 8.86. This is very low, as compared to the all-India average of 22.8 per cent. That figure is also low; it should be 36 per cent. Mention was made about Andaman-Nicobar Islands. That area is perhaps the best in the whole country. The percentage there is 88.99, i.e., about 90. There are beautiful forests there. Some efforts have been made for social forestry, which has been mentioned by my friend. The National Commission on Agriculture had recommended that schemes for social forestry should be taken up, and schemes were taken up in the five-year plan—only last year. For 1976-77, an amount of Rs. 2.4 crores was spent on social

forestry; and the total area was 16,470 hectares that was brought under forests. So, we are trying to improve upon it in a big way. For this year 1977-78, we are increasing it from 16,000 hectares to 62,000 hectares, which is an increase of four times, as compared to the previous year. We are going to spend this year about Rs. 9.50 crores. Next year we are going to increase the area to more than one lakh hectares under social forestry, which means planting of forests in waste lands and panchayat lands and also re-forestation of degraded forests. Some forests have not been completely ruined, but they have been de-graded. Some trees are still standing, but we cannot call them as forests. They have been denuded and they have been cut off. A lot of damage has been done. The damage is more where some urban population is living near that land. They are susceptible to more damage, because some people cut wood from that area, take it to the town and sell it. That is why there are many cases of prosecution. May be, some are genuine cases and not others. According to my friend, some wrong cases have been instituted and they should be withdrawn.

Another proposal that was made was that we should protect the rights of the tribals. I could not understand what rights of the tribals the hon. Member had in mind. Was he referring to their right to cut forests? If so, we are not going to protect those rights. If he was referring to their right to cut, or damage forests, or to cultivate forest land for agricultural purposes, we would not like to protect those rights. But if the tribals want to use the forests to get some income from the forest produce, these poor people are welcome to do that.

The States have also their own schemes in the matter on which the States are spending Rs. 46 crores. The Centre is spending, as I have said, Rs. 9.5 crores.

Afforestation generates a lot of employment. We have calculated

[Shri Surjit Singh Barnala] 18.14 hrs.

that every crore of rupees spent on afforestation gives employment for 10,000 people for the whole year, which means for 150 days in a year.

I think I have covered all the points.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, December 5, 1977/Agrahayana 14, 1889 (Saka).