

1514 hours

Title: Discussion on Indian Power Alcohol (Repeal) Bill, 2000. (Bill Passed)

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI SURESH PRABHU): I beg to move:

"That the Bill to repeal the Indian Power Alcohol Act, 1948, as passed by Rajya Sabha, be taken into consideration. "

Madam, at the very outset, I would like to state that this is one such Bill which has not been used probably any time since it was passed in the year 1948. The other day, one of the hon. Members in the House was asking my colleague the Minister of Law and Justice as to why the Government is not taking steps to repeal certain legislations which have not been used. A Committee was appointed by the Government in the past to study and find out which are such legislations which have not been used and why the Government is not acting on such recommendations of the Committee.

You may recall that there was the P.C. Jain Committee which was appointed and that Committee recommended the repeal of several Acts. This is one such Act. There is a reason to repeal it because the continuance of this Act in the Statute Book does not really serve any useful purpose and it has never been used. In the modern days, we are all thinking that there should only such laws which are used and also there should be minimum legislation that is required.

Sensing the mood of the House - which was expressed by the hon. Member only the other day when he was asking a supplementary - I recommend to the House that this Bill be passed which will ensure that the repeal of the Act would take place.

MR. CHAIRMAN : Motion moved:

"That the Bill to repeal the Indian Power Alcohol Act, 1948, as passed by Rajya Sabha, be taken into consideration. "

People are interested in alcohol and not in power alcohol!

SHRI E.M. SUDARSANA NATCHIAPPAN (SIVAGANGA): Respected Chairperson, according to me, it is really a very important Bill. I have gone through the debate which had taken place in 1948. I would request the hon. Minister to go into the provisions of the Indian Power alcohol Act, 1948. This is what the preamble says:

"Whereas it is expedient in the public interest that the power alcohol industry should be developed under the control of the Central Government."

That was the aim of the Government at that time. The concerned Power Minister at that time, the Minister for Industry and Supply, the hon. Dr. Syama Prasad Mookerjee, while introducing the Bill said to provide for the development of the power alcohol industry this Bill may be taken into consideration. He said:

"The object of the Bill is to develop the production of power alcohol and also to take power in the hands of the Central Government to direct the use of power alcohol as motive power."

He goes on explaining as to how much power fuel was available at the time of the Independence and subsequently and also gives the reason as to why we need this Bill. He gives a lot of reasons. But I would just quote one or two alone so that the Minister can consider. He is a very young and enthusiastic Minister. He can also find out as to how the forefathers of our august Assembly had thought about it. In one of the speeches it was said:

"One other thing to bear in mind in developing this industry is the springing up of several subsidiary industries like the manufacture of butyl alcohol, amyl alcohol, acetic acid, acetal-dehyde, ethyl acetate, ether, chloroform and potash. I hope the State will also come forward to help these subsidiary industries."

I would just like to quote another Member's debate, Shri S.V. Krishnamurthy Rao, where he wants to say:

"Something more must be done for the development of this industry. In fact, there is a vast scope for the development of this industry in our country. As it is, about 250,000 tons of molasses are being wasted. During the war, Australia developed this industry to a very great extent. And the success of an industry depends upon two things, firstly, the subsidiary industries that developed round about it and the State aid

which it gets for its development. In fact, the Planning and Development Report of the Panel on Sugar Alcohol and Food Yeast Industries on Page 25, in para. 98 says:

"The Panel is of opinion that distillery plants ought to be fabricated in this country, patent rights to be acquired where necessary by the Central Government from the foreign manufacturers. Licences for the manufacture of the plants should be given only to approved parties who should receive all necessary assistance from the licensing authorities in receiving raw materials for manufacture at a reasonable cost."

Again, I am just quoting a small portion of the speech made by hon. Member, Shri H.V. Kamath. He said:

"It is a happy augury for the future that this vital industry, the power alcohol industry, will be developed by the Government of India under its own auspices."

I am again quoting a small portion of this speech which says:

"Mr. Chairman, Sir, our Free National Government was born only about 7½ months ago, and though not in its swaddling clothes it is still in the cradle. But it is a happy sight to see it alive and kicking—the baby is very much alive and kicking and is doing well."

This is the ambition of the hon. Members who had passed this Bill. Now, I would like to draw the attention of the hon. Minister as to whether the Ministry has applied its mind before advising for repealing the molasses which is defined under this Act:

"3(a). 'Molasses' means the heavy, dark-coloured residual syrup drained away in the final stage of the manufacture of sugar by vacuum pans in sugar factories either from sugarcane or by refining *gur*, when such a syrup has fermentable sugars (expressed as reducing sugars), but does not include the final residual syrup left in the manufacture of sugar by the open pan process."

The molasses is the raw material on which the alternative source of energy can be created. That was the ambition of the forefathers of our nation. When they enacted this law, they thought that they would produce an alternative to petrol. They also discussed as to how the Russians and the Americans would not help us in future in this field. Section 3 (c) of the Indian Power Alcohol Act, 1948 says:

"Power alcohol means ethyl alcohol containing not less than 99.5 per cent by volume of ethanol measured at 60 % F corresponding to 77.4 over proof strength."

We should see whether 75 per cent of petrol can be mixed with this chemical and used now as an alternative source of energy. I would like to know whether the Government, particularly, the Ministry of Chemicals and Fertilisers has looked into it before deciding to repeal this Act. This is the main question that I would like to pose to the hon. Minister.

Section 6 of the above Act says:

"No petrol shall be sold or kept for sale except with an admixture of power alcohol."

When they enacted this law, they thought that 75 per cent of petrol can be mixed with power alcohol and use it so that petrol can be saved. That was the thinking of the then Minister, at that time. Similarly, Section 2(b) talks about the power to make rules. It says:

"Prescribe specifications and tests in respect of power alcohol intended for admixture with petrol in order to ensure its suitability for use in the motor vehicles."

Then, Section 2 (c) says:

"Fix the price at which power alcohol may be sold for the purpose of admixture with petrol."

I would like to submit that we have got plenty of molasses in our country which is thrown out as waste. Our sugar industry produces huge quantity of molasses and we have to think as to how to convert it into power which can be utilised in a useful manner. In those days, when they enacted this law, they thought of using it as an alternative source of energy. They said that many countries have already tested it and that they were successful in implementing it. I would like to read the relevant portion of the debate that took place in 1948 while passing this Act. It says:

"Now it appears that power alcohol is being mixed with petrol in various countries. In Great Britain, France, Germany, Poland, Czechoslovakia, Italy and Australia this is done and power alcohol is obtained in those countries mainly from beet, potatoes, corn and from imported molasses. In Brazil it appears that the bulk of the power alcohol is produced from molasses just as we propose to do in India."

I would like to know whether we have tried it in our country in the past 52 years. Why should we repeal our laws on the basis of the recommendation of the Administrative Reforms Commission saying that they are redundant? But this particular Act is not redundant. They enacted this law just seven-and-a-half months after our Independence. Our sugar industry was prosperous at that time. Now, it has prospered more. Therefore, when sugarcane is available in plenty in our country and when molasses is thrown away as waste, why should we not do some research and find out whether it can be used for producing an alternative source of energy? So, I would like to suggest that the hon. Minister should reconsider his proposal before passing this Bill. He should take some time to reconsider his proposal, do some homework and research so that we can produce an alternative source of energy.

But we have got every right to come forward with the same Bill again when you think that it is possible in India and it will also create employment and alternative power which are now very important things at this juncture when we are facing the crises in fuel and other things.

प्रो. रासासिंह रावत (अजमेर) : आदरणीय स्थापति महोदय, मैं सरकार के द्वारा लाए गए इस बिल का समर्थन करता हूँ। मैं समझता हूँ इसको सर्वसम्मति से पारित किया जाना चाहिए, क्योंकि यह कानून पुराना हो चुका था और उसकी उपयोगिता नहीं रह गई थी, वैसे भी परिवर्तन प्रकृति का नियम है। ऐसे बहुत से कानून हैं जिनकी उपयोगिता अब नहीं रही। उसके अनुसार पिछले दिनों देश में यह आवाज आई थी कि जो ऐसे पुराने कानून हैं, जिनको बहुत अधिक समय हो गया है और उनकी उपयोगिता नहीं रह गई है, उनकी जगह नए कानून लाकर उनका निरसन होना चाहिए। उसके आधार पर सरकार इस कानून को लाई है। अभी माननीय सदस्य ने एल्कोहेल से ऊर्जा या ईंधन पैदा करने की बात की। शक्कर मिलों में बहुत सा अपशिष्ट पदार्थ निकलता है, उसको उपयोग शक्ति या ऊर्जा बनाने में उपयोग हो सके, तो किया जाना चाहिए। वैसे भी हमारे देश में ऊर्जा की कमी है। अगर उससे इस प्रकार का उपयोग हो, वह लाभप्रद हो और खर्चा कम आता हो तो मैं समझता हूँ ऐसा करने के लिए सरकार को इस बारे में कुछ अनुसंधान और प्रयोग करना चाहिए।

मैं पुनः इस बिल का पुरजोर समर्थन करता हूँ।

MR. CHAIRMAN : There are no more speakers. Now, the Minister may give the reply.

SHRI SURESH PRABHU: Madam, I am indeed thankful to the two hon. Members for their interventions. One of them, hon. Shri E.M. Sudarsana Natchiappan, has drawn my attention and attention of the House to a very important aspect and historical perspective which gave birth to this legislation. It is absolutely right and I fully share the perceptions of those Members of this august House who have passed the legislations. But 52 years have passed since then. What we are really to look at is a particular legislation required to facilitate certain actions. From that perspective, we must really analyse and find out because we passed this law. Did we fulfil the obligation? Did we fulfil the objective for which these legislations were passed. That is one aspect.

Secondly, we can even look at it the other way round whether a repeal of this legislation would result into non-fulfilment of objective for which this Bill was passed. I think, again, the answer would be the same. Therefore, the repeal of a legislation like this would not result into compromising with the objective for which this Bill was primarily passed. But the moot point is whether the law which was passed has ever been used. And if it has not been used, the recommendation of the Commission, which was appointed, and, as I said, the hon. House itself felt the other day that those legislations, which have not been used, should not be there in the Statute Books. In view of that, I feel that this legislation should be repealed. It has already been done by the hon. Rajya Sabha.

I would also like to share the views that are expressed by my colleague and our hon. Member, Shri Sudarsana Natchiappan. It is true that in India, today, there is a large generation of molasses as a result of increase in sugarcane production as well as the consumers of sugarcane. It is also true that there is a tremendous possibility that exists in India today for admixtures of alcohol with molasses. Then, we can make a different type of fuel to be used by motor vehicles. It is possible. It has been done in Brazil. It has also been possible in some other countries. It is definitely possible that we can also try it in India. In fact, the Government is already considering the use of such admixtures in different forms. The point is whether, to do this, we need a legislation like this or we really need to do it through incentives – fiscal and otherwise – and promote an activity like this. What is more important is the sugarcane industry which was there. Since what we have seen in 1948 and now in 2000, a lot of water has flown in the intervening period.

The sugarcane industry itself has been delicensed. We really thought about it. There was a time when every applicable to set up a new sugar mill used to be approved by the Government under the Industrial Development (Regulations) Act. But for some time it is not there. However, we really need to give proper incentives and try to harness this tremendous potential that exists in this sector, which I fully share. But let me assure the House that the repeal of the Bill will not result into compromising with the objectives which I really mentioned and I fully agree with that.

In fact, I really congratulate the hon. Member for drawing my attention to such an important aspect and adding a sense or a note of history to the legislation that we are passing now. But I would strongly feel that repeal of this Act will not result into compromising with any of the principles that he has mentioned.

MR. CHAIRMAN: The question is:

"That the Bill to repeal the Indian Power Alcohol Act, 1948, as passed by Rajya Sabha, be taken into consideration. "

MR. CHAIRMAN: The House shall now take up clause by clause consideration of the Bill.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

SHRI SURESH P. PRABHU: Madam, I beg to move:

"That the Bill be passed. "

MR. CHAIRMAN: The question is:

"That the Bill be passed. "

The motion was adopted.
