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Tuesday, August 8, 1978
Sravana 17, 1900 (Saka)

Lok Sabha Debates

(Fifth Session)



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LOK SABHA SECRETARIAT

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LOK SABHA DEBATES

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LOK SABHA

Tuesday, August 8, 1978/Sravana 17,
1900 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

OBITUARY REFERENCE

MR SPEAKER I have to inform the House of the sad demise of Shri Ram Rattan Gupta who passed away at Kanpur on August 3, 1978 at the age of 72

Shri Ram Rattan Gupta was a Member of the Third Lok Sabha during the years 1962-64 and 1966-67, representing Gonda constituency of Uttar Pradesh. Earlier he had been a Member of the Central Legislative Assembly in 1943

A leading businessman and an industrialist he made a substantial contribution in the field of industries in the country. A well-known figure in Kanpur, he served as its Mayor for two terms. He was associated with several charitable and educational institutions in Uttar Pradesh. A man of versatile ability he took keen interest in a variety of subjects like commerce, industry, finance, banking, defence and railways. He was also the author of two books entitled "World before Second World War" and "Time for Decision".

We deeply mourn the loss of this friend and I am sure, the House will
2180 LS—1

join me in conveying our condolences to the bereaved family

The House may stand in silence for a short while to express its sorrow

The members then stood in silence for a short while

ORAL ANSWERS TO QUESTIONS

Closure of Hindustan Petroleum Refinery in July, 1978

*325 SHRI D D DESAI Will the Minister of PETROLEUM CHEMICALS AND FERTILIZERS be pleased to state

(a) whether the Hindustan Petroleum Refinery at Bombay had been closed down for a brief period during July, 1978

(b) if so, whether this has caused shortage of petroleum products, and

(c) whether any crash plant to import kerosene and HSD has been undertaken?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)

(a) Yes, Sir The Refinery has been closed down from 8th July, 1978 for emergent repairs due to leakage in the crude distillation unit and the refinery is expected to be recommissioned round middle of August, 1978

(b) and (c) Alternative plans have been implemented to ensure availability of products to meet the demands and maintain the supply line. However, in respect of cooking gas, there has been some delay in normal supplies to consumers in Bombay fed areas. Arrangements have been made by Government to import additional

quantities of kerosene and High Speed Diesel oil over and above what was planned earlier.

SHRI D. D. DESAI: The closure of this refinery has resulted in acute shortage of HSD, gas and kerosene. On the other hand, Bombay High gas is being flared and thus wasted. Would he be in a position to give details as to why there has been some difficulty in initiating steps to take the Bombay High Gas and Oil to the shore in Gujarat and Maharashtra which would have eliminated the present problem of shortages of these products and urgent import?

SHRI H. N. BAHUGUNA: Mr. Desai has tried to bring another question into this. Anyway, I welcome the suggestion. The point is, even if the Government wanted to do it in a hurry, it would take time. This Government came to power towards the end of March, 1977. Mr. Desai is an eminent person and he would agree that to bring the gas to the shore, then put up a gas fractionation plant to convert it into LPG etc. would take anywhere between 3 to 3 1/2 years. That gas fractionation plant is now being thought of and Engineers India Ltd. have been asked to go into the whole exercise. The moment they give their advice we shall proceed in the direction in which he wants us to proceed.

SHRI D. D. DESAI: My problem was limited to shortage in the country as may be arising on account of the closure of one refinery or another. This particular case refers to a refinery of Hindustan Petroleum. The Minister in his reply said, it will take 3 to 5 years. My request to the Minister is to examine the facts and see it for himself—Rs. 81 crores or 144 Km. to Diu versus 230 KM to Bombay; over concentration at Trombay; the countryside as well as the Northern India market presently strayed of these products for which the Minister had to import only in January as much as 3 lakh tonnes of kerosene,

versus the very short time it had taken to lay the pipeline from Bombay High to Trombay, versus the shorter, nearly half, the distance to Diu and

MR. SPEAKER: You are giving a lot of suggestions. You are not putting your question.

SHRI D. D. DESAI: I have to get the dates on which he can start and the date on which he can complete. Both of them should be known to the public, because the public is facing the present situation of shortages of gas, kerosene and HSD. May I know what is his time-bound programme so far as this is concerned?

SHRI H. N. BAHUGUNA: Actually the pipeline to Gujarat cannot arise out of this question. There is a separate question on that also. I want to assure the House and through the House the people of Gujarat, Northern India and the whole of India that the pipeline or whatever is the quickest possible method available to us will be made use of in bringing the off-shore gas to the shore and use them. The land fall has to be either Gujarat or Maharashtra or both. We have decided to take the off-shore gas and use it in Gujarat as well as Maharashtra. Therefore, the gas has to go Gujarat also.

SHRI D. D. DESAI: After all, he has worked out the details. He is not making them public. He has already enough details.

MR. SPEAKER: Probably for good reasons he is not publishing it!

बीजरी बलवीर लिह : मैं संभी महोब्य से आनना चाहता हूँ कि जो सीकेज हुआ है वह क्या है इस बजाए से हृषा है कि उसको जब बताया गया तो उसमें कोई कमी नहीं या बद्द कोई उसमें किसी ने गहराड़ की? या कोन जिम्मेदार है उस सीकेज के लिए, इस बारे में जीवी और कुछ बतायेंगे और जाच कर के कुछ ऐसका लेंगे?

बी हेमचंती नालन बहुमा : मान्यता, जो सीकेज हूँह है इसके लिए हमने ऐसलपट्टे से दूधा, इंडीनियर्स इंडिया लिमिटेड

वालों से पूछा, ऐटमिक रिसर्च के बैटर कोरोडन विभाग से पूछा जो उसको बीत करते हैं, यानी धारु में जो बकन आ जाती है या फटन आ जाती है। इसके बारे में जानकार जोगों से पूछा। तो वह तो प्लेट में, जैसा बताने हैं जो खो गई है, खरोड़ की उसको कुछ इतनहान तो ही गया है, निकल जी नहीं है और यह यह तो बहुत हड्डे की बड़ी जड़ी पकड़ में आ गई, अधर 4 घण्टे की दैरी हासी और पकड़ में न आती तो अपवर नृसार्व होने वाला या इसलिए कोई कठी उसम विसी बनाने वाले जी नहीं है। यह तो हुदरती है उच्च प्लेट से बदल तब की जानवारी है। लेकिन जब मह मूरी नारी चीज़ बाहर निकल वह या जांगी तब कारण मालूम हो जायगा कि क्या कारण या जिसके कारण उसमें यह फटन आई।

समस्तीपुर-दरभगा बीटर गेज लाइन को बाढ़ गेज लाइन में बदला जाना

* 326 भी तुरेक जा तुम्ह या रेज मधी यह बनाने की हुणा करेंगे कि

(क) क्या मरकार को स्वास्थीय सगठनों और गल प्रयोजनाओं से समस्तीपुर-दरभगा बीटर गेज लाइन का बाढ़ गेज लाइन में बदलन के बारे में कोई जापन प्राप्त हुए हैं,

(ख) क्या इस सम्बन्ध में प्रस्ताव का पहिली भागमोदन दे दिया गया था और भूनपूर्व रेल बलियों ने इसका तकाल निर्माण कराने का आश्वासन दिया था

(ग) क्या मरकार ने इस बार में गवेंकण कार्य पूरा कर दिया है,

(घ) क्या यह सब है कि गंगा पांच घंटों में दरभगा-समस्तीपुर लाइन का निर्माण करने के लिए बड़ट म साकेतिक प्रावधान की व्यवस्था की जाती है

(क) क्या मरकार का इस बार्य का गोप्य आरम्भ करने हेतु आये व्यवस्था करने का विचार है और

(ख) यदि तो उमड़ा औरा क्या है और बहि नहीं तो उसके क्या कारण हैं?

रेल मन्त्री जी ० मधु बंडलते (क) से (ख) एक विवरण सभा पटल पर रख दिया गया है।

विवरण

(क) जी हाँ।

(ख) से (ख) समस्तीपुर-दरभगा बीटर लाइन के प्रावधान परिवर्तन का काम १९७४-७५ के बड़ट में शामिल किया गया था और यह एक घन-

मोवित कार्य है। इस बीटर लाइन को बड़ी लाइन में बदलने के सम्बन्ध में अन्तिम स्थान निर्धारण इंजीनियरी सर्वेक्षण-एवं-यातावार मंत्रालय रिपोर्ट अप्रृष्ट, १९७७ में प्राप्त हो गई थी। इस मूल्यांकन के अनुसार इस परियोजना वर लगभग ४-७३ करोड़ रुपए की लागत आयेगी। संसाधनों की व्यापकता तथी के कारण चालू विसीय वर्ष में, इसके लिए केवल साकेतिक व्यवस्था की गई है। जांमान कावयोजन के अनुसार जांमान परिवर्तन की १४ परियोजनाओं में से कुछ परियोजनाओं पर ही जो इस समय चल रही हैं प्रयास बैनलत करने और विसीय प्रयास परियोजना को जो अपनी गहर भी नहीं हुई है इसे में लेने से पहले चालू परियोजनाओं द्वारा कार्य पूरी तरह से समाप्त करने का विचार है। इस नीति के अन्तर्गत समस्तीपुर-दरभगा बीटर लाइन के बदलाव का जाम तब होगा जिसका विवरण जब पहले से चल रहे जाम पूरे हो जावेंगे।

जो तुरेक जा तुमन, मैं आपके माध्यम से मधीय से जानना चाहता हूँ जो मधीय मधीय के बदलाव के अनुसार जब यह बाये अनुमोदित है और १९७४-७५ से ही यह ५ साल में बदल में यह जामिल होना चाहा है और संवेदन का कार्य भी दो साल पहले, यानी १९७७ में पूरा हो जावा है तो इसे प्रावधानिकता देने में क्यों दिक्कत बरती जा रही है जबकि इसकी समाप्ति से समस्तीपुर-दरभगा बड़ी होती जा रही है? १९७४-७५ में लिंक ५ करोड़ ४० की लागत आयी गई थी पर इस समय लगभग दोनों नौ बारोड ६० की लागत आयी गई है। इसलिए विकास की दृष्टि से पिछे विहार राज्य में जो सर्विक प्रिंटर ११ लिंक हैं उनमें दरभगा, समस्तीपुर, मधुनी और सीतामढ़ी आते हैं इनके विकास को आवान में रखने हूँ ए क्या रेल मन्त्री मधाय इस लाइन परिवर्तन का शीघ्रान्तीशीघ्र हाथ में लेने का आश्वासन देंगे?

प्र० मधु बंडलते जैसा मैंने पहल ही सदन में बताया कि मधाय की सबसाकारण नीति यह रखेगी कि जो परियोजनाएं हम सारों के हाथ में हैं विनका सर्वेक्षण हुआ है उनकी तरफ ज्यादा आवान दे उनको पूरा करें। इसलिए बारावकी समस्तीपुर जो कलबंदन की स्तीम है इस प्रोजेक्ट की हमने प्रावधानिकता दी है और मैं समझता हूँ कि यह काम पूरा होने से बाही कामया इन लोकों को हो जायगा।

प्र० मधु बंडलते यह है कि जिस लाइन के बारे में माननीय सदस्य ने जिक किया है वाह का बजाह से बहा पुल बालने का काम बड़े पैसाते पर करना होगा और उसमें अर्चा करने के बजाय जो परियोजनावें हम सारों के हाथ में आज हैं जिनको

कार्यान्वयित कर रहे हैं उन पर हम ज्यादा करनेवाले करते हैं, वह हासारी नीति रहेगी। तो इस बहत में कोई आवश्यकता नहीं दे पाऊँगा।

बी तुरेन्न ला लुमः : दु बी के दुख को दूर करना ज्यादा बेहतर होगा या केवल जो सुखी है उन्हीं को सुख पहुँचाना बेहतर है? जब यह इलाका सबसे पिछा है जैसा कि मरी महोदय कह चुके हैं कि बाबूनगर और सदाचालपत्र है, इसलिए तो उम पर और ज्यादा ज्यान देना चाहिए। और इसका एक ऐतिहासिक महत्व भी है। अग्रीकी 125 माल तक का रेलवे का इतिहास है, किन्तु 103 साल पहले, सबसे वहले प्रूपोंतर रेलवे में जब भी ००५०० रेलवे लाइन आ गई और बाद में उसका नाम अधिक तिकुन रेलवे पड़ा, उस मध्य से ही यह सबसे पिछा इलाका है और यानायात की अप्रूविता है इसलिए दलमिह सराय-ममतीपुर-दरधारा तक की लाइन मध्यसे वहले बनी थी। तो इस ऐतिहासिक लाइन को बना कर एक ऐतिहासिक महत्व को भी ध्यान पूरा कर सकते हैं और मध्यसे पिछा जो इलाका है उसे भी ध्यान देना चाहिए है। और जो यह की दून दून में याग है जिससे मन्त्री भी किया जा चुका है, यानी तीन रेल मरीजों जो हाँ चुके हैं, जी लाइन नारायण निधि ने इसको मन्त्र किया था, जी कमसापति लिपाई ने भी उसे मन्त्र किया था और मरी महोदय ने भी इसे मार्यादा दे रखी है। तेजिन वह मन्त्री केवल कागज पर रह जाती है, और काम कर नहीं होगा है। इसलिए मैं हाथ में धार्य करता कि मरी महोदय इस काम को शीघ्रतांशुभ्रह्म हाथ में लेने की घोषणा करें।

ओ० अचू दंडवत्ते : सुखी और दुखी, इस प्रकार का बटवारा करने का सबाल मतालय के सामने नहीं है। मरी भी ऐसे बाराबकी-ममतीपुर रेलवे लाइन का लिक किया है। मैं नहीं समझता हूँ कि यहाँ कोई लाइन के आम-पाम के खाल में रहने वाले लोग कम दृढ़ी हैं। । कई दोस्तों ने कई दफा इस का लिक भी किया है कायं करने के लिए जिन 14 परियोजनाओं को हम लोगों ने हाथ में लिया है, उन की कूल दूरी 3890 किलो-मीटर है और उन के लिए 400 करोड़ रुपये की पूँजी की आवश्यकता है, जब कि हम सालों के लिए सबकल मिली सिर्फ़ 27 कराठ सधे की। इसलिए हम सोचोंगे 14 लाइनों में से 6 लाइनों पर कामदेन-टट करने का तय किया है, और इमालें हम ने बाराबकी-ममतीपुर लाइन के लिए एसोनेशन बढ़ावा दी है—12.9 के लोक हाथ। उम्मीद है कि हम उस की दो माल में पूरा कर देंगे। जो लाइन्ज़ हम में हाथ में ली है, उन को पूरा करने के बाद दूसरी लाइनों की लिया जायेगा।

बी रामलूर्ति : अध्यक्ष महोदय, यह नीति का सबाल है। सारे उत्तर भारत में, राजस्वान और सूखावात में, और यात्रा से जीवे बिताना एरिया है क्षेत्र का, वहाँ छोटी लाइन बिली ही है।

और उसके बारिये से करोड़ों लाखों का कायं रेल चल रहा है। मैं यह जानता चाहता हूँ कि यह देश में नई लाइनों का इतना बड़ा सबाल उपरे लागते हैं, तो छोटी लाइनों को बड़ी लाइनों में सबील करने का सबाल पैदा कर के इतना सधा बेकार में क्यों बचवे किया जा रहा है। इसलिए मैं भी महोदय से कहता कि यह इस नीति को लिखकर रोके और जहा नई लाइनों को लागते की बकरत है, केवल उन्हीं लाइनों को से।

MR. SPEAKER: Mr. Ram Murti, it does not arise from the question.

ओ० रामोपालरेटी : दुख और सुख बातों का कोई सबाल नहीं है। मैं इस का बटवारा इस तरह चाहा हूँ कि दुख तो मरी महोदय में और सुख लागों का दे। इस बारे में मरी महोदय का क्या विचार है?

MR. SPEAKER: It does not arise.

ओ० अचू दंडवत्ते : दुख हासिल करने में मुझे बड़ा सुख होगा। मैं यह बटवारा बनारा कर लेता हूँ।

बी रामलूर्ति : अध्यक्ष महोदय, मेरे सबाल का जबाब नहीं दिया गया है।

MR. SPEAKER: It does not arise from the question.

बी तुरेन्न लिपक : मैं मरी महोदय की इस बात में सहमता हूँ। कि पिछे इलाका में रेलवे लाइन ढाई जाय। हमारा लाहजालपुर का लोक बहुत पिछा हुआ इलाका है। फैलावाल-लाहजालपुर लाइन का भरवे हा चुका है। क्या मरी महोदय उम को हाथ में लेने की रूपा करेंगे?

MR. SPEAKER: It does not arise from the question.

Availability of Bombay Gas to Gujarat

*327. PROF. P. G. MAVALANKAR:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether gas from 'Bombay High' region is now regularly produced and made available through pipelines to the main land;

(b) if so, full details thereof;

(c) when will the portion of the said gas be made available to Gujarat and how and what quantity;

(d) whether Government have received any representation in the above-mentioned (c) matter from the Government of Gujarat; and

(e) if so, Government's response thereto?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):
(a) to (e). A statement is laid on the Table of the Sabha.

Statement

(a) to (e). The laying of the submarine trunk pipelines for the transport of oil and gas from Bambay High to Uran as well as transfer lines from Uran to Trombay has been completed. Presently, an average quantity of approximately 0.6 million cubic metres per day of gas is available. To start with, the gas is being used at the Tata Power Station to the extent of approximately 0.6 million cubic metres per day. Approximately 0.2 million cubic metres per day of gas will be supplied to the fertilizer plants of Rashtriya Chemicals and Fertilizers at Trombay from August, 1978.

Various letters have been received from time to time from the Chief Minister of Gujarat *inter alia* mentioning that all arrangements, studies and formalities should be completed in time so as to supply gas from Bombay Offshore by middle of 1979 to meet the requirements of Gujarat.

Allocation of gas would be made on techno-economic consideration—preference being given for the utilisation of gas as fertilizer feedstock. The Working Group set up for optimum utilisation of gas in Gujarat has estimated that the requirement of offshore gas in Gujarat would be about 3.81 million cubic metres by 1985-86.

It has been decided that there would be another gas pipeline from South Bassein field to Gujarat which on its way would be inter-connected with the associated gas pipeline from Bombay High so that the flow of both associated and non-associated gas in the two directions could be regulated according to requirements.

A Feasibility Study on the gas pipeline to Gujarat has just been completed and is being examined by ONGC. The report along-with ONGC's recommendations is expected to be submitted to Government shortly. Thereafter, a view on the economics, location, time schedule of completion etc. of the pipeline would be taken by Government.

PROF. P. G. MAVALANKAR: Mr. Speaker, Sir, I am glad to find the Minister for Petroleum, my friend Mr. Bahuguna, back in the House from his illness and rest. Now, Sir, I seek your protection and guidance on the subject. I had raised the matter on this very subject and the Minister has not been able to give any statement in the House with regard to my point about the parliamentary impropriety.

MR. SPEAKER : He sent a letter Yesterday

PROF. P. G. MAVALANKAR: I am satisfied with what he has said. But, the reason why I am raising this before I ask the question is because certain important parliamentary principles are involved. Before that question of mine has been replied, as you will see, there have been persistent press reports wherein his own Ministry officials go about publicly having a debate on these matters which should really take place in the House, not outside. For example, in *The Hindustan Times* of 3rd August there is a long report saying that charges of discrimination against Gujarat are baseless. Who say they are baseless? The officials of the Ministry.

MR. SPEAKER: You kindly come to the question.

PROF. P. G. MAVALANKAR: My point is this. When we are sitting here in Parliament, in Delhi officials go on making statements "we are sorry" or "we are not sorry". It is for the Minister to reply. How can the officials say this? When the Minister was good enough to meet us, the Gujarat MPs, look at what the

officials did, what they said through the press release. It is a very serious matter. They said:

"apparently, the MPs (meaning the Gujarat MPs) were satisfied with the Minister's explanations, but the issues have once again been raised by the Chief Minister."

Sir, we want your guidance on this point.

MR. SPEAKER: Mr. Mavalankar, this is Question Hour.

PROF. P. G. MAVALANKAR: You kindly direct the Minister not to allow the officials to go about giving statements about MPs when the Parliament is sitting. It is our privilege.

AN HON. MEMBER: Even otherwise.

PROF. P. G. MAVALANKAR: Yes, even otherwise. The Chief Minister of Gujarat said, and I repeat it, the O&NGC has not given proper guidance to my esteemed friend; he says the ONGC have misled the Minister; there is a feeling of neglect all over Gujarat.

MR. SPEAKER: You are making a statement, which may be relevant but not in the Question Hour. Now you are in the Question Hour. You have to come to the question. Your statement may be relevant at different times; I do not know. If you give me notice, I can go into it. But we are now on Question No. 327. Please come to Question No. 327.

PROF. P. G. MAVALANKAR: I had raised the point then and I have raised it now. The point I raised and the point of the question are the same. That is why I raised it. Anyway, I abide by your ruling.

My first question is this. In view of the fact that the people of Gujarat, by and large, are carrying a grievance,

rightly or wrongly—it is for the Minister to prove by facts—I feel rightly, that the Government, the Ministry and the O&NGC are simultaneously apathetic to the demands of Gujarat and over-enthusiastically partial to the demands of Maharashtra....(Interruptions) I am supporting Maharashtra and Gujarat, because I am for India; speaking personally, I am for both Gujarat and Maharashtra. The point is, I am interested in gas and oil being properly utilised. The Gujarat Chief Minister, who belongs to his own party, has repeatedly said what I am now saying. Therefore, it is a fact that the Government of India has not fulfilled its assurance and promise, given inside Parliament and outside Parliament, more than once, that the construction of a pipeline for Gujarat would be expedited, on a shore point in Gujarat, and that the Bombay High gas would be given to Gujarat by the middle of June 1979 and that it would also be available for fertilizer and electricity. Now Maharashtra can use gas for the generation of electricity, Maharashtra can use it for fertilizer, Maharashtra can use it for every purpose, but the Minister says to Gujarat "you cannot". You allow all these things in Maharashtra... (Interruptions) where is the answer for this?....(Interruptions)

SHRI ANNASAHEB P. SHINDE: Sir, the Minister is being pressurised for regional demands like this. The Minister should not answer under pressure for regional demands like this....(Interruptions)

MR. SPEAKER: Don't record.
* * (Interruptions)

MR. SPEAKER: Mr. Desai, this is the question hour. One day we wasted on language; one day on Maharashtra and Gujarat. Everybody says "we are for India", but India is Gujarat or India is Maharashtra; that is the line of argument we are hearing.

**Not recorded.

AN HON. MEMBER: There is imbalance between the two.

MR. SPEAKER: There should be no imbalance here.

SHRI SAUGATA ROY: There are two standards—one for Maharashtra and one for Gujarat.

There is a Janata Government at the Centre.

MR. SPEAKER Wherever there may be imbalance, there should not be imbalance in the Parliament Let us go on. (Interruptions)

SHRI VASANT SATHE: The way Mr. Mavalankar has exploded shows that there is enough gas in Gujarat.. (Interruptions)

MR. SPEAKER: You are now trying to prove that there is enough gas in Maharashtra also. (Interruptions)

SHRI H. N. BAHUGUNA: I have great respect for Prof. Mavalankar and I can assure him and the House that there is no discrimination whatsoever in dealing with the issue of bringing gas to India from off-shore that is normally called 'Bombay High' or 'North Bassien' or Tapti area, different areas and since luckily for us both Gujarat and Maharashtra have got the capability to convert that gas into fertiliser, the Government have decided to use this facility in both the places by setting up two plants of equal size both in Maharashtra and Gujarat. Neither of them is going to come before 1982-83. (Interruptions)

बी एमीएस आणारी रिकाइनरी तो मध्यां में ही, मधुरा को सारा तुकान है।

SHRI H. N. BAHUGUNA: Mathura is quite safe.

SHRI D. D. DESAI: Mathura can come here. But he is diverting. (Interruptions)

SHRI H. N. BAHUGUNA: I hope hon. Shri Desai will accept that a humble man like me also has a right to speak. (Interruptions) I am merely making a submission. It is for the House to reject it. But I have a right to make my submission. So far as the question about gas is concerned, it is again wrong to say that the infra-structure that we are allowing to be built in Maharashtra, we are refusing a similar infra-structure being built in Gujarat. This is not correct. The total gas which is being brought to the shore is 08 million. Maharashtra is being given 0.8 million from there and that is what Maharashtra is getting because fertilizer is being converted for the whole country. The Trombay Fertilizer Plant of Government of India, owned by the Government of India, not by the Government of Gujarat or Maharashtra, will be receiving in a feed stock. Therefore, it is no favour to Maharashtra. (Interruptions)

SHRI CHOWDHARY BALBIR SINGH: The beneficiary is Maharashtra

SHRI H. N. BAHUGUNA: Mr. Chowdhry Balbir Singh sees Tata all round. I cannot see Tata all round. I can only request him to see the reason also along with Tata. The point is very simple. We have used Tata. We were flaring that gas off-shore. (Interruptions) Well, I use them. (Interruptions) I refute the insinuation. This is less than fair. We have not favoured anybody because that gas was flaring off-shore—I leave it to the judgement of the House—whether we should allow to take oil, because when we take oil, gas comes, either I bring it to the shore and make some use of it or I let it go on flaring up. Now the gas that was brought to the shore was burning without any result. We have brought to the shore and till such time as we can build the full capacity of fertilizer—there are no two plants—we are giving what remains after use at Trombay to Tata for use for conversion into

heat and therefore, energy. Now this arrangement, an interim one, will be stopped the moment the fertilizer plant comes. But that is the arrangement which at best can last upto 1982-83 if we bring all the gas. If we do not take Bombay High and a decision is taken by the Government, not to work the Bombay High field at its full level and deplete at the current level then the gas that will come to the off-shore can be stopped even now. Tata can stop any day even in January 1979 or June 1979 depending upon the exigencies of the developments on the Trombay site and we can make use of the whole gas for converting it into fertilizer.

Therefore, Tata is only an interim, stop-gas, arrangement mid-way between full use and partial use and no use. We have chosen partial use. We are not favouring anybody. When we tell Gujarat to please accept the gas, we want to make the best use of the gas. Let it be converted into the best possible economic value. I do not think Prof. Mavalankar would like to get 2 paise less from that gas than what it can really give us. On that score on economics, I am willing to consider and discuss with anybody, including the Members of Parliament.

Just on a point of clarification, I am one who respects this august House as the highest body, the supreme body and the sovereign body expressing the will of the people. I had no intention to insult the House or do any such thing. Firstly, I was not making a policy statement; it was a question of details. But that also became necessary because Gujarat MPs led by Mr. Manubhai Patel wanted to meet me in the Gujarat House. I accepted the invitation. The Parliament was in session. They had asked for an informal meeting with all the Members of Parliament at the instance of the Members of Parliament. I went there. Luckily, Prof. Mavalankar was also there. I put across my point of view. At the

end of the meeting I found that two press men were sitting all through there. Someone drew my attention to the fact that two press men were sitting. Therefore, I told them, "Look here; please do not give out anything to the press of what all transpired here." I did that because I am aware of the fact that "gas" has become a very explosive thing in Gujarat.

I, therefore, share the concern and anguish of Prof. Mavalankar in the matter. My difficulty was that if I did not meet the press myself, the press would have carried all sorts of tales and it would have been very difficult to be helpful to the people of Gujarat in understanding the situation and reducing the tension. I did that with the best of intention. There was no other intention except that.

PROF. P. G. MAVALANKAR: I fully appreciate what the hon. Minister has said. I am grateful to him for the assurance that he has given. May I repeat that I also view this matter entirely from the national point of view, and I want everything to be based on techno-economic and factual data, not based on any regional consideration.

In this connection, may I ask one thing, more? In his own statement which is fairly elaborate, he has mentioned in the third and last paragraphs about certain feasibility study reports of the ONGC and his Ministry. May I know when these study groups were appointed, who were the members and what were the terms of reference and which were the aspects they were to look into and, when their reports are to be ready, and how soon the Government will come to a decision so that the construction of the pipeline on off-shore point in Gujarat will be started as soon as possible and, in case Gujarat needs gas for the industries which he accepts on techno-economic ground, Gujarat will not be deprived of the gas so that the industries can develop properly?

SHRI H. N. BAHUGUNA: I want to give one assurance without any string attached to it. The current requirement of gas in Gujarat of about 2.2 million cubic metres will continue to be supplied till such time as the Bombay gas comes as a substitute. Luckily for us, we have found more on-shore gas at Dupka and one more place. The Ankleshwar oilfield has proved more reserves than estimated earlier and, therefore, it is working better, than expected. It has now been geologically possible for us to state that we shall supply the gas to the existing units and for domestic use also I am not touching any point anywhere. Whereas as we are giving about 0.6 million cubic metres per day to Tata in turbines, in boilers, etc., we are also using the gas in Gujarat for domestic purposes. Therefore, the quantity of 2.2 million cubic metres of gas to Gujarat will continue to be supplied upto 1982-83. If there is any additional use, we shall certainly look after that use and make proper arrangements.

Only one thing I must add. There is some new demand that the feedstock for fertiliser which is LSHS today is converted into a gas. The earlier licensed unit is for LSHS and the conversion of LSHS to feed-stock gas will pose problems. It is LSHS which is being produced at Koyali refinery in Gujarat. What do I do with it? Therefore, I would plead with my friend Mr. Mavalankar to help us in this matter by viewing the whole question in its proper perspective and help us also to correct our mistakes, if any.

MR. SPEAKER: You have not answered his question about the Study Group.

SHRI H. N. BAHUGUNA: The Study Group was set up about eleven months ago....

MR. SPEAKER: Who were the Members?

SHRI H. N. BAHUGUNA: Some officials from my Ministry, some officials

from the Planning Commission and some officials from the Gujarat Government also were on the Study Group for utilisation of off-shore gas in Gujarat. The report on the gas pipeline is being examined by ONGC.

PROF. P. G. MAVALANKAR: I shall be grateful if all this information is laid on the Table of the House.

SHRI H. N. BAHUGUNA: I will.

PROF. P. G. MAVALANKAR: Thank you very much.

SHRI H. N. BAHUGUNA: But I must say that Government has taken no final decision on that.

PROF. R. K. AMIN: The most important question, as the Hon. Minister knows, is as to why you differentiate between Bombay and Gujarat in this regard? You never asked Bombay 'How much gas are you going to use' and switch-over facilities have also been given to Bombay. For example, Bombay people can use it for electricity generation. But this switch-over facility is not allowed to Gujarat. Moreover, unless and until you fix up the location, how can you ask 'How much gas can you use for a particular purpose' so far as Gujarat is concerned?

So, the most important question he has to answer is as to why he should differentiate between Bombay and Gujarat in this regard. Can he say that Gujarat will get the same treatment as Bombay is getting in this regard?

SHRI H. N. BAHUGUNA: I again want to repeat that I have no quarrel with Bombay versus Gujarat or Gujarat versus Bombay. We are using in Gujarat today 2.2 million cubic metres of gas and nobody is questioning our right to do so. The Professor will be happy....

PROF. R. K. AMIN: I will be happy if you can give switch-over facilities.

SHRI H. N. BAHUGUNA: If any switching-over is possible, there also, it has to be in relation to the practical economics of the whole thing.

Bombay and Gujarat are having the same treatment, and Maharashtra and Gujarat are having the same treatment.

SHRI HITENDRA DESAI: It is not only Gujarat and Maharashtra, but the whole nation is very much concerned with the outcome of Bombay High. I would only like to know from the Minister whether an assurance was given at the highest level that the pipeline in Gujarat will be completed in June 1979 and that it has now been found not possible, now that the feasibility study has been received and is being examined by the ONGC, to fulfil this target before June 1979?

SHRI H. N. BAHUGUNA: I admit that such a promise was given and such a communication was made but that it is no more possible to fulfil that promise, not because of any malafide reasons but because there are bona fide reasons. I had explained at the meeting of the Members of Parliament—luckily, Mr. Desai was also there....

SHRI HITENDRA DESAI: But we were not satisfied.

SHRI H. N. BAHUGUNA: I am again saying that we did make such a communication to the Gujarat Government—that the pipeline will be completed by June 1979, but currently, it does not appear to be either necessary or practicable, because the end use of that gas is yet to develop, and it will develop only by 1982-83. Therefore, the investment of a huge amount of Rs. 80 crores or 100 crores on a pipeline which will remain idle till 1982-83 appears not to be reasonable.

Difference in salaries of lowest and top most Railways Employees

***330. SHRI HARGOVIND VERMA:** Will the Minister of RAILWAYS be pleased to state:

(a) the average difference between the salaries of the lowest category employee (casual labourer) and the top most officer (Chairman) on the Railways;

(b) whether this difference is in the ratio of more than one is to ten (1:10); and

(c) if so, the steps being taken to reduce it?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) to (c). A statement is laid on the Table of the House.

Statement

(a) Casual labourers on Railways are appointed on daily wages which are fixed in consultation with local civil authorities and they vary between Rs. 3.50 and Rs. 10/- per day. The average daily wage, however, comes to around Rs. 5.50 per day. On this basis, monthly wages of a casual labourer appointed on daily rate would work out to Rs. 165.00 per month.

The Chairman, Railway Board—the top executive on the Railways—gets a pay of Rs. 3,500 (fixed). The difference between the average monthly wages of a casual labourer and the Chairman, Railway Board, works out to Rs. 3335.00.

(b) The ratio between the average wages of a casual labourer on daily wages and the top executive works out to 1:21.2 on pre-tax basis and 1:6.5 on post-tax basis after taking into account the standard deductions only.

(c) The casual labourers appointed on daily wages are, however, not regular Railway employees. A casual labourer working on Open Line, on com-

pletion of four months' continuous service, is afforded temporary status and is fixed in the lowest revised scale of Rs 196—232. The total pay drawn at the mean of the scales by such a casual labourer in the lowest scale, including dearness allowance, works out to Rs 336 per month. The difference between the salary plus dearness allowance of such a casual labourer and the Chairman, Railway Board, works out to Rs 3,164 (Rs 3,500 minus Rs 336), which gives a ratio of 1 to 10 4 on pre-tax basis and 1 8 on post tax basis after allowing the standard deductions only.

श्री हरीश्वरिवत् वर्षाः प्रथम महोदय, आप के माध्यम से मैं कहूँ यही जी से कहना चाहता हूँ और एक प्रश्न करना चाहता हूँ। यही जी हमारे समाजवादी ग्रन्थ में भी और मरीजी के भाषाकाल पर हम दर्शयों वाले जें जें भी नहीं हैं। तो मैं यही जी से पूछता चाहता हूँ कि ऐसे विवाह में जो दोनों वेबज वाले नीकर हैं और जो नेतृत्व वाले हैं जीवर्मन हैं, उन के बेतना में कितना फँक्क है? यही जी ने जो बताया है, उम समाजमें होता है और उन के बेतने के मनुसार एक डेसे वेबज के बर्कर का 3 रुपये 50 पैसे डेसी बेबज भिलते हैं। और वाईं के वैयरेंस का 1,500 रुपये महीना भिलता है यानी दोनों जो भिलता है उम में 100 बुना का फँक्क है लेकिन दोनों के बीच और आपदोनों का अग्र जाओ जाओ तो यहीं, यानी, बाजाना, और दोर 10 एं दोर 10 प्र० या वैयरेंस का भिलता है, वह तब भिला कर उम का 10,000 रुपये प्रतिमाह भिलता है और दोनों वेबज बाला जा जाएं हैं, उस की ओर बार दिन की छुट्टी होती है, उन का दोनों जो कट जाता है। इस तरह से 26 दिन का बेतन उम को भिलता है और दोनों के बेतन के जो फँक्क है, वह 1 और 3500 रा है। मैं यही जी से जानना चाहता हूँ कि क्या वे बाने विवाह से कम से कम इस फँक्क को दूर करने की काशित करते हैं क्योंकि रायरा यह नारा रहा है 100 रुपये से कम नहीं और 1000 रुपये से ज्यादा विसी का बेतन नहीं होना चाहिए। याज जा हमारी सरकार है वह जिम विचार की है, उम का देखने हुए रेलवे विवाह जोकि हमारे विवादों का विभाग है, उम में निवित्त रूप से यहा एक देसी योजना बनेंगी कि बेतनों में फँक्क 1 और 10 से ज्यादा का न हो? क्या सरकार इस पर विचार करने के लिये तयार है, मरीजी जी इस को बताये?

श्री नाथ देवदत्ते जैसा मैंने यूल प्रश्न के उत्तर में बताया है कि तब से नीचे और कम दोनों हायलिंग करने वाला जो बर्कर है, वह केन्द्रीय बर्कर होता है। वह बार महीने तक केन्द्रीय बर्कर रहता है। और

उस के बाद उस को ट्रेप्पोरेंटी स्टेट्स भिलता है और फिर उम की आयदारी अलग अलग डग से होती है लेकिन 5 50 रुपये का अग्र प्रबोर लिया जाए, तो वर्षे पे कमीशन के बाले के पहले जो रेशो था, वह वर्षे पे कमीशन भाले के बाद बदल गया है। वर्षे पे कमीशन की रिपोर्ट भाले से पहले यह रेशो 1 2 3 4 था और वर्षे पे कमीशन भाले के बाद यह 1 8 स्टैटर्ड टैक्स की कटीती के बाद रहा है।

इन्होंने जो यूसरा सवाल किया है, जो मुखियाएं भी जाती है, उन को ले कर इसरा सवाल है। मुखियाओं वा जो जिक किया है, उम के बारे में पूरा एकाउंट दे कर सभा पाल पर मैं दूसरा बयान रख सकता हूँ, लेकिन यूल ब्रेन से इस का कोई मन्त्रपत्र नहीं है। (व्यवसाय)

श्री हरीश्वरिवत् वर्षाः मेरा माननीय मरीजी से कहना यह है कि आपने जो कहा है कि डेसी वेबज वालों का 5 50 रुपये भिलते हैं और सरकारी रेट जो शाई है उस के अनुमात्र। और 8 का फँक्क है, जैसे यह कहना चाहता है, कि आपका जो भारितम है, वह छुट्टी रूपये दे रहा है। 1 और 8 का एक रूपये मूलक जो की भी जी, किसी भी विवाह से आज नहीं है और ये माला कहना बिल्ली रखत है। जो रेट जी गई है वह जो सरकारी बोदा है, वह वह बोदा है जो कि काग्रेस ग्राम से बता भोज राजत तरीके से उम का बलाया गया है और याज वह हमारे सवार का उटा बर जैक रहा है। अब राजत तरीकीय मरीजी जो उम को नहीं तरीके से नहीं बताएंगे, तो पूरे मूलक को गुमराह किया जाएगा। इसलिए मेरा जानना चाहता है कि बता वे इस बोदे को टीकी तरफ से नहीं बतायेंगे? टीक से बाकूक लगा कर अगर उसे नहीं बता बातें तो इस तरफ की रिपोर्ट आयी। 1 और 8 का फँक्क जो बताया गया है यह विकल्प राजत है और मैं बाहूना कि मरीजी जो इस के बारे में दोबारा जाच करा कर सदन में रखे कि यह रूपये सही है या गलत है?

प्र० नाथ देवदत्ते इस में भिलते का कोई सवाल नहीं है। अगर ये जिम विचार आएंगे तो कोई चिन्ता नहीं है।

श्रीमन्, मैं यह बताना चाहता हूँ कि रेलवे बांड के वैधरमेन को मूल हाइसिंग की फँसेलिटी नहीं है। इसेलिमटी और बांटर की जो बात है, इस के लिए उन को बांजें देने पड़ते हैं।

श्री हरीश्वरिवत् वर्षाः सर्वीडाइज्ड तो है।

प्र० नाथ देवदत्ते वह तो ठीक है लेकिन जो उत्तरों को भिलता है, कही उन को भी भिलता है।

टी०१० और टी०१० का जो जिक किया जाता है, वह वे दूर पर जाते हैं तो जिस प्रकार कोई सुविधाएं द्वारे मुलाजीमी की, द्वारे प्रसंसदों को जोकि इस भ्रातालय के नहीं है, भिलती है, कही इनको भी भिलती

ही भीर टी०० और भी०० भी०० भी उसी भाषण पर दिये आते हैं वैसे दूसरों को दिये आते हैं । यद्यपि इस के बारे में ज्यादा जानकारी नहिं, तो वे अलग से एक निवेदन तैयार कर के सभा पट्टन पर रखने के लिए तैयार हैं । इसलिए कोई भूठी बात बताने का सवाल नहीं है ।

SHRI K. A. RAJAN: Regarding fixation of daily rate it is reported that the civil authorities in the respective areas fix those daily rates concerning railway workers. This is a unique or peculiar feature in the Railways. There are so many undertakings where the daily rate is fixed by dividing the minimum monthly wage by 30. . .

AN HON. MEMBER: By 25.

SHRI K. A. RAJAN: I would like to know from the hon. Minister whether it is not fair, instead of relying on the civil authorities to fix the daily rate, to have the daily rate fixed on par with, or relating it to, the monthly minimum emoluments—as is done in other industries.

PROF. MADHU DANDAVATE: As I have made it very clear, the average minimum wage that has been prescribed by the Central Act is Rs. 3.50. In the lowest rung of employment, the various types of workers get a daily wage between Rs. 3.50 and Rs. 10.00. . .

SHRI N. SREEKANTAN NAIR: Are you not ashamed? (Interruptions)

PROF. MADHU DANDAVATE: I share with you the sense of shame. I agree with you; I do not differ. That is why it has been our constant effort to see that the general economy of the country is improved, and we want to see that the standard of living of the workers is also improved. I have only stated what are facts as they exist today.

जी राम भाषण लिहूँ : भाषण नहीं बय, मंत्री भाषण का भी जवाब आया है, इस से भारी निरापत्ता है । क्योंकि इन्होंने ज्योरोडेस्ट भी बचाने की कोशिश की है । एक समाजवादी मंत्री होने के नाते इन को स्वीकार करना चाहिए कि ऐसे कांडायांकों के बेतानों में अंतर है । उस अंतर की भारी भी और भालाली से ढंकने की कोशिश की जायी है । इस से एक दूसरा है ।

ज्या मंत्री नहीं बयो जो वह भालाल नहीं है कि तमाम सुविधायां को बोह बार रेलवे बोर्ड के बैंकरीन पर बिताना चार्ज होता है ? ज्या० राम मनोहर लोहिया कहा करते हैं कि तत्कालीन प्रधान मंत्री भी ज्याहर भाल लेहक पर प्रतिविन 25 से 50 हजार रुपये चार्ज होते हैं । बैंकरीन रेलवे बोर्ड पर बिताना चार्ज होता है, उस में अनुगत में एक कर्मचारी की बहुत ज्या बिताना है । बर्ती भी ने भारी बताया है कि इस में अनुत्त कामी अंतर है । इस अंतर की स्वीकार करने में भारी भी को क्या आपत्ति है ? अगर कोई आपत्ति ही तो उसे मे बतायें ?

ओ० जब बंदबोले : जै , यह बात स्पष्ट करना चाहता हूँ कि जहाँ तक बेंजिंग का सवाल है, यह तिके रेलवे के मजदूरों का या केन्द्रप्रभु बंकरी का ही सवाल नहीं है । इन से देख की भाग्यदानी का ही सवाल चुना है । इस से मनिमदल तारे बेज बोर्ड को रेल-स्ट्रक्चर करना चाहता है भी और उसका प्रध्ययन करना चाहता है । जै ने यह स्पष्ट कर दिया है कि जो भूतियम समिति की रिपोर्ट हमारे पास पायी है (ब्लैकब्लॉन) । आपने जो सवाल पूछा है वह आप बेंजिंग का सवाल है, वह हमारे पूरे देश की भारी एक परिस्थितियों से जुड़ा हुआ सवाल है । भौतिकीक लोड में काम करने वाले मजदूरों, लेतिहर मजदूरों, इन सब कि डिस्ट्रिटों को, विद्यमानों को, भालालनायों की दैर्घ्य कम किया जाए, इस के बारे में सकारा विचार कर रही है । भारी जब हमारे दक्षिण से एक भाई ने कहा कि यह काम की बात है कि तो जै ने उन से कहा कि जै भी उतना ही भारी मिला है जितना कि वह भारी मिला है । आपनी देश में परिस्थितियाँ हैं, जै ने आप के सामने रखी हैं । (ब्लैकब्लॉन) यह मैंने माफ बताया है कि भ्राताउसिंज बर्तीरु का जिक्र न करते हुए, को बेंजिंग सेलरी है, उसके भाग्यार पर यह एको है भौतिक इक्स को भी नहीं बिता गया ।

SHRI DINEN BHATTACHARYA: In part (c) of his statement the Minister has stated that the casual labour working on open lines, on completion of four months continuous service, are afforded temporary status. May I know whether the Minister is in a position to state to this House categorically that this statement that he has made is correct? On the other hand is it not a fact that after every four months the name of the casual labourer is changed? Instead of Mr. Ram he is now called Mr. Kam and in this way he continues to remain a casual labourer

for years together. Is this not a fact? If not, will the hon. Minister kindly tell the House how many casual labourers have been made temporary as per his statement in the last one year?

AN HON. MEMBER. The question does not arise.

SHRI DINEN BHATTACHARYA: It arises.

PROF MADHU DANDAVATE: The hon. Speaker has allowed it. I think it does arise out of the written answer.

MR SPEAKER Nobody wants to hear the answer.

PROF MADHU DANDAVATE. As far as the provisions and rules are concerned, it is very categorical that when the casual worker on open line completes and puts in work for four months, he is expected to be given a temporary status.

SHRI DINEN BHATTACHARYA. Expected

PROF MADHU DANDAVATE According to the rules, he is to be given temporary status. But the hon Member has pointed out that there are cases in which this temporary status is not awarded. In that case, it is no doubt an aberration and if any such cases are pointed out to me, instead of perpetuating that aberration, I will try to correct it.

SHRI DINEN BHATTACHARYA: Thank you.

श्री उपर्युक्त. यात्रा में यह लिखा है कि स्वास्थ्य सिविल आर्थिकी से समाह करके 3-50 से ने कर 10-00 रुपया तक बेतन दिए जाते हैं। यदि राष्ट्रीय एवेज प्रति दिन मजदूरी का 5-50 है तो यह क्यों नहीं हो जाती है? जो रेलवे लाइन विहार से पढ़ती है उनके बारे में विहार सरकार से पूछा जाता है कि तुम दैनिक मजदूरी कितनी होती है और यहाँ लापता 4-50 ही जाती है। उत्तर प्रदेश में 4-50 और 3-50 ही जाती है और उस आसार पर लापते मजदूरी की बजाई तरीके हैं। मैं जानता चाहता हूँ कि राष्ट्रीय एवेज 5-50

है तो रेलवे सारे देश में 5-50 दैनिक मजदूरी क्यों नहीं कर देती है, इस में उसको क्या एहतर है? ऐसे करने से मजदूरी की दरों में दूसरी चमड़ी आ जाएगी।

श्रोता श्रम बंधुत्वे: मैंने यह नहीं कहा है कि यह राष्ट्रीय एवेज है। मैंने यह कहा है कि स्वास्थ्य समान अगहो पर कही पर 3-50 है और कही पर 10-00 है और अगर उसका एवेज निया जाए तो 5-50 भाता है। याज तक का तरीका यह रहा है कि स्वास्थ्य सिविल आर्थिकी के साथ समाह मजदूरी करने के बाद बहार की बेज किसी समाह अवधि के बाद बहार की बेज किसी समाह के बाद अवधि के बाद उसका पर और अगले साल के साथापन के बाद पर और बेज के साथापन पर सरकार विचार कर रही ही है और सभी प्रान पर विचार करने के बाद इस नीति में तबदीली की जाएगी।

श्री युवराज जिम दिन कज्युल लेवर को दैनिक मजदूरी पर बहाल किया जाता है तो उसको 3-50 स्थान मजदूरी दैनिक ही जाती है। वह बार महीने की सर्विस प्रूफ कर लेता है तब उसे समोचित जो निम्नतम बेतनमान है वही दिया जाता है। काई भी ऐसी कज्युल लेवर नहीं है जिस को दो सीन महीने काम करने के बाद निकाल बाहर न किया जाता हो और उसके बाद उसको फिर तीनों पर न रख दिया जाता हो। औसतन कज्युल लेवर के 7-8 महीने काम करने के काम में लग जाते हैं जब उसकी बाजाली लापत है तो क्यों नहीं निम्नतम बेतनमान उसे दिया जाता है?

श्रोता श्रम बंधुत्वे: मैं इनका जवाब पूछते ही दे चक हूँ। मैं फिर से बताना चाहता हूँ कि कानून के न्यूताकिं बार महीने तक कज्युल बकर को प्रयत्न काम करते हुए हो जाए तो उसको टम्पोरेरी स्टेट्स मिल जाता चाहिए। अगर उसमें कोई लापता रही है तो वह नियमों के बिलास के अनुरूप ऐसे काई केसिम नोटिस से घाते हैं तो उनके बारे में विचार करना होगा। उनका मैं समर्पण नहीं करूँगा लेकिन उस में तबदीली करने के लिए इसमें उठाऊँगा।

Steps to meet Increased Demand of Railway Wagons

*331 **SHRI C K JAFFER SHARIEF** Will the Minister of RAILWAYS be pleased to state

(a) whether the demand for Railway wagons in the country is increasing due to movement of grains and the increased requirement of the Industry;

(b) if so, how far the Railways are capable of meeting the demand; and

(c) the steps taken or proposed to be taken to meet the increased demand of Railway wagons?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) to (c). A statement is laid on the table of the House.

Statement

(a) Yes, Sir.

(b) and (c). In accordance with accepted economic principles, rail transport capacity being heavily capital intensive, is created on the basis of anticipated average traffic offering throughout the year rather than relating it wholly to peak demands in isolated periods, and also on the basis of certain accepted norms in operation, like loading and unloading of wagons being done within the free time allowed, absence of violent fluctuations in the pattern of traffic, movements in block rakes specially of bulk commodities and for bulk consumers, etc. In this context, rail transport capacity available is considered adequate to meet existing demands. However, some periods of imbalance in demand and available capacity, which cannot strictly be termed as real shortage, are not wholly ruled out at present, because of the fact that railways are required to undertake large-scale unplanned and irrational movements and due to spurt in demands of seasonal traffic.

The following steps continue to be taken to ensure that rail transport capacity does not lag behind the traffic demands:—

(i) Advance planning is made to develop additional rail transport capacity commensurate with anticipated demand of traffic in consultation with concerned Ministries and Planning Commission.

(ii) Progressive dieselisation, electrification and modernisation of track and of the signalling system to increase throughput and to speed up movement.

(iii) Progressive conversion of the metre gauge sections into broad gauge, wherever feasible, depending on availability of funds, to make for increased throughput and elimination of break-of-gauge transhipment.

(iv) Provision of rolling stock on additional account to the extent required subject to availability of funds. In the current year Railways have undertaken an enhanced procurement programme for 13,000 wagons.

(v) Increase in movement of block loads, if necessary even by persuading the big consumers to have their own dumps/stock-yards/storages and the trade to club their indents to facilitate formation of point rakes or directional rakes which eliminate transit delays by reducing handling at inter-mediate yards.

(vi) Road bridging, wherever feasible, to eliminate uneconomical rail transport over short distances.

(vii) Tightening up of supervision and steamlining of operation to ensure maximum output by way of reducing avoidable detentions in yards, transhipment points etc.

(viii) Minimising incidence of jammages and speeding up of repairs of wagons and other rolling stock.

SHRI C. K. JAFFER SHARIEF: Sir, I would like to know from the hon. Minister—I have gone through the lengthy statement which has been laid on the table of the House—particularly when my question is pertaining to the availability of railway wagons, how much money has been allocated for the manufacture of more wagons so that the shortage of wagons can be meted out according to the needs of to-day?

PROF. MADHU DANDAVATE: Sir, the amount required for an additional

programme of 13,000 wagons has already been done. We have to fulfil that target.

SHRI C. K. JAFFER SHARIEF: My second supplementary is this. There is one valid reason for the creation of the shortage of wagons. Not only that. The difficulty is also being faced both by many industries and the Government for the movement of foodgrains etc. Maybe, that is because of the good reputation that the Railway Minister is enjoying for the many number of railway accidents! May I know from him as to how many of the wagons have been damaged? What are the causes for the shortage of wagons as also in the movement of rail traffic? And what steps has the Railway Ministry taken or is trying to take to overcome difficulties?

PROF MADHU DANDAVATE The total number of Broad gauge wagons at the disposal of the railways is about 3,97,000, about four per cent of the railway wagons roughly are sick and damaged. That comes to about 16,000 roughly. So, we can say that out of 3,97,000 wagons over 37,000 wagons are available. And if the normal lead were to be about 10 or 11 days, that means turnaround of wagons, starting from one point going to the extreme point and coming back—we call this as turnaround of wagons—and if that were to be 10 days then we can say that our daily requirements of wagons are totalling to 35,000 wagons. If we multiply this by 10 we require 3,50,000 wagons. We have got 3,70,000 wagons perfectly intact. But the difficulty is that because of the change of the structure of the pattern of traffic, the average lead has gone up. As a result of that we have to provide more wagons for the imported fertilisers. There was one month's strike in Singareni colliery, which factor lead to our lost traffic to the tune of over 7 lakhs tonnes. Then due to this strike we had to take the coal right from Bengal, Bihar and right upto South, as a result the lead increased. That is why, in

spite of 3,70,000 our present stock wagons, as explained by me we have placed an order for additional 13,000 wagons and we shall try to meet the situation.

जी और ब्राह्मण त्वामी—मैं मर्ली महोदय से पूछता चाहता हूँ कि क्या मर्ली जी को मालम है कि बहुत बड़ी संख्या में बैगन नहीं है माल बैगन के लिए उसका बास कारण इस देश के व्यापारों वर्ग में जो माल से लड़े हुए बापने बैगनों का माल गाड़ाम से नहीं छुकाते हैं और बैगनसे रेलवे स्टेशन्स पर माल से लड़े बढ़े रहते हैं किसके कारण बैगन के मूलमेट पर बुरा भ्रस्तर पड़ता है। तो क्या बर्तमान कानून में आप ऐसा परिवर्तन करेंगे ताकि कोई भी व्यापारी बैगन का रोक न सके?

जी जब बच्चवाले माननीय सदस्य ने जो जानकारी दी, वह सती है। हमारा यह अनुभव है कि कई जाहा पर प्राइवेट ट्रूलेस जब चीजों के दाम नीचे जाते हैं तो बापने सारे गुड़, एकोडीज इमारे बैगन से ही रखते हैं, ब्रॉन्चोइड नहीं करते हैं और इस ट्रूलेस से आर्टिफिशियल स्ट्रेंगरसेटी पैदा करते हैं। जब चीजों के दाम बढ़ जाते हैं तब वह बापने गुड़कों को अन-लाइ बना करते हैं। इसलिए एक नया बापनम हमने हाथ में लिया है कि आगर प्राइवेट ट्रूलेस जीव समय पर बापना सामान अन-लाइ नहीं करते ताहम पर्सिक ब्रीक्वेन कर के यह चीजें लोयोंका बेच देये। यह चीज हमने शुरू की है।

WRITTEN ANSWERS TO QUESTIONS

Trains held up en route due to breakdown of locomotives

*324 **SHRI K. PRADHANI** Will the Minister of RAILWAYS be pleased to state

(a) the number of trains held up en route during the last six months due to breakdown of locomotives,

(b) whether such breakdowns have occurred on mail and express trains also, and

(c) if so, what steps are proposed to be taken to ensure that such breakdowns do not occur in future?

THE MINISTER OF RAILWAYS (PROF MADHU DANDAVATE)
(a) The number of passenger trains

held up enroute due to breakdown of locomotives during the last six months ending June 1978 is 2332.

(b) Yes, Sir.

(c) Since Railways have a large number of Steam, Diesel and Electric locomotives, such breakdowns cannot be ruled out altogether. A system of preventive maintenance schedules exists on the Railways which is based on periodical analysis of loco failures by Research, Designs and Standards Organisation, Zonal Railways and Railway Board representatives. Contributory failures of staff are taken up, besides issue of related technical instructions for the guidance of loco crews and maintenance supervisors. These instructions are also incorporated suitably in Refresher Courses for the staff concerned. Failures of material are appropriately investigated and followed up through design modifications. Railways, performance in this respect is very closely monitored at the highest level.

Cooking Gas connection in Tribal Areas in Orissa

*328. SHRI SARAT KAR: Will the Minister of PETROLEUM AND FERTILIZERS be pleased to state:

(a) whether there is any proposal under the consideration of Government to sanction some more new cooking gas connections in the State of Orissa particularly in the tribal areas; and

(b) whether the Government of Orissa had also approached the Central Government in this regard?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) Liquefied Petroleum Gas (cooking gas) is being marketed in Orissa by the Indian Oil Corporation Limited and Hindustan Petroleum Corporation

Limited (Visakh Marketing Unit, formerly known as Caltex). Indian Oil Corporation has at present, plans to enrol approximately 6,000 new Indane connections in Orissa during 1978-79 through their existing distributors who are located in Bhubaneshwar, Berhampur, Balasore, Cuttack, Puri, Rourkela and Sambalpur. In view of the tight availability position of cooking gas, it has not been possible for the oil companies to release new cooking gas connections on a large scale or extend LPG marketing to newer areas. The availability of LPG is expected to increase substantially from 1980 onwards when it will be possible for the oil companies to review the position and to extend LPG marketing to smaller towns and rural/tribal areas based on the following considerations:—

- (i) anticipated customer potential;
- (ii) nearness to the market from the source of supply;
- (iii) availability of safe-commercial mode of transport;
- (iv) maximum utilisation of distribution equipment; and
- (v) viability of operation.

(b) No, Sir.

तलाक की प्रक्रिया तरल बताने के लिये हिन्दू विद्या अधिनियम में संशोधन

*329. श्री ई० एस० मंगी : क्या विदि, व्याय और कल्पनी कार्य मंत्री यह बताने की हुपा करेंगे कि :

(क) क्या यह सच है कि तलाक की प्रक्रिया को तरल बताने के लिए तरकार का विद्यार हिन्दू विद्या अधिनियम में संशोधन करने का है;

(ख) यदि हां, तो प्रस्तावित संशोधन की कार्रेक्ट क्या है; और

(ग) संशोधन विदेयक को संसद में कद तक लाये जाने की समावन है?

विदि, व्याय और कल्पनी कार्य मंत्री (श्री शास्त्र ज्ञान) : (क) से (ग). विदि कायोग

के बाबी हमें जिसी दिनें में विचारित की है कि और पर और फली कल से कल की वर्ष तक यात्रा थी है तो उन मानसों को छोड़ कर विदेश में यह दर्शित करने में समर्थ है कि ऐसी यानीर विदेश कठिन है या ऐसी विदेशिकाओं विचारात है जिनसे वह स्वास्थ्य होता है कि विचार के विचारित करना कलत होगा, हिन्दू विचार के विचारित करने से टूट जाने की विचार का एक आवार बनाया जा सकता है। विचारियों की समीक्षा की जा रही है और विचारिय करने में कुछ समय लगेगा।

कृष्ण यात्रियों में प्रथम योगी समाप्त किया जाना

* 332. श्री लक्ष्मीनारायण वारें. क्या देश मही वह बताने की कृपा करेंगे कि

(क) क्या सरकार ने लम्ही दूरी की कुछ वाडियो में प्रथम योगी समाप्त कर दी है,

(ब) यदि हाँ, तो ऐसी वाडियो का क्या व्यौदा है, और

(ग) आगामी वर्ष के दौरान आप जिन वाडियो में प्रथम योगी समाप्त हरने का विचार है उनका व्यौदा क्या है?

रेस मही (ओ० मध्य दंडवते) (क) से (ग), जी नहीं। लौहिन, रेसों की यह नीति है कि लम्ही दूरी की न गाडियों में केल दूसरे दर्वं का स्थान मूलभूत पराया जाये विसमं गढ़वार वाडियो, पुत्रक उदाहर बेने बाले पुत्रकाली, आदि के रूप में बेहतर सुविधायां की व्यवस्था हो।

अधोवित देश का आयात के सापेक्ष देशे हेतु अपनाये जाने वालवाह

* 333. श्री भारत तिह औहान एवा विदेशिय, रसायन और उर्जाक मही यह बताने की कृपा करेंगे कि

(क) क्या सरकार ने विदेशों से अधोवित देश का आयात करने का नियंत्रण किया है,

(ब) यदि हाँ, तो इस वर्ष अधोवित देश का कितनी मात्रा में आयात किया जाना है,

(ग) अधोवित देश का आयात करने के लिए सापेक्ष देशे हेतु क्या मानवज्ञ अपनाये गए हैं; और

(घ) यदि नहीं, तो इसके क्या कारण हैं?

ऐट्रियल तक रसायन और उर्जाक मही (बी हैम्प्टन लस्ट एव्हरेन्स) : (क) ऐट्रियल रसायनों की बांग को दूरा करने के लिए, ऐट्रियल कम्बे देश की उपलब्धता देश की विदेशियता और कम पड़ने वाले ऐट्रियल उत्पादों की आवाहन की जाने वाली विवेदित वाला को बांग करने से विवाद कम्बे देश का आयात करना वालवाह है।

(ब) वर्ष 1978-79 के दौरान 15 दिन 800 टन मात्रा के कम्बे देश का आयात करने की मात्रा की जाती है।

(ग) आयात नीति, 1978-79 के अन्तर्गत, सरकार द्वारा विदेशित देश के लिए की गई विदेशी मूदा की व्यवस्था के आधार पर कुछ लाभान्वय लाइसेंस के अन्तर्गत इस उत्पाद का केवल इविन आयल कार्पोरेशन द्वारा ही आयात किया जा सकता है। इसके अधिकारियों द्वारा लाइसेंस विदेशियम कार्पोरेशन लिमिटेड लाइसेंस पेट्रोलियम कार्पोरेशन रिकाइलरी लिमिटेड और कोवीन एवं पूर्वक आयात लाइसेंस के अन्तर्गत कम्बे देश का लीज आयात करने की मनुमति दे दी गई है।

(घ) प्रश्न नहीं उठता।

Indo-Europe Rail Link

* 334 SHRI P RAJAGOPAL NAIDU

SHRI RAJENDRA KUMAR SHARMA

Will the Minister of RAILWAYS be pleased to state

(a) whether rail link between India and Europe will be established, and

(b) if so when?

THE MINISTER OF RAILWAYS (PROF MADHU DANDAVATE)

(a) and (b) At present, the Indian Railways are connected with the Pakistan National Railways, and the latter with Zahidan on the Iranian State Railways, via Mirjavoh. The existing system thus provides for a through international rail movement from India to Iran upto Zahidan.

There is a missing rail link in Iran from Zahidan to Kerman, around 550

kilometers in length the construction of which would involve substantial capital investment by the Iranian Government. Only preliminary surveys of this link have been done but no decision has so far been taken by the Government of Iran about taking up construction.

Once Zahidan is linked by rail with Kerman the Indian Railways would get connected with the European railway networks through the Middle East and West Asia.

मंत्रालय द्वारा ईर-सरकारी लोड को दिये गये साइसेंस और टेके

*335 की मुद्रालय प्राकृतिक क्या ऐटेलियम तथा रसायन और उत्करक मबो यह बनाने की कृपा करते कि

(क) गवर्नर उनके मंत्रालय उनके सम्बद्ध कार्यालयों और सम्बद्धित सरकारी उपचारों द्वारा ईर-सरकारी लोड को विनियन साइसेंस और टेके दिये गये थे

(ख) क्या एसे टके और लाइसेंस देते सभी सरकार आपात स्वित से प्रभावित अवक्षियों को तरीकों हैं देती थीं

(ग) यदि नहीं तो इसके क्या कारण हैं?

पद्धतियम तथा रसायन और उत्करक लंबी (जी हैं बहुत लंबी वहाँ) (क) से (ग) ऐटेलियम, रसायन और उत्करक मंत्रालय द्वारा कोई आवोगारक लाइसेंस नहीं दिया जाता है। यह मंत्रालय उत्थान मंत्रालय को केवल उचित सिफारिशें भेजता है।

इस मंत्रालय के नियन्त्रणाधीन उपकरण अपने सामान्य कारोबार के दौरान अनेक लाइसेंस दी देते हैं, जिनको ठेके में जामिल किया जा सकता है। इस सूचना को पढ़कर करने में बहुत अधिक परिवर्तन करता पड़ेगा और इसमें सभी भी अधिक लाइसेंस, जो सरकार के विचार में प्राप्त होने वाले परिवारों के बानुप्रय नहीं होगा।

लाइसेंस और टेके देने के मामले में आपात स्वित से प्रभावित अवक्षियों को वरीयता देने का कोई प्रस्ताव नहीं है।

Agreement by IDPL with M/s. Pharmafin, Italy

*336 SHRI MOTIBHAI R CHAUDHARY

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state

(a) details of the agreement made during last three years by IDPL with M/s Pharmafin, Italy, date of President's accord of approval and dates on which remittances were made,

(b) what technology has been provided during last one year by Pharmafin to IDPL and how far it has helped increased production of bulk drugs, and

(c) how many complaints have been received against this collaboration details and action taken on these complaints?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)*

(a) The details of agreements made during the last three years by IDPL with M/s Pharmafin of Italy dates of approval and dates and quantum of remittances are indicated in the Statement attached

(b) The strains basic data and other documentation including the raw material specifications usages yield, etc were received and further implementation as provided in the agreements is in progress

(c) Communications from two Hon'ble Members of Parliament were received mainly on the need for seeking know how and strain for Penicillium with reference to the agreement of Hindustan Antibiotics Limited for

strains or Toyo Jozo of Japan. Another Hon'ble Member of Parliament has also recently written about IDPL's collaboration in this behalf for Doxycycline, with reference to the offer of technology by a foreign drug company in India. These have been

looked into and Government are satisfied that the Farmafin agreement is in order. However the progress of implementation of the technology is being reviewed constantly at the highest level.

Statement

Serial No	Details of Agreement	Dates of approval to terms of collaboration by Govt	Amounts remitted with dates (US Dollars)
1	Supply of know how technical documentation and technical assistance for the manufacture of Doxycycline Hydrate	13-2-1976	24,000 8-7-77
2	Supply of know how strains, technical documentation and technical assistance for the manufacture of		
	(a) Penicillin G Potassium Salt . . .	3-2-1977	60,000 5-3-77 120,000 8-7-77 140,000 9-8-77
	(b) Tetracycline Hydrochloride . . .	9-2-1977	60,000 5-3-77 90,000 8-7-77 83,448 10-8-77
	(c) Erythromycin Estolate . . .	3-2-1977	60,000 5-3-77 90,000 8-7-77 90,000 10-8-77 10,800 24-3-78
	(d) Supply of know how, technical documentation and technical assistance for the manufacture of Semi-synthetic Penicillin .	3-2-1977	100,000 5-3-77 150,000 8-7-77 100,000 8-7-77

रेलवे स्टेशन पर बान-बान का ठेका

*337. भी पूर्णतया बर्णन : बना रेल बंडी वह बताने की हुए करें कि :

(क) इन्वीर रेलवे स्टेशन पर बान-बान का ठेका देते समय किस नियमों का पालन किया गया था;

(ख) बना बंडीमान ठेकेवार पर दे नियम आदू होते हैं और उसको यह ठेका कितने बर्चे के नियम द्या हैं;

(ग) बना ठेकेवार की बरीत बोर्ड हारा करी एवं की गई हैं; और

(घ) रेलवे ने बरीतमान ठेकेवारों के कितनी बकाया राजिया बरी बदूल कराई है?

रेल बंडीमान में राज्य बंडी (भी नियम बारावन) :

(क) और (ख). इन्वीर रेलवे स्टेशन पर बान बान-बान/बैंडिंग ठेकेवार हैं। प्रेस विभिन्नियों द्वारा तथा विभिन्न स्टेशनों पर नोटिस लगाकर विभिन्न लान-बीनी अधिकारियों की एक संसिद्धि समिति द्वारा की जाती है, प्रारंभिक मात्राएं की प्रतिया का अनुपातन करने के पश्चात ही इन ठेकेवारों की द्वे टेके आवंटित किये गये थे। सबसे पूर्णांग ठेकेवार 1925 से और अधिकारी ठेकेवार 1966 से काम कर रहा है।

(ग) और, हाँ। इन्वीर में सामिक भोजनालय के ठेकेवार भी शोपालदास के १०० ग्रॅन्टार्नी का अध्यावेदन, और उन्होंने अपना ठेका समाप्त किये जाने के विद्युत दिया था, रेलवे बोर्ड हारा एवं कर दिया गया था।

(घ) इन्वीर स्टेशन पर तीन बान-बान ठेकेवारों की दरक लाइसेंस थुक की 67, 972/- रु. की राशि बकाया है। इन बकाया राजियों का और भी विद्युत दिया गया है:—

	रु.
(i) भी बी० के० गुरनानी	38,981
(ii) मैससै लज्जा राम एंड सस	22,025
(iii) मैससै चौगिया एंड कम्पनी	6,966
	<hr/> 67,972

बोर्डिंग टेका का बाबत

*338. भी चतुर्थविंशति : बना बैंडीमान, राज्य बंडी और उर्वरक बंडी यह बताने की हुए करें कि :—

(क) बना रेल में भारीवित टेका की भी यह बेताए हुए बरकार ने विभिन्नों के इसका बाबत करने का नियम किया है; और

(ख) यदि हाँ, तो इसके बना कारण है ?

बैंडीमान बना राज्य बंडी उर्वरक बंडी (भी हेल्परी बनन बहुमुद्रा) : (क) और (ख). बैंडीमान बनन बहुमुद्रा की उपलब्धता देव की बाबत बनता तथा कभी बाने बैंडीमान उत्तरार्द्धों की आवाद की जाने वाली अधिकारी बनना का पता बनाकर बैंडीमान उत्तरार्द्धों की बांध को पूरा करने के लिए भारीवित टेका का आवाद करना बाबत है।

Policy regarding distribution of Canalised Bulk Drugs

*339. PROF. R. K. AMIN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the policy regarding distribution of canalised bulk drugs which was prevalent during the last three years (year-wise);

(b) whether it is a fact that his Ministry have been issuing letters recommending release of raw materials during last three years;

(c) if so, details of such letters issued during last three years including that of Prednisolone to Warner Hindustan Ltd.;

(d) whether it is a fact that Warner Hindustan were released advance quota for Prednisolone for 1978-79 in 1977-78; and

(e) if so, details of the letter under which it was recommended, under what provisions of ITC policy the recommendation was made and how many such recommendations were made in favour of other firms?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA)

(a) The policy regarding distribution of canalised bulk drugs which was prevalent during the period from first April, 1975 to 31-12-77 is indicated below—

DGTD Units—Such units were allowed releases of canalised raw materials to the extent of best of consumption during any of the two previous years or the quantity recommended by the State Drug Controllers whichever was less

Small Scale Units—

(i) Small scale Units having a turnover less than Rs one crore per annum—to the extent of best of past two years' consumption plus 30 per cent

(ii) Small Scale Units with a turnover of Rs one crore and above—to the extent of best of past two years consumption plus 15 per cent towards growth

(iii) All Small Scale Units in West Bengal—50 per cent extra over the best of past two years' consumption

(iv) All new units i.e. units having no past consumption of the raw material in question—to the extent of 150 kgs and 200 kgs for units in West Bengal. However in the case of certain canalised items where dosage requirement is small, certain minimum quantities were released initially. On producing State Drug Controllers Certificate of having consumed the allotted quantities the units were entitled to further similar quantities

A liberalised policy for release of canalised bulk drugs was announced in October 1977 and was put into effect from 1-1-78. The salient features of the new policy are indicated below—

DGTD Units—These units would be released canalised raw materials for 1977-78 to the extent of releases in 1976-77 or as per their entitlements based on licensed capacities for formulations whichever was higher

Small Scale Units—

(a) The overall additional requirements of 1977-78 and 1978-79 shall not exceed 100 per cent of the 1976-77 allocations of canalised bulk drugs for each year

(b) Releases will be made on monthly or quarterly basis

(c) New units in the Small Scale Sector will be registered on production of a photostat copy of the drug manufacturing licence issued to them by the concerned State Drug Controller and a certificate from their Bank or the State or Central Financial Institution which finances them to the effect that their production plan as filed with them, warrant the quantity of material asked for.

(d) The units seeking releases will have to give a certificate to the canalising agency that the raw materials are required for captive consumption in their own production

(e) At the end of the year, the units will furnish a certificate from a Chartered Accountant to the effect that the material has actually been consumed in their own unit for production of formulations

(b) and (c) Ministry of Petroleum Chemicals & Fertilizers (Deptt of Chemicals and Fertilizers) laid down parameters for distribution of canalised bulk drugs within the framework of the Import Trade Control Policy to small Scale and DGTD units. Clarifications arising out of the application of the distribution policy were also given as and when sought. The position with regard to action taken by

the Ministry to regulate releases of Methyl Dopa during 1975-76 and 1976-77 has already been indicated in reply to part (b) of Lok Sabha Starred Question No. 502 answered on 20-12-77. During 1977-78, the Department issued allocation orders only in respect of L-Base to individual units, in accordance with the Ministry of Commerce notification No. 42-ITC(PN)/77 dated 2-7-1977.

As regards the circumstances in which CPC were asked to release 1.5 kgs of Prednisolone in favour of M/s Warner Hindustan Ltd. during 1977-78, the relevant details have already been furnished in reply to Lok Sabha Unstarred Question No. 8802 answered on 2-5-1978.

In 1977-78 the release of items like Cryscelic Acid, Citric Acid, Folic Acid, Iodine, Betapicoline, Vitamin B-2 (including Riboflavin-5 Phosphate sodium), Vitamin B-1 and Tartaric Acid was put under Direct Allotment Procedure and their releases were made to the drug units by the canalising agencies without the requirement of release orders as per provisions contained in paragraphs 90 to 96 of the Import Trade Control Policy 1977-78 (Vol. I).

(d) Yes, Sir.

(e) No recommendation was made by Department of Chemicals & Fertilizers for advance release of Prednisolone for 1978-79 to M/s Warner Hindustan Ltd. Similarly, no other recommendations were made by Department of Chemicals & Fertilizers for advance releases for 1978-79 in favour of individual units.

Payment of Royalty to Assam for Petroleum Crude

*340. SHRI PURNANARAYAN SINHA: Will the Minister of PETROLEUM CHEMICALS AND FERTILIZERS, be pleased to state:

(a) whether it is a fact that Government of Assam is paid a royalty of Rs. 42 only per barrel of petroleum crude purchased by the Refineries of the country;

(b) whether it is a fact that the Central Government pays Rs. 116 per barrel of similar crude purchased from the countries outside India;

(c) in view of the great disparity between the price of crude bought from the Middle East and royalty paid to Assam, will Government raise the quantum of royalty payable to Assam Government to at least Rs. 75 per barrel considering the poor economic condition of the State; and

(d) if not, the reasons therefor?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) Royalty at the rate of Rs. 42/- per tonne (not barrel) is payable to the Government of Assam on crude oil and casing head condensate produce in the State of Assam.

(b) The average FOB price of imported crude oil is about Rs. 777 per tonne (about Rs. 105 per barrel).

(c) and (d). The rate of royalty is based on the selling price of oil, which has been fixed at about Rs. 300 per tonne for indigenous crude oil produced from onshore oil fields. The price of crude oil in the Middle East is not relevant for fixing the rate of royalty in India. The existing rate of royalty would continue till it becomes due for review in 1980.

Release of Canalised Bulk Drugs to Non-drug Units

*341. SHRI UGRASEN: Will the Minister of PETROLEUM CHEMICALS AND FERTILIZERS be pleased to state:

(a) details of canalised bulk drugs released to non-drug units during the last three years;

(b) what were the administrative Ministries concerned for such products, and if action was taken based on the recommendation of such administrative Ministries or merely by the Ministry of Chemicals and Fertilizers, names of firms, quantities released year-wise during the last 3 years, and

(c) under what provisions of policy was this done when administrative responsibility of Chemicals Ministry stands only for drug-manufacturing units?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)

(a) Canalised drug items are distributed through State Chemicals & Pharmaceuticals Corporation of India (CPC) and Indian Drugs & Pharmaceuticals Ltd (IDPL). In so far as IDPL is concerned non drug units obtained releases of Vitamin B1 Vitamin B2 and Folic Acid during the last 3 years to meet their requirements for fortification of processed foods as per details given in the attached Statement

As regards the canalised items released by CPC to non-drug units, information is being collected and will be laid on the Table of the House

(b) and (c). In the Import Trade Control Policy 1975-76, it was provided in Section III that in the case of Actual Users engaged in the manufacture of processed foods, release orders in respect of the above mentioned items would be issued by the licensing authorities on the concerned agency. In the Import Trade Control Policy for 1976-77, these items were included in Section III (Group B) which contained items, release of which would be made by the canalising agencies on the basis of release orders to be issued by the licensing authorities. During these two years, therefore, releases in respect of the aforementioned items were made by IDPL on the basis of the release orders issued by CCI & E

During 1977-78, the ITC Policy (vide Section III—Group 'A'), provided that Vit B-1, B-2 and Folic Acid would be released by the canalising agencies under the policy of Direct Allotment without the requirement of a release order. As an additional safeguard against mis utilisation of these items, it was decided in the Dep'tt of C&F that releases to non-drug units should be made by the canalising agencies, after making a reference to the Dep'tt. of C&F and such releases should be on the basis of past consumption of the units concerned certified by a Chartered Accountant

Statement
(Qty in Kgs.)

Name of the Party	Item	1975-76	1976-77	1977-78
Food Corporation of India	Vitamin B1 Hcl	105	150	100
	Vitamin B2	131	208	140
	Folic Acid	11.4	18.4	13.0
Kasturi Paper & Food Chemical	Vitamin B1 Hcl		31	
	Vitamin B2		36	
Bhandari Crossfit Id Indore	Vitamin B2			58
	Vitamin B1 Oral Gr			22
Mysore Snackfood Limited, Bangalore	Vitamin B2			4

Three-Tier Managerial Remuneration arrangement for Corporate Sector..

*342. SHRI K. A. RAJAN

SHRI P. K. KODIYAN:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are considering a proposal to introduce a three-tier managerial remuneration arrangement for top executives in the corporate sector; and

(b) if so, the details and steps being taken in this regard?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) There is no such proposal under the consideration of the Government. However the question of the revision of the existing guidelines relating to the remuneration payable to Managing Directors/whole-time Directors/Managers of Punjab Limited Companies and private companies which are subsidiaries of Public Limited Companies is under consideration of the Government

(b) Does not arise.

Computerised Aids on Railways

*343. SHRI SUKHENDRA SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that computerised aids in various fields of railway operations and management have considerably reduced the time taken earlier in traffic and pay-roll accounting;

(b) if so, the details thereof; and

(c) whether it is also a fact that innovation in the Railways has result-

ed in retrenchment of a number of employees?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) Yes, Sir.

(b) Apart from enabling all the transactions at the stations to be included in the accounts of the month, it is now possible to give the various statistical compilations about traffic moved within 20 days of close of a month, which is less than half the time taken earlier. Computerisation has also enabled the range of statistics to be made much wider.

The process of pay-roll compilation starts about a week later than it used to be under the manual system.

(c) No staff was retrenched.

राजकोट में परामर्शदाती समिति की बैठक

3139. श्री धर्मसिंह भाई पटेल : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या गुजरात में राजकोट स्टेशन के सम्बन्ध में राजकोट में शपैल या मर्ड, 1978 ये परामर्शदाती समिति की काई बैठक हुई थी,

(ब) बैठक में किस प्रकार की मार्गे की गई और उनमें से किन-किन मार्गों को स्वीकार कर दिया गया है और कब स्वीकार किया गया,

(ग) किन-किन मार्गों को प्रस्तुत किया गया और इसके क्या कारण हैं, और

(प) इस समय कौन-कौन सी मार्गे मनीजीट पड़ी हुई हैं और इसके क्या कारण हैं तथा इन मार्गों का स्वरूप क्या है और उन पर क्या कार्यवाही किये जाने तथा कब तक किये जाने की सम्भावना है ?

रेल मंत्रालय में राज्य बंडी (श्री शिव नारायण) :

(क) स्टेशन परामर्श समिति राजकोट की एक बैठक 29-4-1978 को राजकोट में हुई थी।

(ब) से (क). एक विवरण समा पटव पर रखा जाता है। [प्रश्नालय में रखा था। रेकिर्ड संख्या LT—2605/78]

Cancellation of Tenders for Award of contract for handling of Parcels at Allahabad

3140. SHRI ISHWAR CHAUDHRY: Will the Minister of RAILWAYS be pleased to state:

(a) whether as per latest policy decision taken by the Railway Board and conveyed to the General Managers, All Indian Railways under letter No. 78/E(Coop)/14/2 dated 3-6-1978, it is obligatory on Railways to invite limited tenders from Co-operative Societies having area of operation at particular station for allotment of handling contracts i.e., Goods and Parcels etc.;

(b) whether it is a fact that keeping in view the policy the Northern Railway Administration decided to invite limited tenders from Co-operative Societies for award of contract for handling of Parcels at Allahabad;

(c) if so, under whose instructions the Divisional Superintendent, Allahabad, was asked to cancel the tenders; and

(d) whether in case of Parcel handling contract at Allahabad the Director (Commercial) Shri Jagdish Lal is the final authority?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The policy of Ministry of Railways is to encourage formation of Cooperative Labour Contract Societies on the Railways and to award contracts for handling of goods, parcels etc. to them through negotiations. Where more than one genuine Cooperative Society of actual workers are operating in a particular area of operation, limited tenders from these labour cooperative societies may be invited, whenever a contract is to be given and the contract awarded to any one of them on the basis of merits, taking all relevant factors into consideration. This is however, not obligatory. Where,

however, only one genuine labour Cooperative Society is operating, the existing instructions i.e., the allotment of contract by negotiation will stand.

(b) Yes.

(c) Since the policy is under further examination the calling of tenders has been kept in abeyance under instructions from the Ministry of Railways.

(d) No. The Railway Ministry only issues policy directives. The Zonal Railway is the competent authority in respect of such contracts.

Non-appearance of Tender Notifications in Newspapers

3141. SHRI N. K. SHEJWALKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether specific instructions were issued by the Northern Railway Headquarters Office to the Divisional Superintendent, Allahabad, to invite limited tenders from Cooperative Societies for allotment of parcels handling contract at Allahabad;

(b) whether in compliance of those orders tender notification was sent to the Chief Public Relation Officer, New Delhi, under letter No. C. Imp/Contract/ALD/72-78/Pt.I dated 29-6-78 for publication in local and other important newspapers;

(c) if so, why tender notification did not appear in the newspapers;

(d) whether the Divisional Superintendent, Allahabad, is being pressurised by the Director (Commercial) Railway Board, New Delhi, to extend the present contract beyond 31st July, 1978 in favour of Railway Station Porters' Cooperative Labour Contract Society Ltd. who apart from other irregularities has been held responsible for short payment to their workmen to the tune of Rs. 1,23,585/-; and

(e) if so, what remedial steps are proposed to be taken?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Yes.

(c) Since the policy regarding allotment of Goods/parcels handling contracts to Cooperative Labour Contract Societies by inviting limited tenders is under further examination, the notification proposed to be issued for inviting limited tenders for allotment of parcels handling contract at Allahabad has been kept in abeyance. The Railway has been advised to maintain status quo by extending the contract of the Society for a short period, if necessary, by mutual consent.

(d) No.

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(e) Does not arise.

Collaboration of Firestone Tyre and Rubber Company of U.S.A. with Synthetics and Chemicals Limited

3142. SHRI SURENDRA BIKRAM: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the role of Firestone Tyre & Rubber Company, Akron, Ohio, U.S.A. in the management of Synthetics & Chemicals Limited as collaborator or what is the area of its activities concerning this company;

(b) what are the interests of Firestone Tyre & Rubber Company, Akron, Ohio, U.S.A. as collaborators of Synthetics & Chemicals Limited, in the company now; and

(c) what amounts have been paid to Firestone Tyre & Rubber Company Akron, Ohio, U.S.A. from time to time during the last seventeen years by Synthetics & Chemicals Limited and to two Firestone Directors on Synthetics & Chemicals Board?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) Firestone Tire and Rubber Company, Akron, Ohio, U.S.A. is represented by two Directors on the Board of Synthetics and Chemicals Ltd.

(b) Firestone Tire and Rubber Company, Akron, Ohio, U.S.A. holds 24.99 per cent of the equity share capital of Synthetics and Chemicals Ltd.

(c) During the last 17 years, Synthetics and Chemicals Ltd. have paid the following amounts to Firestone Tire and Rubber Company, Akron, Ohio U.S.A.:—

1. Payments made in terms of the collaboration agreement.

Dollars

(i) Engineering Fees	1,000,000
(ii) Disclosure Fees	300,000
(iii) Know-How and Technical Service Fees at the rate of \$285,000 year for ten years (1968 to 1973) after the plant went into production	2,850,000

2. Interest on Loan	2,315,957.35
3. Dividend paid for the years 1966, 1970, 1971, 1972, 1975, 1976 and 1977	Rs. 1,33,61,700

(Subject to deduction of Income Tax at source).

In addition, the Directors representing Firestone Tire and Rubber Company, U.S.A. on the Board of Synthetics and Chemicals Ltd. are being paid at the rate of Rs. 250 for each meeting of the Board attended by them.

Racket or Sale of Used Rail Tickets unearthing

3143 SHRI MADHAVRAO SCINDIA. Will the Minister of RAILWAYS be pleased to state

(a) whether it is a fact that a racket of sale of used rail tickets for journey between Agra and Delhi has been unearthed by the Government,

(b) if so, details therein,

(c) assessment about the financial loss suffered by the Railways, and

(d) action proposed to be taken against the offenders?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) (b) and (d) Details of a racket detected by the Delhi Railway Police have already been given in reply to Lok Sabha Unstarred Question No 2234, which was answered on 1-8-78

(c) An assessment about the loss suffered by the Railway due to the activities of this racket will become known only on finalisation of investigation of this case by the Delhi Railway Police

Setting up of Fertilizer Plants

3144 SHRI AHMED M PATEL Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state

(a) whether Government is considering to set up more fertilizers

Plants in the country during the next five years to meet the increasing fertilizers demand, and

(b) if so, the details thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)

(a) and (b) Yes, Sir It is proposed to set up four fertilizer plants in the Western Region, two each in Maharashtra and Gujarat, based on the gas available from the Bombay High/Bassein structure and one plant at Namrup in Assam based on the gas available from the oil fields of ONGC and Oil India Limited A letter of intent has also been granted to M/s Indian Explosives Limited for expansion of their existing capacity at Kanpur

Memorandum regarding establishment of a High Court Branch at Goa

3145 SHRI VASANT SATHE Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether Government have received memorandum pleading for establishment of High Court bench at Goa,

(b) if so, furnish details of the memorandum received and what is Government's reaction thereto, and

(c) how soon the Government is expected to take final decision in the matter?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) to (c). Memoranda dated 15-2-1977 and 30-6-1977 have been received from the Goa, Daman and Diu Advocates Association and the Advocates Association of South Goa, Margao respectively pleading for setting up of a separate High Court at Panaji. It has also been requested that pending the setting up of a separate High Court a Bench of the High Court of any other State may be established at Panaji. The Chief Minister Goa, Daman and Diu has requested that a Bench of the High Court of a neighbouring State may be established at Goa. The matter is under consideration.

Representation from Dombivali Passengers Association

3146. SHRI R. K. MHALGI Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the Government have received a representation dated 12th April, 1978 along with a sketch from Dombivali Passengers Association (Distt. Thana, Maharashtra) requesting for a Dombivali Local and halts at Dombivali of trains to Bombay, Pune and Bonbay-Bhusawal passenger and vice-versa;

(b) if so, what action Government have taken or propose to take in the near future; and

(c) if no action has so far been taken, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) and (c). Introduction of suburban locals to/from Dombivali has not been found operationally feasible for want of terminal facilities there. Provision of halt of Bombay-Pune and Bombay-Bhusawal Passengers at suburban stations like Dombivali is also not possible as this will adversely affect the running of suburban trains and goods trains

Capital of Greaves Cotton

3147. SHRI VAYALAR RAVI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what is the total capital of the Greaves Cotton and the persons holding more than 5 per cent shares;

(b) the names of its Board of Directors and the shares held by each; and

(c) the remuneration paid to them?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) As per the Annual Return made upto 6-12-1977, the paid-up capital of Greaves Cotton & Company Limited was Rs. 4,75.25 lakhs, consisting of 4,25,250 equity shares and 50,000 cumulative preference shares of Rs. 100/- each fully paid-up.

The names of the shareholders holding more than 5 per cent shares as on 6-12-1977 are as under:—

Names of the shareholders holding more than 5% of the equity paid-up capital	Names of the shareholders holding more than 5% of the cumulative preference paid-up capital
--	---

1. Karam Chand Thapar & Bros Ltd.	1. Central Bank of India (A/c.) Nizam's-Trust.
2. Ballarpur Industries Ltd.	2. Nawab Kazim Nawaz Jung Bahadur.
3. United India Fire & General Insurance Company Ltd.	3. Sir Saiful Mulk Bahadur.
4. New India Assurance Company Limited.	
5. Karam Chand Thapar & Bros. (Coal Sales) Limited.	
6. Life Insurance Corporation of India.	

(b) The information about the directors of the company and the shares held by them—singly or jointly with others—is given below:—

Names of the Directors	No. of shares held
1. Shri Lalit Mohan Thapar	179
2. Shri Nityanand Mangesh Wagle	32
3. Shri Hari Datta Varma	39
4. Shri Surendr Lall	32
5. Shri Inder Mohan Thapar	32
6. Shri Madhukar Balwant Bhaskare	94
7. Shri Ramchandra Dattatreya Pusalkar	22
8. Shri Govind Mathrani	70
9. Shri Viswanathan Venkataraman	23
10. Shri Har Charan Dass	25

Shares held by Directors jointly with others

Names	No. of shares held
1. Mr Madhukar Balwant Bhaskare & Mrs M. Rita Bhaskare	76
2. Mrs Premila N. Wagle Mr Nityanand M. Wagle	63
3. Lady Dhanvantibai Rama Rau & Mr Nityanand Mangesh Wagle & Mrs Premila Nityanand Wagle	765
4. Mrs Rita Madhukar Bhaskare & Mr Madhukar Balwant Bhaskare	67
5. Mrs. Barabati L. Mathrani & Mr Govind Mathrani	12
6. Mr. Sunil W. Mathrani & Mr Govind Mathrani	1
7. Mrs. Lakshmi Venkataraman & Mr. Viswanathan Venkataraman	45

(c) As per the information furnished by the company pursuant to Section 217(2A)(b)(ii) read with the Companies Particulars of Employees) Rules 1975, the gross remuneration before

payment of income tax paid to the directors during the year ended 30th June, 1977 was as follows:-

Name of Directors	Gross remuneration before Payment of income tax (Rs.)
1. Shri M B Bhaskar, Managing Director	1,88,465
2. Shri G. Mathrani, Joint Managing Director	2,02,100
3. Shri R D Pusalkar, Executive Director	1,24,068
4. Shri V Venkataraman, Marketing Director	1,18,451

The remaining non-working directors were paid an aggregate amount of Rs. 3,25,803 for the year ending 30-6-1977 being commission at 1 per cent of the net profits in terms of Section 349 of the Companies Act, 1956.

Railway line in Backward Areas

3148. SHRI ANANT DAVE: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government decision to provide railway line in the backward area where earning to the extent of 10 per cent is possible is being implemented;

(b) whether the people of Kutch region living in backward area and having potentiality of 10 per cent earning a ceiling fixed by Government have been representing to railway authorities for new railway line between Gandhidham and Lakhpat via Mandvi;

(c) whether the Government have been resisting their legitimate demand of this backward area for constructing this new railway line so far; and

(d) if the reply to (c) is in negative, what Government propose to do for this line in near future and how long time Government will take to start with this project?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d). Representations have been received for construction of Gandhidham-Lakhpat line via Mandvi. A preliminary-engineering cum-traffic survey was carried out in 1971-72 and the project was not found to be viable on account of very limited traffic prospects. It would, therefore, not be possible to take up the construction of the line at present. A high level committee has been appointed by the Planning Commission for formulating the overall transport policy for the country. The Committee will also evolve a policy for construction of railway lines in backward areas of the country. The proposed line from Gandhidham to Lakhpat will be given due consideration under the new policy.

Manufacture of formulations of Oxy-tetracycline and M/s. Pfizer and Glaxo Labs

3149. SHRI MOTIBHAI R. CHAUDHARY: Will the Minister of PET-

ROLEUM, CHEMICALS AND FERTILIZERS be pleased to state

(a) details regarding names of drugs, licensed capacity and composition of Oxytetracycline and Betamethasone formulations manufactured by M/s Pfizer and Glaxo Labs,

(b) is it a fact that both these companies marketed number of products in the above range without valid authority under I (D & R) Act and if so, what action is proposed to be taken against them and

(c) how many permission letters of Glaxo were converted into COB licences details of same, permission letter-wise product wise, date-wise and under what provisions of I(D&R) Act it was done?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) and (b) M/s Pfizer Limited and M/s Glaxo Laboratories are licensed to manufacture 9 tonnes per annum of Oxytetracycline and 300 kgs per annum of Corticosteroids (including Betamethasone) respectively. Based on these bulk drugs the following formulations have been manufactured by them during 1977 —

M/s Pfizer (Based on Oxytetracycline)

- 1 Amphoteric Capsules
- 2 Terracortril Eye/Ear Ointment
- 3 Terracortril Topical Ointment
- 4 Terramycin Dental Paste
- 5 Terramycin Eye/Ear Suspension
- 6 Terramycin I M Sol
- 7 Terramycin Intravenous Injection
- 8 Terramycin Ophthalmic Ointment
- 9 Terramycin Otic Soln
- 10 Terramycin Premixed Pediatric drops
- 11 Terramycin SF Caps

M/s Pfizer (Based on Oxytetracycline)

- 12 Terramycin Caps
- 13 Terramycin Stein Ointment
- 14 Terramycin Soluble Tabs
- 15 Terramycin Syrup
- 16 Terramycin Vaginal Tabs
- 17 Utibiotic Capsules

M/s Glaxo (Based on Betamethasone)

- 1 Betnesol Tablets
- 2 Betnesol Eye drops
- 3 Betnesol Tablets
- 4 Betnesol Eye Ointment
- 5 Betnesol Eye Ear drops
- 6 Betnesol Eye Ear drops
- 7 Betnesol Nasal drops
- 8 Betnesol Oral drops
- 9 Betnesol Oral drops
- 10 Betnesol Tablets
- 11 Betnovate (Cream or Greasy) Skin Ointment
- 12 Betnovate C (Cream or Greasy Base) Skin Ointment
- 13 Betnovate N (Cream or Greasy Base) Skin Ointment
- 14 Otoxo Drops
- 15 Anovate Ointment

No instance of any irregular production of the above formulations by these companies without a valid authority under I (D&R) Act has come to the notice of the Government. This would however, be verified at the time of consolidation of licences.

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

Diesel Loco Sheds at Waltair

3150. SHRI SUDHIR GHOSAL: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Diesel Loco Sheds at Waltair and Bondamunda in S.E. Railway are having a large number of diesel loco fleet catering both coaching and goods services;

(b) whether adequate staff are posted for the repair and maintenance of these diesel locos;

(c) whether the Electrical Loco Sheds at Tata and Bhilai are having a large number of electrical locos based at these sheds for catering the coaching and goods services; and

(d) whether adequate staff are posted for repair and maintenance of these electrical locos?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Diesel Loco Shed at Waltair is having 143 locos and Bondamunda 77 which cater for both coaching and goods services.

(b) Yes. Adequate posts in different categories exist and staff requirements are reviewed from time to time, as necessary.

(c) Electric Loco Shed at Tata is having 121 electric locos meant for goods services. Electric Loco Shed at Bhilai is having 133 electric locos which cater for both coaching and goods services.

(d) Yes. Adequate posts in different categories exist and requirements are reviewed from time to time as necessary.

Bhavnagar-Tarapur Railway Line

3151. SHRI F. P. GAEKWAD: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Ministry has approved construction of Bhavnagar-Tarapur Railway line in the interest of rapid development of backward area of Bhal and to provide missing coastal link in Saurashtra region;

(b) if so, whether the Project has been cleared by the Planning Commission; and

(c) if not, the reasons for delay in according sanction to the Project?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). The construction of Bhavnagar-Tarapur line has not yet been cleared on account of severe constraint of resources.

निकटवर्ती नगरों के लिये जाते वाले यात्रियों के लिये रेलगाड़ी

3152. की ओर प्रकाश तथारी: क्या रेल मंत्री यह बातों की हुपा करेंगे कि

(क) क्या सरकार को पता है कि उत्तर प्रदेश और हरियाणा के निकटवर्ती नगरों से लिये जाने वाले यात्रियों का राज्य भविष्यत्वानुसार यात्रा करने के लिये बड़ी सक्षमा में लोग प्रतिविनियोग आते हैं,

(ख) क्या इन व्यक्तियों को जाने के लिये लटक यात्रियों की लंबाई अपर्याप्त है जिससे उनको बड़ी कठिनाई होती है तथा वे अपने गत्तम्भ स्थान पर समय पर नहीं पहुँच सकते;

(ग) क्या सरकार का विचार रेल लेना में सुधार करने का है; और

(घ) यदि हाँ, तो उसके क्या कारण हैं?

रेल नियंत्रण में राज्य मंत्री (की लिये नारायण):

(क) हाँ।

(ख) (क). यहाँ लेना एवं लिये के उत्तर प्रदेश और हरियाणा के सभी नगरों की वाले

करने वाले ईंटिक यांत्रिकों की बर्तमान भावधारकताओं की दृष्टि कर रही है। इस समय मार्ग में भवितरिक जाइन लामता के ज्ञानव और खेती/नदी खेती में अपवाहन पर्यावरण सुविधाओं के कारण भवितरिक यांत्रिक यांत्रिक परिवासिक दृष्टि से सम्बन्ध नहीं है। लेकिन, भवितरिक सुविधाओं की इन मार्गों का समय-समय पर, उन समय उपवाहन सुविधाओं को ज्ञान में रखते हुए, पुनरीक्षण किया जायेगा।

Proposal to run trains from Bhubaneshwar to Delhi

3153 SHRI PADMACHARAN SAMANTASINHERA Will the Minister of RAILWAYS be pleased to state

(a) whether Government are considering any proposal for running fast train from Bhubaneshwar to Delhi as other States' capitals are having, and

(b) if so when it will be started?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) and (b) Proposals to divert 143/144 Kalinga Express via Asansol and extend 161 162 Tatanagar Amritsai Express to and from Puri were examined but not found feasible at this stage for want of line capacity on sections enroute.

Time taken by Train from Jodhpur to Ajmer

3154 SHRI R D GATTANI Will the Minister of RAILWAYS be pleased to state-

(a) whether 10½ hours are taken by the train for reaching Ajmer from Jodhpur which is a distance of 244 kms.; and

(b) if so, whether efforts would be made to minimise this time?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) and (b) There is no direct train between Ajmer and Jodhpur at present. However, two through service coaches are running between these points by 209Up/4Dn-3Up/210Dn trains which take about 10 hours to cover the distance. Reduction in journey time of these coaches has not been found operationally feasible having regard to the connections and time required for maintenance.

Memo from AI Station Masters' Association

3155 SHRI A K ROY Will the Minister of RAILWAYS be pleased to state

(a) whether he has received the memorandum regarding the resolutions passed in the Silver Jubilee AGM of All India Station Masters' Association held at Udaipur on 23rd 24th and 25th June, 1978, and

(b) if so the action taken by the Government to redress each item of their demands?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) Yes, Sir

(b) In accordance with the Government's policy staff representations received from any source are given due consideration and such action as is necessary taken. The demands of all categories of staff, including Station Masters, are considered and solved through the various tiers of the collective bargaining Machinery—the Permanent Negotiating Machinery and the Joint Consultative Machinery.

Many of the demands contained in the Memorandum have already received

ed consideration and will again receive consideration in accordance with Government's policy as stated above.

Progress in production of Oil at Bombay High

3156. SHRI RAJ KESAR SINGH: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

- (a) the latest progress in the production of oil at Bombay High;
- (b) targets fixed and achieved for 1978-79 (todate); and
- (c) programme of action fixed for the next year?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) At present approximately 80,000 barrels per day of oil (i.e. at the rate of approximately 4 million tonnes per annum) is being produced from the Bombay High.

(b) A target of 3.85 million tonnes of production of crude oil from Bombay High had been fixed for 1978-79. The information regarding total production during 1978-79 as on date is being collected and will be laid on the Table of the Sabha.

(c) During the next year execution of Phase III-B development of Bombay High will be continued which includes additional well platforms, a process platform, crude stabilisation tanks, gas fractionation plant, etc.

Transportation of Coal, Cement to Southern States

3157. SHRI SUBHASH CHANDRA BOSE ALLURI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received complaints that wagons are not available for transportation of coal, cement to Southern States; and

(b) if so, the reason for this sudden shortage and steps being taken to meet the situation?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Complaints were received from some consumers of coal in the South about inadequate receipt of coal. No complaint about movement of cement to the South has been received.

(b) A month-long strike in Singareni Collieries in April-May 1978 was primarily responsible for this shortage of coal in the Southern States. To improve availability of coal in the South, the Ministry of Railways, in coordination with the Ministry of Energy (Department of Coal), have already initiated various steps including deployment of additional wagons and locomotives.

Increase in Pilferage and Wagon Breaking in Asansol

3158. SHRI ROBIN SEN: Will the Minister of RAILWAYS be pleased to state:

(a) whether he is aware that there has been an alarming increase of pilferage and wagon breaking in Asansol and Ondal yard and also in the Kazora, Ukhra, Barabani, Sitarampur and Barachak stations;

(b) whether it is also a fact that coal and other materials valued at lakhs of rupees are daily being stolen by this wagon breaking and pilferage from the above yards and stations;

(c) whether R.P.F. are conniving in wagon breaking with the wagon breakers and sometimes it is found particularly in Ondal that armed R.P.F. escorted wagon breakers with stolen materials and armed R.P.F. threatened the villagers if the villagers try to catch the wagon breakers running with stolen properties;

(d) whether the villagers of Ondal and nearby villagers made several complaints in this respect to the local Railway Authority but with no effect, and

(e) whether Government will consider to do away with the RPF duty at yards and stations and consider some other agency for this purpose in co-operation and consultation with the State Government?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) to (e) No

Licences issued to persons of Bombay for distribution of Gas

3159 SHRI BAPUSAHEB PARULEKAR Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state

(a) whether it is a fact that licence or licences are given to some persons for distribution of gas available from Bombay high for cooking purposes in city of Bombay,

(b) if so, the name or names of such persons and the dates where such licenses or agencies are given; and

(c) what are the criteria for giving such licences or agencies?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)

(a) and (b) No LPG is presently available from Bombay High gas. However, LPG is produced from Bombay High crude being processed in the refineries which is distributed through the existing LPG distributors

It has recently been decided that a gas fractionation plant with 4 million cubic metres per day capacity based

on cryogenic process and with a design to fractionate 50 50 mixture of associated and non associated gas be set up at Uran

(c) According to the guidelines issued by Government to all the public sector oil companies, distributorships for the marketing of LPG including the LPG to be available from the Associated Gas/Natural Gas from the Bombay High and South Bassin fields are to be awarded as under —

(i) 25 per cent for persons belonging to Schedule Castes/Scheduled Tribes

(ii) 2 per cent for physically handicapped persons, and

(iii) the balance on commercial consideration, preference being given to genuine Consumer Co-operative Societies and Agro Industries Corporations

A.I.R.E.C. Work-to-rule Campaign

3160 SHRI KISHORE LAL Will the Minister of RAILWAYS be pleased to state

(a) what were the six-point demands formulated by the NCCRS,

(b) whether it is a fact that the AIREC has decided to launch work-to-rule campaign from November, 1978, if these demands are not settled through negotiations and

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

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) and

(c) The demands and the position in respect thereof are given in the attached statement

(b) Yes

Statement

Demand	Position in respect thereof
1/(i) All Railwaysmen be treated as industrial workers with full trade union rights including the right to negotiate	(i) Already Railway employees are governed by the provisions of the Industrial Disputes Act. However, in respect of the terms and conditions of service, they are traditionally treated as Government servants, as basically Railways are in the nature of a public service and are run directly by Government because of their social and strategic importance.
ii) The working hours of Railwaysmen shall not exceed eight hours per day	(ii) The demand for uniform duty hours of 8 a day for all categories of railway staff working in different conditions irrespective of workload on them cannot be accepted. However, the Mabbey Tribunal award on the Hours of Employment of Railwaysmen has been accepted with effect from 1-8-1971.
1/iii) There shall be job evaluation of all Railwaysmen through a scientific system to be followed by their reclassification—regulation with the need-based minimum wage as the wage for the lowest-paid worker	(iii) & (2) Arising out of the negotiation with the Labour prior to May 1971 strike in which an understanding was arrived at for job-evaluation within the framework of the Third Pay Commission's recommendations. Government have taken the following steps—
~ Pending the completion of job evaluation and reclassification, immediate parity in wages with those of workers in the Central Undertakings viz. TMI, BHEL, HSI, NAL, etc	(a) A Tribunal consisting of a Neutral Chairman with two Labour representatives nominated by the two recognised Federations, and two official side members has been set up to go into the reclassification of workshop staff.
	(b) Regarding open line staff a Study Team has completed training in the Administrative Staff College, Secunderabad. The question of undertaking a Pilot Study will have to be taken up independently before taking up detailed job-evaluation.
	In so far as parity in wages is concerned, the Third Pay Commission observed that fair comparison with private sector or public sector cannot be accepted as a sound basis for fixing the level of wages of Central Government employees including Railwaysmen. In any case, this is a matter affecting Central Government employees as a whole and no unilateral action can be taken by the Ministry of Railways in so far as Railwaysmen are concerned. This is also linked with the question of wages, incomes and price policy and would be considered after the report submitted by the Boothalingam Study Group has been examined by the Government.

Demand	Position in respect thereof
3 Bonus at the rate of one month's wages for the year 1971-72 and 1972-73	3 This is intimately linked with the question of wages, incomes and prices policy and will be considered after the report submitted by the Boothalangam Study Group has been considered by the Government
1 Decasualisation of all casual railwaymen and their confirmation in service with all benefits in vnto them with retrospective effect	4 While it is not possible to achieve the ideal stage of complete decasualisation immediately, substantial progress has been made in giving regular employment to casual labour. Steps have also been taken to redress the grievances of those who have to continue as casual labour due to shortage of regular vacancies etc
5 Adequate and abiding 14 federations and other suitable units to date the highly profitably run shops	5 The issue raised cannot be decided by the Ministry of Railways alone since Government has to take a decision covering all Central Government employ
6 All minimum rates should be withdrawn	6 A number of cases alleged to be victimisation cases were brought to Government's notice in the recent past and they have been looked into and such action is necessary and feasible and pending upon the results of which each will be taken

Platforms at Sahibabad Station

3161 SHRI RAMANAND TIWARY
Will the Minister of RAILWAYS be pleased to state

(i) whether the Railway platforms at Sahibabad station, an industrial town on UP-Delhi border are rail level pads and there is no Government approved cycle and scooter stand and there is no over-bridge for crossing the railway lines from GT Road side and as a result thousands of factory workers and daily commuters are facing great difficulties, and

(b) if so, the steps taken or proposed to be taken to raise the level of platforms at Sahibabad station and to extend the sheds to provide over-bridge and to make arrangements for an authorised railway cycle and scooter stand at the earliest?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) and (b) Both the platforms at Sahibabad station are rail level platforms. There are no cycle and scooter stands at the station. There is also no foot over bridge for crossing the Railway lines from GT Road side

There is no proposal at present to raise the level of the platforms. The station is approached by a proper approach road from the GT Road side and a level crossing is provided for crossing the tracks. The platform shelter provided at the station is adequate to meet the requirements of current level of passenger traffic. Action is being taken at the earliest to provide an authorised Railway cycle/scooter stand at this station

Rail Bridge on the Ganges at Digha

3162. SHRIMATI PARVATHI KRISHNAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that a proposal for constructing a rail bridge on the river Ganges at Digha (Patna, Bihar) near Sadaghat Ashram is pending before the Government for the last several years;

(b) if so, what are the reasons of so much inordinate delay; and

(c) how much time the Government propose to take in finalising the scheme of the bridge?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) Technical aspects of the scheme are under study by the Central Water and Power Research Station, Khadakwasla.

(c) It will be possible to take a final decision only when the studies are finalised and it would be subject to availability of funds

Increase in number of Platforms in Assam

3163. SHRI AHMED HUSSAIN: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have any proposal and have allocated funds to increase the number of platforms in the station of Rural and Backward areas of Assam and other parts of North Eastern Region in the near future; and

(b) if so the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Platforms with proper surface have been provided all stations on Indian Railways. Works connected

with the improvement to the platforms such as lengthening, raising level, paving etc. are taken up by the Railway Administration on the recommendation of the Zonal Railway Users Amenities Committee with which public opinion is also associated.

Funds for Passenger Amenity Works are allotted Railway Zone-wise and not Region-wise. As such, State/Region-wise information is not available separately.

Assistance by Soviet specialists for Drilling in Tripura

3164. SHRI SACHINDRALAL SINGHA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether any assistance has been sought from Soviet specialists for drilling a well in Tripura;

(b) if so, the details of the agreement and the commitment by the Soviet side;

(c) whether it is a fact that commitment has yet to be fulfilled;

(d) if so, the detailed reasons thereof; and

(e) the action taken up-to-date to complete the work in due time?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) The ONGC is negotiating with Soviet authorities for finalising a contract to drill a well of 4500 metres at Gojalia structure in Tripura. It is a trade deal.

(b) and (c). The contract is yet to be finalised and the negotiations are going on between the ONGC and Soviet authorities.

(d) Does not arise.

(e) Civil construction work at Gojalia has been completed. The rig

(Armeo 1320 UE) has been detailed for drilling this location, Rig building has been completed. Drilling would commence shortly

Supply of cooking gas to various places in West Bengal

3165 DR BIJOY MONDAL Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state

(a) whether Government propose to take measures to supply domestic cooking gas to various districts, cities of West Bengal,

(b) if so, the details of the measures thereof, and

(c) the action taken up-to-date in this regard?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)

(a) to (c) Liquefied Petroleum Gas (cooking gas) is already being marketed in the following cities and towns of West Bengal Calcutta, Budge Budge, Belgharia, Hooghly, Chandernagore/Chinsura, Bhadreswar, Howrah, Bally, Krishnagar, Burdwan, Durgapur, Asansol, Kharagpur, Haldia, Darjeeling, Siliguri, Jalpaiguri, Raiganj, Belurghat, Malda, Cooch Behar, Panagarh, Bolpur, Raniganj, Rajbandh, Chittaranjan and Barakar.

It will be possible to extend LPG marketing in newer areas in West Bengal based on the availability of LPG and the following considerations —

(i) Anticipated customer potentials,

(ii) Nearness of the market from the source of supply

(iii) Availability of safe/convenient mode of transport;

(iv) Maximum utilization of distribution equipment, and

(v) Viability in operations

Sanction of the Fertilizer Units

3166 SHRI M A HANNAN ALHAJ Will the Minister of PETROLEUM CHEMICALS AND FERTILIZERS be pleased to state

(a) the name of the fertilizers units sanctioned up-to-date date wise,

(b) the detail of the condition of each of the unit at present,

(c) whether it is a fact that a number of units are yet to be commissioned, and

(d) if so the details of the reasons thereof unit-wise and the action taken up-to-date to commission it earlier?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)

(a) and (b) A statement giving details of the major operating fertilizer units sanctioned upto date, indicating whether in production or not, is attached at statement I. The information regarding dates of sanctioning of these projects is being collected and will be laid on the Table of the House. In addition there are 29 Single Super Phosphate units out of which 3 units are not in production

(c) and (d) Yes Sir A statement-II giving details of the projects under implementation is attached

The progress of implementation of the projects is monitored by the Ministry on a regular basis and necessary corrective measures are taken to reduce slippages. The reasons for slippages in commissioning some of the projects under implementation are also indicated in the statement at statement II

Statement I

Names of the operating Nitrogenous & Complex fertilizers Units sanctioned up to 31st July, 1978

Serial No.	Company	Units	In production/not in production
<i>Public Sector :</i>			
1	FCI	Gorakhpur	In production
2	FCI	Sindri	"
3	HFC	Namrup	"
4	HFC	Namrup Expansion	"
5	HFC	Durgapur	"
6	HFC	Barauni	"
7	RCF	Trombay	"
8	RCF	Trombay IV	"
9	NFL	Nangal	"
10	NFL	Nangal Expansion	"
11	FACT	Udvogamandal	"
12	FACT	Cochin-I	"
13	FACT	Cochin II	"
14	HSL	Rourkela	"
15	NLC	Neyveli	"
16	MFL	Madras	"
17	HSL (By product)		"
18	HSL	Rourkela (By product)	"
19	HSL	Durgapur (By product)	"
20	Bokaro Steel Ltd.	(By product)	"
21	Indian Iron and Steel	(By product)	"
<i>Private Sector :</i>			
22	NCJM	Varanasi	"
23	EID	Ennore	"
24	GSFC	Baroda	"
25	CFL	Vizag	"
26	SCI	Kota	"

Serial No.	Company	Units	In production/not in Production
27	IEL	Kanpur	In production
28	ZAC	Goa	"
29	SPIC	Tuticorin	"
30	MCF	Mangalore	"
31	TISCO	(By product)	"
<i>Cooperative Sector</i>			
32	IFFCO	Kandla	"

Statement II

Project	Year of approval	Status	Reasons for delay in commissioning if any
1	2	3	4
1 Haldia	1971	Manufacture completion expected by 1970	Delays occurred mainly on account of longer times required for piling work on site, labour trouble and delays in supply of indigenous equipment
2 Ramagundam	1971	Final production expected by early 1970	These are the first two plants in India based on coal
3 Falcher	1971	Do	Delay in implementation have mainly occurred on account of the new technology and delays in supply of equipments by some manufacturers
4 Sindri Modernisation	1973	Expected to start regular production by Jan 1979	Delay caused in the supply and erection of the boiler plant and compressors by M/s BHTI
5 Sindri Ration division	1967	Regular production expected to start from later part of 1979	There were delays in supplies of local equipments by various fabricators, suppliers of cast iron and pipes etc. There was delay in completion of civil works due to restricted availability of cement and steel and also due to labour unrest. Commissioning of the project has been delayed due to problems in the sulphuric acid and phosphoric acid plant which were to supply the intermediate product for the end product viz, triple superphosphate. It has, therefore, been proposed

1

2

3

4

to change one stream of sulphuric acid to use of elemental sulphur and efforts are being made to continue to operate the other stream on upgraded pyrites. In the phosphoric acid plant it has been decided to induct foreign expertise to effect repairs or replacements of a durable nature to ensure reliability of operation. It is thus expected that regular production can start from later part of 1979.

6. Tironbav V.	1971	Expected to Start production in 1980	Delay in delivery and commissioning of certain indigenous equipment by suppliers. An accident in the Air Separation Plant has also resulted in delay by six months of the commissioning schedule.
7. Bhatinda	1971	Production expected from early, 1979	
8. Panipat	1975	Production expected in early 1979	Delay in delivery and commissioning of certain indigenous equipment.
9. Tironbav IV	1972	Under production	
10. Nangal Expansion	1972	Under production	
11. HCl, Khetri		Under production.	

Co-operative/Private Sector

12. Phulpur (IFFCO)	Ind. Licence issued in 1976	Production expected to start from 1979.
13. Bharuch Distt. Gujarat (M/s. Gujarat Narmada Valley Fertilizers Co. Ltd.)	Industrial Licence issued in 1977	Expected to be completed by 1980.
14. Kakinada (Andhra Pradesh) (M/s. Nagarjuna Fertilizers & Chemicals Ltd.)	Industrial Licence issued in 1978	Expected to be completed by 1981.

जजीर खीचने की बदलावें

3167 की बदलाव तिहाई : यथा रेल वाली पह बतान भी हृपा करेंगे

(क) यह चार महीनों के दौरान प्रति मास जजीर खीचने की किसी बदलाव नहीं खीर उनमें से किसी भी मासमां में जजीर खीचने के दोषी व्यक्तियों की दण्डन किया गया, और

(ख) एसी धन्नाएं राखने के लिये क्या कार्यालयों की गई हैं ?

रेल भवालाय में राज्य वर्षी (भी शिव नारायण)

(८)

माह	बचती गाडियों पकड़े गये में बतारे भी व्यक्तियों की जजीर खीचने सभ्या भी बदलाव भी सध्या
मार्च, 1974	11,806 44
अप्रैल 1978	12,610 37
मई 1975	15,009 10
जून, 1978	14,210 65

(न) इम गाई वा समाप्त बरने के लिए रेल प्रशासना द्वारा निम्नलिखित उपाय किये गये हैं -

- 1 गाडियों में साद बड़ा म चल टिक्ट योजना के तथा ऐने सुरक्षा इल / गाडियों रेलवे पुलिस कम्बारी तैनात किया जाना ,
- 2 रेलवे सुरक्षा इन तथा चल टिक्ट योजना के बतारे जजीर खीचने विरोधी दस्ता द्वारा प्रबानन जाच किया जाना ,
- 3 अनंतिक १५ रु जजीर खीचने के लिए बदलाव स्थानों पर ग्रातु लगाकर जाच किया जाना ,
- 4 समाचार पत्र इन्हाँगा लिनेमा स्लाइटों के माध्यम से तथ महत्वपूर्ण दस्तानों पर रेडियो में धोणा द्वारा लायों को शिक्षित करने का अधिग्यान चलाया जाना ,
- 5 ग्रातु वाले जजीर खीचने वाले लायों का पकड़ने वाले यविनयों को इनाम दिया जाना , और
- 6 नदग भेला में २ चुम्बी हूई गाडियों में से लाते भी जजीर वा ह्ला दिया जाना ।

अनंतिक १५ से बतारे वाले जजीर खीचने की इस खरीद को समाप्त करने के लिए भवालायिक तत्वों के विद्य स्थानीय लोगों तथा गुलिस की महायता से अधिकार लेज कर दिय गये हैं । इन भवालायिक तत्वों की हस्तता पर नियरारी रखने के लिए ग्राम सरकारों के माध्यमिक टक्के सम्पर्क रखा ज रहा है ।

Setting up of Ammonia Plant in Gujarat

3168 SHRI AMARSINH V RAT-HAWA Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state

- whether there is any proposal to set up a new ammonia plant in Gujarat,
- if so, the details thereof,
- when the production is likely to be started and
- (d) whether it is indigenous or with collaboration?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA):

(a) to (d) Yes Sir There is a proposal to set up two large sized fertilizer plants at a common site in Gujarat State based on gas from Bombay high and Bassein structures Government have asked the NCEPC to investigate into the environmental impact of locating the fertilizer project on five possible sites. Government will take a decision on the location of these two plants after receipt of the report of the NCEPC. The plants will each have a capacity of 1350 tonnes per day of ammonia with appropriate capacity for urea manufacture. The twin project is expected to cost about Rs 525 crores. The plants are expected to go in trial production after a period of 39 months after necessary approvals are given. In implementing the project the import of technology and equipment from abroad will be made on'y to the extent that these are not available within the country for the purpose

Scheduled Caste/Scheduled Tribe vacancies in Railways

3169. SHRI DAYA RAM SHAKYA: Will the Minister of RAILWAYS be pleased to refer to reply given to Unstarred Question No. 3800 on 21st March, 1978 regarding Order of Ministry of Railways and state:

(a) whether the orders issued by the M.S.R. on 14th December, 1977 in regard to the stoppage of reversion on the North-Eastern Railway were complied with;

(b) why the rules laid down in paragraphs 203, 206 of the Establishment manual, Railway Ministries orders regarding non-carry forward of Scheduled Caste/Scheduled Tribe vacancies and de-reservation were not observed in the 1975 and 1976 selection of AEN Class II;

(c) whether it is a fact that 19 candidates qualified in the selection out of which 16 candidates were only promoted on permanent basis and the balance 2 persons were promoted on *ad-hoc* basis while 26 persons were officiating for a long time; and

(d) what action is being taken against officers for violation of the Ministries order and the harassment being meted out to aggrieved staff?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (d). It is presumed the reference is to the reversion of an Inspector of Works who was officiating as Assistant Engineer (Class II) purely on *ad-hoc* basis on North Eastern Railway; and was reverted on 5th July 1977. As such the question of stoppage of his reversion as per MSR's orders dated 14th December 1977 does not arise.

(b) and (c). In the selection for Assistant Engineer Class II held during the years 1975-76, the North East-

ern Railway Administration had worked out 28 vacancies as per the extant rules and orders. The selection was held for 21 vacancies, the balance 7 vacancies were set apart for the Limited Departmental Competitive Examination as per the Recruitment Rules in force at that time.

Out of the 21 vacancies, 3 were reserved for Scheduled Castes and 2 for Scheduled Tribes. On the results of the selection, 19 general candidates qualified but only 16 were empanelled against 16 non-reserved vacancies; no Scheduled Caste/Scheduled Tribe candidate qualified against the remaining 5 reserved vacancies. The 16 empanelled employees were promoted on regular basis and the remaining 3 were promoted on *ad-hoc* basis.

The Department of Personnel and the Commissioner for Scheduled Castes and Scheduled Tribes have been approached for de-reservation of 3 reserved vacancies out of 5 reserved vacancies.

Only 20 Class III employees were officiating in Class II as Assistant Engineers on *ad-hoc* basis at the time of the selection held during 1975-76. No other selection was held in the year 1976.

Penal Transfer Orders on certain Trade Union Leaders

3170 SHRIMATI AHILYA P RANGNEKAR: Will the Minister of RAILWAYS be pleased to state

(a) whether it is a fact that certain trade union leaders of N.E. Rly. who were removed under Rule 14(ii) of D&A Rules during emergency and whose removal orders have been set aside by the High Court, have again been served with penal transfer orders;

(b) if so, the names of such staff; and

(c) the reasons for such penal transfer?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) to (c) No recognised office bearer of Purabottar Railway Karamachari Sangh and North Eastern Railway Mar door Union has been transferred. However S/Shri Ram Sharma Boiler Maker Mistry Chandrika Prasad Boiler Maker Khalasi and Hafizullah Fitter Khalasi Gorakhpur Shed were transferred to Gonda Charbagh and Gonda Sheds respectively on administrative grounds. While Shri Hafizullah has already joined at Gonda the other two have not yet joined. Shri Sibte Hasan Boiler Maker Khalasi Varanasi was allowed duty at Varanasi and after some time he was transferred to Itanagar Division on administrative ground.

Capital invested in Singer Machine Company

3171 SHRI HUKAM CHAND KACHIWAI Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) the date on which Singer Machine Company was set up as the capital invested therein the number of partners share holder directors in the company together with the amount invested by each of them and

(b) whether the persons referred to in part (a) are partners in any other companies or business also and if so, the details of the investment of each of them in other companies?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) and (b) There is no company by the name of Singer Machine Company registered under the Companies Act, 1956. However, there is a company, viz. Singer Sewing Machine Co incorporated in U.S.A which is operating in India through a branch established around the year 1914. The total capital invested in the Indian branch, as

represented by their assets in India as given in the latest available balance sheet as on 31.12.1976, amounted to Rs 6.94 crores. The names of directors of the parent company as on 20.7.1977 are as under—

- 1 Mr. Edwin John Grai
- 2 Mr. Chester A. Williams Jr
- 3 Mr. Patrício H. Andrade "Iain"
- 4 Mr. Joseph Collins
- 5 Mr. V. Paul Tippet Jr

The persons are not holding directorships in any other company in this country.

Since the Indian branch has not so far filed the Annual Return of the parent company the details about its shareholders and the investment made by its directors in other companies are not available.

Financial structure of National Rayon Corporation

172 DR VASANT KUMAR PANDIT Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether the Government have taken any steps to find out the Financial Structure of National Rayon Corporation belonging to the family of Sudhir Kapadia

(b) whether it is a fact that the Unit Trust of India and some Government Corporation hold the majority of shares of National Rayon Corporation if so the shares held in Unit Trust of India, other Corporation, like LIC, GIC Private parties bulk holders like Billas, Modis etc, and

(c) what is the policy of Government with regard to National Rayon Corporation regarding transfer of amounts and share holdings to some individual or take over by the Government in the interest of general share holders and labourers?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) No Sir. However on investigation under Sections 187-D and 247 of the Companies Act, 1956 has been ordered in respect of the real ownership of 1,75,000 shares of the Company which were proposed to be transferred to companies of Modi Group by Shri Sudhir Kapadia.

(b) No, Sir. A statement is attached.

(c) With regard to the transfer of shares the Government ensures that

the management of the company or public interest is not prejudicially affected by permitting a particular transfer of shares. In order to prevent the affairs of the company being conducted either in a manner which is oppressive to any members of the company or in a manner prejudicial to the interest of the company or to public interest the Government has already appointed 8 directors on the Board of Company for a period of 3 years with effect from 11-7-1977 under Section 408 of the Companies Act, 1956.

Statement

Shareholders of Financial institutions, Nationalised Banks and insurance Companies as on 26th July, 1978

Shares issued—4,99,314 ordinary shares and 1,74,246 Preference Shares

Financial Institutions/Government	Ordinary	Preference	No. of shares
Unit Trust of India	54,754	13,019	
Aligarh Electric Supply Co. Ltd.	15	..	
Governor of Uttar Pradesh	1,500	
<i>Nationalised Banks:</i>			
Bank of Baroda	1,140	2,016	
Bank of India	9,983	5,689	
Central Bank of India	2,553	625	
Union Bank of India	56	5,080	
State Bank of India	111	10	
Dena Bank	445	100	
United Commercial Bank	203	165	
Canara Bank	64	..	
Bank of Maharashtra	1	..	
Punjab National Bank	964	..	
Indian Overseas Bank	25	..	
United Bank of India	113	..	
	15,058	₹ 13,685	

Financial Institutions/Government	Ordinary	Preference
<i>Insurance Companies :</i>		
Oriental Fire & General Insurance Co. Ltd.	1,890	4,140
United India Fire & General Insurance Company Ltd.	18,175	..
General Insurance Corporation of India	14,430	3,744
National Insurance Company	9,260	..
New India Assurance Company	..	9,100
	<u>43,755</u>	<u>16,984</u>
Total shares by Government financial Institutions/Government	1,13,572	45,188
Percentage	22.85	25.95
i.e. 23.65% of total equity & Pref. Capital		
<i>Shareholdings of Berlia* /Group (as on 26-7-78).</i>		
Berlias held as on date	68,853	..
Shares rejected (Subjudicature before Bombay High Court)	16,424	20,350
Other rejections in respect of Berlia Group	33,202	40
Others of Berlia Group (Holding shares) but whose subsequent transfers have been rejected	7,707	140
	<u>1,26,186</u>	<u>20,550</u>
Percentage	25.24%	11.76%
(21.76% of the total equity and preference capital).		
Shareholdings of Kapadia Group	3684	32,657
	(0.74%)	(18.774%)

*The intention appears to be the holding of Berlias and not Birlas.

NOTE : Modi's and others do not hold bulk shares.

Rents of private accommodation by I.D.P.L.

3173. SHRI K. LAKKAPPA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to refer to the reply given to Unstarred Question No. 244 dated the 15th November, 1977 regarding

accommodation rented by IDPL in the Capital and state:

(a) the considerations which weighed with the IDPL in making the payment of advance rent of Rs. 80,000/- for renting private building in the East of Kailash, Community Centre, when it is running at a loss of more than Rs. 30 crores;

(b) the manner in which IDPL selected this building in preference to the DDA accommodation in commercial complex and negotiated this rent;

(c) whether it is a fact that IDPL are acting in collusion with the landlords in the matter of renting and fixing of rent of these buildings and if so, whether he will get this whole matter investigated; and

(d) whether he would direct the IDPL to locate accommodation of the DDA commercial complex now coming up or make effort to economise expenditure by shifting their offices outside the capital and cut down their losses and if not, the reasons therefor?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) The accommodation measuring 5480 sq. ft. was hired by the IDPL in February, 1976 to accommodate the staff and stores materials of its Regional Sales Office in Delhi. An advance of Rs. 88,776 representing 6 months' rent was paid to the landlord subject to 50 per cent of the monthly rent being adjusted against this advance. The advance paid has since been adjusted in full till February, 1977.

The sales of Delhi depot had increased from Rs. 125.85 lakhs in 1974-75 to Rs. 253.90 lakhs in 1977-78 which required more area and hence hiring of accommodation was inevitable. In view of the high cost of construction in Delhi, it has become extremely difficult to resist demand for heavy advances. Therefore payment of advance rent for getting suitable office accommodation at reasonable rates, failing which the company will have to pay higher rent which will be a recurring expenditure. Often becomes necessary, as in the instant case.

IDPL has been making profits since 1974-75 and its net profits after depreciation and interest during 1975-76 and 1976-77 were Rs. 3.55 crores and Rs. 4.11 crores respectively.

(b) The building in question was selected as the most suitable one available at a reasonable rent. The rent works out to Rs. 2.55 per sq. ft. plus 15 paise per sq. ft. for common services like lift, chowkidar, telephone cables, etc. As against this the rent of D.D.A. buildings ranged between Rs. 4 to Rs. 5 per sq. ft.

(c) No, Sir.

(d) IDPL will be shifting its Central Office and Marketing Division soon to its Gurgaon location, where new buildings are coming up, and hence may not require any accommodation in the DDA commercial complex or at any other location in Delhi.

Services for customers at petrol pumps

3174 DR SAROJINI MAHISHI Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state-

(a) what are the free services that customers are entitled to get from the petrol pump;

(b) whether these services are provided at all the petrol pumps; and

(c) if so, whether they are up to the mark?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) Agreements between oil companies and dealers do not make it obligatory for provision of water, air, toilets and first aid kits. However, in the case of Indian Oil Corporation, the agreement stipulates that the dealers are to provide air facilities at their retail outlets. Traditionally, these services, where available, are offered free by the dealers.

(b) Water and air facilities are provided at most of the retail outlets. By and large, toilets and first-aid facilities are provided at stations where servicing facilities are available and at important retail outlets on National/State Highways.

(c) The services offered at the retail outlets are generally satisfactory.

निवासी, भव्य प्रदेश में निवासी शीघ्रताओं के कारकों

3175. श्री राजनीताराम नवन : वया देवोलिम, राजनव और उत्तरक दंती यह बताने की कृपा करेंगे कि :

(क) वया यह सच है कि लम्बग द. वर्ष पूर्व मध्य प्रदेश के टिकमगढ़ जिले में निवासी स्टेटन के निकट ईस्टर्न निरनल डारा कीटनाली शीघ्रताओं के उत्पादन के लिये एक कारखाने की स्थापना की गई थी ; योः

(ब) यदि हाँ, तो अभी तक कीटनाली शीघ्रताओं के निर्माण का लाइसेंस न दिये जाने के कारण है और बरोजगार कम्बारियों के लिये बोजगार की व्यवस्था करने के उद्द्योग से लाइसेंस शीघ्रताओं के उत्पादन के लिये दिय जायेगे ।

देवोलिम तथा राजनव और उत्तरक दंती (श्री हेमवती नवन बहुणा) : (क) और (ब). भारत सरकार को मध्य प्रदेश लेन के जिला टिकमगढ़ में निवासी के नजदीक ईस्टर्न निरनल डारा मरकारी लेन में इन्वेंटिमाइक्स लांट की व्यापार करने की कोई जानकारी नहीं है और न ही अभी तक इस पार्टी से इन्वेंटिमाइक्स हैंडलर के लिये शीघ्रताओं के लाइसेंस देने सम्बन्धी कोई प्रावेदन प्राप्त किया गया है ।

लक्ष प्रेमाने को लेक ही एककों के सम्बन्ध में लाइसेंस ग्राह्य मरकारों द्वारा दिये जाते हैं ।

News captioned "New licences—Birlas top List"

3176. SHRI JYOTIRMOY BOSU: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether his attention has been drawn to a report published by Economic Times, New Delhi dated the 20th April, 1978 under the captioned "New Licences—Birlas top List"; and

(b) if so, the details relating to licences given to each of the business house during the period from July to December, 1977?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) Yes, Sir.

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(b) Licences are issued under the Industries (Development & Regulation) Act, 1951 which is administered by the Department of Industrial Development. Presumably, the information sought for by the Hon'ble Member is in respect of approvals granted under the provisions of the Monopolies and Restrictive Trade Practices Act, 1969. During the period from 1st July, 1977 to 31st December, 1977, 29 proposals for substantial expansion and setting up of new undertakings were approved under Sections 21 and 22 of the said Act. The details of these 29 proposals have already been furnished in reply to Unstarred Question No. 560 answered in the Lok Sabha on the 19th July, 1978 by the Minister of State in the Ministry of Industry.

Promotion as Chief Clerks

3177. SHRI A. MURUGESAN: Will the Minister of RAILWAYS be pleased to state:

(a) the names of the employees of Other Caste/Scheduled Castes/Scheduled Tribes who were offered the ad hoc promotions as Chief Clerks in S & T Department of Southern Railway and the Office Order in which the ad hoc promotions were ordered during the last three years;

(b) the names of the Scheduled Caste/Scheduled Tribe employees and the dates from which they are working as Head Clerks in S & T Department during the last three years; and

(c) the names of SC/ST employees who were offered the ad hoc promotions as Chief Clerks in S & T Department as per Board's letter No. E(SCT)68CM15/12 of 11-11-68 and 10-12-71 and the Office Order in which the ad hoc promotions were ordered in detail during the last three years?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Information is furnished in the statement attached.

(a)

Statement

Name of the employee	Whether SC/ST or general	Office Order No.
Shri J. A. George	General	O.O. No. 9/75 (Signals) dated 9-1-75 and 59/75 (Signals) dated 16-4-75.
Shri M. Krishnaswamy	General	O.O. No. 155/76 (Signals) dated 25-8-76.
Shri N. S. Arunachalam	Sch. Caste	O.O. No. 197/76 (Signals) dated 9-11-76.
Shri M. Krishnaswamy	General	O.O. No. 17/77 (Signals) dated 28-1-77.
Shri M. Krishnaswamy	General	O.O. No. 71/77 (Signals) dated 13-5-77.
Shri T. Y. Narayana	Sch. Tribe	O.O. No. 181/77 (Signals) dated 18-8-77.
Shri M. Krishnaswamy	General	O.O. No. 57/78 (Signals) dated 22-4-78.

(b)

Name	Whether Sch. Caste or Sch. Tribe	Date from which working as Head Clerk
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Shri M. Kuppuswamy	Sch. Caste	26-3-71
Shri C. Ponniah	„	31-3-74
Shri N. S. Arunachalam	„	18-9-74
Shri V. M. Krishnan	„	24-1-77
Shri K. Bhaskaran	„	30-1-77

(c)

Name	Whether Scheduled Caste or Sch. Tribe	Office Order No. and date
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Shri N. S. Arunachalam	Sch. Caste	O.O. No. 197/76 (Signals) dated 9-11-76 <i>vide</i> an Office Superintendent placed on sick list from 5-10-76 to 15-12-76
Shri T. Y. Narayana	Sch. Tribe	O.O. No. 118/77 (Signals) dated 18-8-77. Promoted <i>ad-hoc</i> from 18-8-77 to 19-12-77 against an existing regular vacancy, pending selection. Subsequently he was posted to D.S.T.E (W)/Guntakal against a newly created post and the posting regularised from 20-12-77 <i>vide</i> O.O. No. 92/76 (Signals) dated 7-3-78.

Shortage of Insulin (Life-saving drug)

3178. SHRI SAMAR MUKHERJEE:
Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are aware that there is an acute shortage of some type of insulin, one of the life-saving drugs, in West Bengal, which is causing immense hardship to the diabetic patients;

(b) if so, whether Government are taking urgent steps to improve the situation; and

(c) if so, the details thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) to (c). The reports furnished by the Director of Drug Control Administration, West Bengal for the period April to June, 1978 did not indicate any shortages of Insulin. However, in response to a specific enquiry from the Deptt. of Chemicals and Fertilizers recently, the Director of Drug Control Administration, West Bengal has reported a marginal shortages of Insulin Lente in West Bengal.

Immediately after the matter came to the notice of the Government, the matter was also taken up with M/s. Boots Co. (India) Ltd. The company have reported that between January to June 1978 they supplied 69,334 vials of Insulin as against 54,475 vials during the same period in the year 1977. These supplies include supplies of 11,915 vials of Insulin Lente 40x10 ml during January to June 1978 as against the supplies of 12,528 vials during the same period in 1977. The company have also reported that that in view of the reported shortages they are further augmenting the supplies to West Bengal. In view of the shortfall in the supply of Insulin Lente they have been asked to augment the supplies of Insulin Lente to West Bengal.

Fertiliser Plant at Talcher and Paradeep

3180. SHRI GANANATH PRADHAN:
SHRI PADMACHARAN SAMANTASINHERA:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the period by which the fertilizer plant at Talcher, Orissa would go into production;

(b) what is the total quantity of fertilizers to be produced annually by that unit;

(c) the original estimate and up-to-date revised estimate;

(d) whether there is any proposal for setting up a fertilizer plant at Paradeep, Orissa; and

(e) if so, the details of the proposal?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) to (c). The Talcher Fertilizer plant designed to produce 4,95,000 tonnes per annum of urea is expected to go into trial production in early 1979. The initial indicative estimate of the cost of the project was Rs. 70.49 crores and the revised cost estimate is Rs. 184.76 crores.

(d) and (e). There is a proposal to set up a phosphatic fertilizer plant at Paradeep for which a preliminary feasibility report has been prepared envisaging the manufacture of 3 lakhs tonnes of P2O5 in the form of complex fertilizers.

Demand for Wagons for movement of Grains, Coal etc.

3181. SHRI KANWAR LAL GUPTA:
SHRI S. R. DAMANI:
SHRI GANGA BHAKT SINGH:
SHRI RAM SEWAK HAZARI:

Will the Minister of RAILWAYS be pleased to state:

(a) is it a fact that there is a great demand for Railway wagons for the movement of grains, fertilizers, coal etc;

(b) if yes, why Government has not been able to meet the demands;

(c) what is the total shortage of wagons in India; and

(d) what is the proposal of the Government to meet the situation?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) to (d). By and large, Railways have been able to meet the demands of essential traffic. Cases of shortage in wagon supply are dealt with promptly and all possible remedial action taken. To augment loading, efforts are being made by the Railways to improve wagon availability, which includes procurement of additional wagons, production of new locomotives and organising closed circuit movements for bulk consumers.

Shortage and distribution of L.P.G.

3182. SHRI S. R. DAMANI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what are the reasons for the prevailing shortage of LPG cooking gas in many towns;

(b) whether it has come to the notice of Government that customers have to wait for weeks to get replacement and for new connections premium is charged; and

(c) what steps have been taken to increase production of LPG and for its even distribution throughout the country and also to check the mal-practices by distributors?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) to (c). While availability of Liquefied Petroleum Gas (cooking gas) in the country is adequate to take care of the cylinder refill requirements of the existing customers, there is considerable unsatisfied demand for the product in view of heavy pending lists for new gas connections with the dealers of the oil companies.

Temporary shortages of LPG occur at times when availability is affected by factors such as shortfall in production at refineries due to unforeseen reasons or certain other logistic problems. In such cases, best possible efforts are made to reduce the hardships to the consumers by moving the product from alternate sources, if available.

There are already instructions to the effect that the oil companies should ensure cooking gas refill supplies within 24 hours of booking. This schedule is generally followed except in cases of temporary problems of availability.

New gas connections are released by the oil companies from amongst those borne on the waiting lists on a "first-come, first-served" basis. No specific case regarding premium being charged for new gas connections has come to the notice of the Complaints' Cell of the Ministry.

The availability of cooking gas is expected to improve by 1980 by the commissioning of:

(i) facilities for separation of cooking gas from the Bombay High Associated Gas;

(ii) the Mathura Refinery;

(iii) the coker unit of Bongaigaon Refinery; and

(iv) the secondary processing facilities at Koyali Refinery.

With the large-scale availability of LPG as mentioned above, it will be possible to grant new gas connections on a significant scale from 1980 onwards.

Regular surprise checks are being carried out on the working of the cooking gas agencies by the officers of the oil companies from time to time. In addition all complaints alleging malpractices on the part of cooking gas distributors are investigated for remedial action.

Tenders for on the spot purchase of Crude oil

3183 SHRI D N TIWARY Will the Minister of PETROLEUM CHEMICALS AND FERTILIZERS be pleased to state

(a) whether it is a fact that tenders are called for on the spot purchase of crude oil besides the supply of crude oil from crude producing countries, on contract basis

(b) whether there is any Committee to analyse the tenders for the on the spot purchase of crude oil or it is only the Chairman IOC who deals with such purchases

(c) whether the Chairman IOC had to visit foreign countries for this purpose several times in a year,

(d) if so the cost of the visits and the amount of spot purchases of crude oil and

(e) whether it is a fact that the Chairman IOC has to remain outside the country for a considerable time for one reason or the other?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)
 (a) Yes Sir Tenders are invited by the Indian Oil Corporation for spot purchase of crude oil, as required in addition to the supply of crude oil from the Oil producing countries. It may be stated that as compared with the expected total import of 15 million tonnes of crude oil during 1978-79, the spot purchases of crude during the period April-July have aggregated to 0.55 million tonnes

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(b) The bids in response to the tender are tabulated and evaluated by the Indian Oil Corporation in accordance with the usual purchase procedures, which require concurrence of Finance Division before approval. There is no separate committee for analysing these tenders. Thereafter the case is also submitted to Government for approval.

(c) Chairman, Indian Oil Corporation has not visited any foreign country for the purpose of finalising spot purchases of crude oil.

(d) Does not arise in view of (c) above

(e) No Sir The Chairman Indian Oil Corporation went abroad on 8 occasions during the year 1977-78 with the approval of Government for necessary discussions in regard to import of crude oil and petroleum products.

Fire Accident in A P Express

3184 SHRI KUSUMA KRISHNA MURTHY Will the Minister of RAILWAYS be pleased to state

(a) what were the reasons for a major fire-accident causing complete burning of two bogies besides much damage to A C bogie on the day time running train of A P Express in May 1978

(b) what corrective steps have been taken to prevent such accidents in future?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) The cause of the accident is under investigation

(b) The Railways are inter alia taking the following measures for prevention of fires in trains

(i) Notices are displayed in coaches warning the passengers again the carriage of inflammable substances

(ii) Steam locomotives are provided with spark arrestors.

(iii) Announcements are also made on the public address system at stations, where this facility exists, warning the passengers that crackers, fire-works and other dangerous goods are not to be carried in the compartments.

Using of Helicopter by ONGC for Off-shore drilling

3185. SHRI K. RAMAMURTHY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) in co-operation of the Air Force whether the O.N.G.C. is using helicopter for the off-shore drilling;

(b) apart from the cooperation of the Air Force whether the O.N.G.C. has hired some foreign companies helicopters;

(c) if so, the details and names of the foreign country companies;

(d) if so, the total amount spent on the hired helicopters; and

(e) whether Government will buy helicopters of its own to avoid paying huge amount to multinationals?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) Yes, Sir.

(b), (c) and (d). Apart from the Indian Navy and the Indian Air Force, ONGC has engaged the following foreign agencies:—

1. M/s. Okanagan Helicopters Ltd., Canada, from 1976-77 to May 1978.

2. M/s. C. D. International Ltd., Singapore, from 1977-78 to date.

ONGC has paid approximately Rs. 4.15 crores to Indian parties and approximately US \$ 21.95 lakhs to foreign parties till 31-3-1978.

(e) Purchase of helicopters for ONGC's off-shore operations is under consideration.

Storing of Bombay High Oil

3186. SHRIMATI MRINAL GORE:

DR. BAPU KALDATE:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Bombay High started producing oil;

(b) what has been its flow;

(c) whether Government have made for storing the Bombay High Oil;

(d) if so, the details thereof; and

(e) if not, what are the channels to store this Oil produced from Bombay High?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b). The commercial production of oil from Bombay High commenced in May, 1976. The present production of crude oil from Bombay High is about 80,000 barrels per day i.e. about 4 million tonnes per annum.

(c) to (e). Till recently the Oil and Natural Gas Commission used the single buoy mooring system with a storage tanker for supply of crude oil through tanker ships. Presently the oil produced is directly being transported through a pipeline to the Bharat Petroleum Corporation Ltd's. Refinery at Trombay.

Daily production of associated gas from Bombay High

3187. SHRI HITENDRA DESAI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) how much is the daily production of associated gas from Bombay High;

(b) how much of it would be available for the needs of Gujarat; and

(c) when will the pipe-line from Bombay High to Gujarat be laid?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) to (c). Presently an average quantity of approximately 0.8 million cubic metres per day of gas is available from Bombay High. Of this, approximately 0.6 million cubic metres per day of gas is being supplied to Tata Power Station in Maharashtra. Supplied to the Fertilizer plants of Rashtriya Chemicals and Fertilizers at Trombay, Maharashtra, are expected to commence shortly.

A feasibility study for a pipeline route to Gujarat from Bassein has just been completed and is being examined by ONGC. The report with ONGC's views is expected to be submitted to Government shortly. Thereafter, a view on the economics, location, time-schedule of completion, etc. of the pipeline will be taken by Government.

तीन हजार सप्ते से अधिक बेतन पाले वाले प्रबन्ध निवेशकों द्वारा कामयारी

3188 और 3189 सवालों : क्या लिहि, न्याय और कल्याणी कार्य मंत्री वह बताने की हुए करेंगे कि :

(क) ऐसों सरकारी और प्राइवेट लिमिटेड कामयारियों के नाम क्या हैं, जिनके प्रबन्ध निवेशकों को बेतनेतर लाभों के लालादा तीन हजार सप्ते अति मात्र से अधिक बेतन निलंबित है;

(ख) क्या ऐसी कामयारियों के प्रबन्ध निवेशकों का अधिकार बेतन निलंबित करने का कोई प्रस्ताव सरकार के विचाराधीन है; और

(ग) यदि हाँ, तो तत्सम्बन्धी घोरा क्या है?

लिहि, न्याय और कल्याणी कार्य मंत्री (भी शास्त्र पूर्वक) : (क) 700 से अधिक सरकारी कामयारियों तथा 38,000 से अधिक प्राइवेट लिमिटेड कामयारियों हैं। उकि सरत कामयारियों की संख्या काफी अधिक है, यह यह सूचना संक्षिप्त करना व मेजबान संभव नहीं है।

(ख) घोर (ग). प्राइवेट लिमिटेड कामयारियों तथा उन प्राइवेट लिमिटेड कामयारियों, जो प्रालिक लिमिटेड कामयारियों की सहायकों के प्रबन्ध निवेशकों को दिये जाने वाले परिवर्त्यक का प्रतीकाण सरकार के विचाराधीन है। यह तुम्हें घोर देना संभव नहीं है।

Liquidation proceeding against Companies

3189. SHRI K. MALLANNA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the names of the companies in respect of which liquidation proceedings have been in process with the Department during the year 1976;

(b) the names of companies out of those mentioned above, the liquidation proceedings in respect of which have been withdrawn due to improvement in their financial position; and

(c) the names of the companies liquidation cases of which are at present pending consideration in High Courts of Bombay or Rajasthan and since when these cases are pending in the said courts?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) The companies are ordered to be wound up by the High Courts within whose jurisdiction the concerned registered offices of the companies are situated and the

liquidation proceedings are conducted under the directions of the Company Judge by the Official Liquidators. The voluntary winding up of companies are conducted by the concerned Voluntary Liquidators. Hence the Department of Company Affairs as such does not process any liquidation proceedings

(b) Does not arise in view of (a) above.

(c) The information is being collected and will be laid on the Table of the House.

राजनीति से कलकत्ता तथा दिल्ली के लिये सीधी गाड़ी चलाने का प्रस्ताव

3190 वीं बीरेस प्रस्ताव का रेप मर्वी यह बताने की कृपा करें कि क्या विहार में नालंदा तथा राजगीर के ऐतिहासिक महान् तथा विदेशों से एवं भारत के सभी भागों से नालंदा तथा राजगीर चालने पर्यटकों की बियाका का देखते हुए यशकार का विवार राजगीर से कलकत्ता तथा राजगीर में दिल्ली के लिये सीधी गाडियों चलाने का है ?

रेप मालालय में राज्य बंडी (की लिख नामांकन) राजगीर और दिल्ली तथा राजगीर और कलकत्ता के बीच सीधी गाड़ी चलाने का काई प्रस्ताव नहीं है क्योंकि राजगीर स्टेशन पर पर्याप्त पर्याप्त मुखियां उपलब्ध नहीं हैं और मार्ग-वर्ती लाउंगों पर लगाना की तरी है । तथापि, राजगीर से जाका लाइन गाड़ी-सेवाओं से दूर, बिलियारपुर स्टेशन पर मेल खेल की अवस्था बहुत है ।

New connection of Domestic gas cylinders

3191. SHRI BALASAHEB VIKHE PATIL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) is it a fact that customers have to wait for years to get new connection of domestic gas cylinders;

(b) what is the waiting list state-wise at the end of 1977 as compared to 1976; and

(c) have the Government any programme/projects to meet these entire domestic requirements of the country and if so, when is it likely to be accomplished?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) The present demand for Liquefied Petroleum Gas (cooking gas) in the country is far in excess of its availability, based on current production of this product in the refineries. It is, therefore, not possible to grant a gas connection as soon as it is asked for and a large number of persons registered with oil company dealers are waiting to get gas connections. Cylinder refill requirements of the existing consumers are generally being met in full.

(b) At present, approximately 10.5 lakh persons are registered and 20,000 on the waiting list with different Liquefied Petroleum Gas (cooking gas) distributor, in the country. It is not possible to indicate the number of pending applications, State-wise, as at the end of 1976 and 1977.

(c) Greater demand satisfaction in respect of cooking gas will be possible only from 1980 onwards when substantial increase in availability of this product takes place as a result of the commissioning of the fractionating units to produce LPG from Bombay High Gas, commissioning of the Mathura Refinery, the Coker Unit of Bongaigaon Refinery, and the secondary processing units at the Koyali Refinery.

Import of bulk drugs and formulations

3192. SHRI YADVENDRA DUTT: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are going to import bulk drugs and formulations to overcome the current shortage; and

(b) if so, from what firms and countries and at what terms and prices?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)
 (a) and (b) In the case of bulk drugs listed in Appendix 9 of Import Policy, 1978-79, imports are made only by the State Chemicals and Pharmaceuticals of India Ltd (CPC) under the Open General Licence. Actual imports of relevant items of bulk drugs are made by the CPC in a phased manner as per annual import plan drawn up by the Min of P C&F (Dept of C&F) after taking into account the likely demand and estimated indigenous production of individual bulk drugs for a particular year. For the year 1978-79 CPC is already engaged in arranging for imports of various bulk drugs on the above lines. It is not considered in public interest to divulge information relating to the details of the Import Plan, the firms, countries and terms and prices at which imports of individual bulk drugs are being/going to be made by the CPC.

Among the canalised bulk drugs shortage of Streptomycin Sulphate has been reported during the last few months. The main reason for this was the late arrival of imported material due to inadequate availability of bulk Streptomycin Sulphate in the international market. CPC have since released adequate quantities of bulk Streptomycin Sulphate among various viallers who are lifting the material.

As regards formulations shortages of particular brands of essential drugs are reported from different areas of the country from time to time. The concerned manufacturers are asked to such supplies of such drugs to the affected areas.

There is at present no proposal to import drug formulations on Government Account in order to meet shortages. However, certain finished drug preparations life saving and anti-

cancer drugs, as given in List 2 of Appendix 10 of the Import Policy, 1978-79 are allowed for import under Open General Licence.

मतदान आयु 21 वर्ष से बढ़ाकर 18 वर्ष करना

3192. डा० रामलीला तिथि क्या विधि, व्याय और कम्पनी कार्य मन्त्री यह बताने की कृपा करेंगे ।

(क) क्या मरकार ने बुनाव आवास-नल में मतदान आयु को 21 वर्ष से बढ़ाकर 18 वर्ष करने का आवासन दिया था

(ख) यदि हा तो आवासन पूरा करने में विलम्ब के कारण है और क्या मरकार ने अपना दुर्दिवाल बदल दिया है अथवा यह इस बारे में मतदेह है

(ग) क्या इम बारे में विषय के नेताओं वे साथ बातचीत की गई है यदि हा तो उन विषयों दलों के नम क्या है जिन्होंने इसका समर्थन किया है तथा जिन्हांने विषय किया है और

(घ) निर्वाचन प्रणाली के बारे में तार्कृष्ण समिति संहिता विधि समितियों द्वारा दिये गये सुझावों पर सरकार का विचार क्या कदम उठाने का है ?

विधि, व्याय और कम्पनी (कार्य मन्त्री (श्री सन्ति शूलम्) (क) जनना पार्टी के 1977 व निर्वाचन आवास पत्र के गजनीलिंग बाटर में जिन बातों का उल्लेख किया गया था उनमें से एक यह भी कि यह पार्टी विधिय समितियों द्वारा जिसके अन्तर्गत तार्कृष्ण समिति भी है दिया गया सुझावों पर सावधानीपूर्वक विचार करने के पश्चात सभी सुझाव लायू करने और विषय इस से पर्याप्त विवादका को वापस बुलाने और निर्वाचन व्यय को कम करने तथा मतदान आय को 21 वर्ष से बढ़ाकर 18 वर्ष करने के प्रस्ताव पर विचार करेंगी ।

(ख) लोक सभा और राज्यों की विधान सभाओं के निर्वाचनों के सम्बन्ध में मतदान की तिनांतर आयु 21 वर्ष से बढ़ाकर 18 वर्ष करने के प्रस्ताव पर निर्वाचन सम्बन्धी सुझावों के व्यय प्रस्तावों वे साथ विचार किया जा रहा है । इस विषय पर सावधानीपूर्वक विचार करने की आवश्यकता है इसलिए इस विषय में विनियम किए जाने में कुछ समय लगेगा ।

(ग) भी नहीं ।

(ए) नियन्त्रित सरकारी गृहारों के लिए विभिन्न समितियाँ भी, वित्ती अन्तर्गत ताराकुण्डे समिति भी हैं, जिनकी पर विचार किया जा रहा है।

Proposal to open Indian Oil Agencies in important cities

3194. SHRI M. RAM GOPAL REDDY:

SHRI AHMED M. PATEL:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government proposes to open Indian Oil agencies in important cities of the country to issue more gas connections to the public; and

(b) if so, the names of such cities and the total number of persons on the waiting list for gas connections?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):
 (a) and (b). As indicated in the Statement made in the Lok Sabha on 15.5.1978, the oil companies will be opening 87 new gas agencies, taking into account the restructuring of the existing distributorships on the basis of the prescribed ceilings and marketing of additional cooking gas for the purpose of enrolment of 3 lakh new customers, in different parts of the country. Out of this 87, IOC will be opening 30 new gas agencies at Meerut, Agra, Dehra Dun, Lucknow, Kanpur, Ranikhet, Pauri Garhwal, Moradabad, Jaipur, Delhi, Chandigarh, Gauhati, Patna, Calcutta, Surat, Madras, Dharamshala and Chhattarpur for the purposes mentioned above. The number of persons borne on the waiting lists of the distributors of cooking gas of the oil companies including IOC, in the country is estimated to be about 10.5 lakhs.

Criterion for setting up fertiliser factory and setting up of a fertiliser plant in Himachal Pradesh

3195. SHRI DURGA CHAND: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the criterion for setting up a fertilizer factory in the country;

(b) the names of the places where fertilizer factories have been set up during the last three years and what is the capacity of each factory;

(c) whether there is any proposal under Government's consideration to set up a fertilizer factory in Himachal Pradesh;

(d) if so, what are the details thereof; and

(e) if not, what are the reasons thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) The location of a fertilizer project is based on techno-economic considerations which *inter alia* include factors such as availability of feedstock, availability of infrastructure facilities, proximity to the market and demand of fertilizers in the economic marketing zone of the project.

(b) Statements I & II are attached.

(c) to (e). There is at present no proposal to set up a large sized fertilizer plant in Himachal Pradesh. The question of setting up a plant in Himachal Pradesh would arise only if the locational criteria indicated at (a) above are satisfied.

Statement I

*Name place and capacity of the major Fertilizer Plants Commissioned during 1975-76 to 1977-78
(Quantity in '000 tonnes)*

S. No.	Name of the plant	Place	Capacity	
			Nitrogen	Phosphate
Year 1975-76				
1. IFFCO	.	Kandla (Gujarat)	215.0	127.0
2. Zuari Agri-Chemicals & Fertilizers	.	Goa (Goa)	..	42.0
3. FACI (Expansion) Udyogamandal	.	Alwaye (Kerala)	..	10.0
4. SPIC	.	Tuticorin (T N)	258.0	..
5. Gorakhpur (Expansion)	.	Gorakhpur (U.P.)	51.0	..
Year 1976-77				
1. Nangal	.	Nangal (Punjab)	160.0	..
2. Namrup Expn	.	Namrup (Assam)	152.0	..
3. Barauni	.	Barauni (Bihar)	152.0	..
4. SPIC (Phosphoric Acid)	.	Tuticorin (I N)	..	51.0
5. Madras Expn	.	Madras (I N)	12.0	31.0
6. CFL Expn	.	Vizag (A P)	3.0	27.0
Year 1977-78				
1. Cochin Phase II	.	Cochin (Kerala)	40.0	114.0

Statement II

Details of Projects which has been under implementation during the last three Years

Name of the project	Year of approval	Status
1. Haldia	1971	Mechanical completion expected by June, 1979
2. Ramagundam	1971	Trial production expected by early 1979
3. Talcher	1971	Do
4. Sindri Modernisation	1973	Expected to start regular production by January, 1979.
5. S n l i Rationalisation	1967	Regular production expected to start from later part of 1979.
6. Trombay IV	1972	Under production

	1	2	3
7. Trombay V	.	1974	Expected to start production in 1980.
8. Bhatinda	.	1974	Production expected from early, 1979.
9. Panipat	.	1975	Do.
10. Nangal Expansion	.	1972	Under production.
11. H C.L. Khetri	.	.	
<i>Cooperative/Private Sector:</i>			
12. Phulpur (IFFCO)	.	Indl. Lic. issued in 1976	Production expected to start from 1979.
13. Bharuch Distt : Gujarat (M/s. Gujarat Narmada Valley Fertilizer Company Ltd.)	Indl. Lic. issued in 1977.		Expected to be completed by 1981.
14. Kakinada (Andhra Pradesh) (M/s. Nagarjuna Fertilizers & Chemicals Ltd.)	Indl. Lic. issued in 1978.		Expected to be completed by 1981.

Calcutta is floating over Oil

3196. PROF SAMAR GUHA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether attention of the Government has been drawn to a report published in Calcutta Statesman during the end of second week of July 1978 giving information that "Calcutta is floating over Oil";

(b) if so, facts thereabout and the reasons for such optimistic report;

(c) whether the Government will undertake exploration of Oil in Calcutta area; and

(d) if so, facts thereabout?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) Yes, Sir. A report published in the Statesman, Calcutta dated 14th July 1978, *inter alia*, raised the question and mentioned that scientists of the ONGC have now ventured

to get an answer as to whether there is any sub-surface commercial hydrocarbon accumulation in Calcutta and its adjoining industrial area.

(b) The results of Gravity Surveys carried out during 1954-57 by Indo-Stanvac Petroleum Project showed that the city of Calcutta and its neighbouring area are located on a prominent gravity high. Such gravity highs are sometimes associated with sub-surface structures which may be hydrocarbon bearing.

(c) and (d). Precision gravity surveys are planned to commence in the city of Calcutta and its adjacent industrial area during the 1978-79 field season. It is also proposed to carry out seismic surveys in the area subsequently as may be necessary.

Looting of a Marriage Party in Punjab Mall

3197. SHRI R. L. P. VERMA: Will the Minister of RAILWAYS be pleased to state:

(a) whether on the 4th May, 1978 one Shri Khil Ram Kushwaha of Delhi was taking the marriage party of his

son for Gwalior by the Punjab Mail for which he had got 40 seats reserved in the Mail,

(b) whether several incidents of forced entry into the train, looting passengers and teasing of women by 1500 railway employees from Shahadra, who go to Tughlakabad loco-shed daily by the Punjab Mail have been reported

(c) whether on the 4th May, 1978, the above employees looted the aforesaid marriage party of their ornaments etc worth about Rs 50,000 and injured 17 persons and whether two employees Shri Atun Kumar and Naresh Kumar were also injured and admitted in ward No 7 of the Central Hospital and

(d) in case the above incident had taken place the action taken against the above culprits and whether a shuttle train is proposed to be introduced for the journey by these 1500 employees?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) Yes

(b) No.

(c) No incident of looting of ornaments belonging to the members of the marriage party has been reported. Only 13 persons including 2 railway employees are reported to have been injured. Both the injured railway employees were admitted in the Central Railway Hospital, Delhi.

(d) The New Delhi Railway Police has registered a case u/s 147/148/308 of the I P C and 109/120/126(a)/127 & 128 of the Indian Railways' Act on the complaint of one of the members of the marriage party and has also registered a counter case u/s 325/34 of the I P C on a complaint lodged by one of the Railway staff who travelled in the same compartment. The out-come of Police Investigation is still awaited. The Joint

Enquiry made by SDA/ Delhi, Dy CSO/New Delhi and SDME(Diesel)/ Tughlakabad into this incident has recommended certain alternatives to enable workers and other employees including railway staff working in and around Tughlakabad, reaching their places of duty at or before 8.30 hrs. These recommendations are under active consideration.

Mangalore Railway Station

3198 SHR JANARDHANA POONARY Will the Minister of RAILWAYS be pleased to state

(a) what steps Government have taken regarding the improvement of Mangalore railway station

(b) is there any proposal to build up new building at the station to relieve congestion prevailing at present, and

(c) if the reply to (b) above is in affirmative whether any estimate has been made in this regard and when the work is likely to be started and if the reply is in negative the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) Proposals are on hand to make improvements to the second class waiting hall, upper class waiting room, circulating area and booking facilities etc at Mangalore Railway Station and also to give a general face lift to the station building.

(b) There is no proposal to build a new station building.

(c) As the improvements contemplated at this station as enumerated in reply to (a) above, are considered adequate it is not necessary for the present to have a new station building.

**Manufacture of Santivini by
M/s Sandoz(I)**

3199 SHRI RAMDEO SINGH: Will the Minister of PETROLEUM CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the total capacity granted to M/s. Sandoz(I) Ltd., for the manufacture of Santivini;

(b) how Sandoz applied for the manufacture of Santivini and what are the details of production before the grant of COB licence to this company, and

(c) details of production of Santivini during last three years, year-wise along with details of canalised bulk drugs released to this company for the manufacture of this product?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA): (a) M/s Sandoz (I) Limited, Bombay had been granted COB licence No. L/22/416/71-Ch III dated 16-7-1971 for production of the following items in accordance with the Revised Industrial Policy of July, 1970

- (1) Intestopan Vaginal Tablets
- (2) Intestopan Suspension
- (3) Intestopan Forte Capsules
- (4) Hematrine Liquid
- (5) Intestopan Q Capsules
- (6) Sandocycline Capsules
- (7) Phenipan Sandoz (Dry Syrup)
- (8) Folestine Tablets/Capsules
- (9) Torecan ampoules
- (10) Torecan Tablets
- (11) Santivini

No capacity in respect of the items covered thereof had been specified except that these items will be manufactured within the overall capacities of formulations already approved in their favour plus 25 per cent to cover the additional capacity for the aforesaid items

(b) Though M/s. Sandoz were not in production of Santivini at the time of applying for a COB licence, based on the effective steps claimed to have been taken by them, they submitted an application for issue of COB licence for the same in 1970.

(c) According to the information available, the production of Santivini Syrup during 1975, 1976 and 1977 was 630334, 581405 and 578767 litres respectively. DGTD units are not released canalised bulk drugs linked with their requirements in respect of individual drug formulations, hence there is no data available about release of canalised bulk drugs to this company for the last three years for the manufacture specifically of Santivini.

मेरठ-बालपात्र रेल काटक पर उपरी-पुल

3200. श्री कलात्र प्रकाश: यदा रेल मरी यह बताने की क्षमा करते कि

(a) यदा मेरठ गढ़ स्टेशन के मरीप मेरठ-बालपात्र सड़क के रेल काटक पर उपरी-पुल के निर्माण की योजना के बारे में घट तक यदा प्रगति हुई है;

(b) यदा सरकार को पता है कि उक्त काटक पर 2 मूँछ लाइन तथा एक साइरिंग के लिए सम्पूर्ण लाइन चिह्नित है जिसके कारण काटक अक्षर बद्द ही रहता है और बाहनों को बहा बटो लहराना चाहता है; और

(c) यदि उक्त पुल के निर्माण के लिए घटी तक कोई योजना नहीं है तो ऐसी योजना कब तक बनाई जायेगी और कार्य कब तक प्रारम्भ किया जायेगा?

रेल बंदोलव वें राम्ब लंडी (श्री लिल नारायण): (क) मेरठ बाहर के पास, मेरठ बाल-बालपात्र रोड पर स्थित रेल बालपात्र के बाले, उपरी सड़क पुल के निर्माण की योजना मरी आयोजन अवधारणा के प्रारम्भिक चरण में है।

(ब) यह सम्पार दो मूँछ लाइनों पर एक साइरिंग लाइन पर है। गाड़ियों के सचालन के दौरान, इस सम्पार पर, सड़क बालायात में कुछ विचम्ब ही जाना अनिवार्य है।

(ग) स्पैकिंग यह प्रस्ताव अभी प्रारम्भिक चिह्नित में है और पहुँच-भागों के लिए, रेल निर्माण से राम्ब सरकार द्वारा योजना की जारीत पर निर्भर

करता है, यह इस समय यह उत्पादन बंधव नहीं है कि इस योजना को कब अन्तिम रूप दिया जायेगा और उसका नियमण कब तक दिया जायेगा ।

उर्वरकों का उत्पादन

3201 जी उत्पादन शर्वा । क्या ऐटोलियम उत्पादन और उर्वरक भवी यह उत्पादन की कृता करते हैं कि

(क) यह सीन बचों में उर्वरकों का बर्बाद उत्पादन किताना है ।

(क) ये की मात्र को व्यापार में रखते हुए प्रत्येक बच उत्पादन बढ़ाने के लिये सरकार ने क्या कदम उठाये ।

(ग) यदि हा तो क्या मांग को व्यापार में रखने हुए उर्वरकों का आयात किया गया, और

(घ) यदि हा तो प्रति वर्ष कितानी मात्रा में आयात किया गया ।

ऐटोलियम नवा उत्पादन और उर्वरक भवी (जी हेलियम नवन बहुगुणा) (क) यह सीन बचों के दोरान न्यूट्रियट्स के रूप में उर्वरकों का बर्बाद उत्पादन निम्न प्रकार था ।

(लाख टोरों में)

1975-76 1976-77 1977-78

एन	15 35	19 00	20 00
पी	3 20	4 80	6 70

पोटाक का देश में कोई उत्पादन नहीं होता है ।

(क) चालू एककों की उत्पादन अमता को इस्तम बढ़ाने की दृष्टि से कठिनाइयों को दूर करने, नवीकरण करने, परिवर्तन करने, यदि वे अपेक्षित उत्पादन कायदम दिये जाते हैं । इसके अलावा, इस समय 13 बड़े सारकर के बाद कारखाने कार्यालयानीं हैं, और उर्वरक उत्पादन अमता को बढ़ाने और आरम्भनितरा की भीर बढ़ाने के उद्देश से छठी योजना प्रवर्ति के द्वारा अन्य योजनायांशों का कार्यालय करने का प्रस्ताव है ।

(ग) और (घ) यह सीन बचों के द्वारा उर्वरकों का उत्पाद-बाद आयात को बढ़ाने वाला एक विवरण दर्शन है ।

विवरण

1975-76 से 1977-78 के द्वारा आवासित उर्वरकों की मात्रा को बढ़ाने वाला विवरण-बद्ध (लाख टोरों में)

मद	1975-1976- 76	1977- 77	1977- 78
श्रीलंका	14 59	15 96	15 01
भारतीयम सल्फेट	0 93	—	0 04
हेलियम अमोनियम			
नाइट्रोट	1 95	0 05	0 14
भारतीयम सल्फेट नाइट्रोट	0 10	—	—
न्यूरिएट याक पोटाक	3 63	4 51	9 86
सल्फेट याक पोटाक	—	0 11	0 15
बाहु आमोनियम फास्टेट	4 62	0 30	3 28
निट्रो फोस्फेट 20-20-0	2 44	0 35	—
निट्रो फोस्फेट 24 24 0	0 98	—	—
एन पी के	15 15 15		
कम्पलेक्स फास्टिलाइजर	2 19	0 13	—
एन पी के 14 14 14			
कम्पलेक्स फास्टिलाइजर	0 10	—	—
निट्रो फास्टेट	23 23 0	0 08	—
एन पी के 17 17 17			
कम्पलेक्स पर्सन नाइट्रो	0 75	—	—
एन पी के 17 17 16			
कम्पलेक्स फास्टिलाइजर	0 10	—	—
एन पी के 13 13 20			
कम्पलेक्स फास्टिलाइजर	0 02	—	—
भारतीयम फास्टेट			
19-20-0	0 08	—	—

Conversion of Miraj-Hubli Meter Gauge

3202 SHRI DAJIBA DESAI Will the Minister of RAILWAYS be pleased to state

(a) whether a project to convert Miraj-Hubli Meter gauge rail line to Broad gauge is under consideration, and

(b) if so, whether it will be included in Sixth Five Year Plan of Railways?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) and (b). A survey has been carried out for the conversion of Miraj-Hubli line to broad gauge As the existing capacity

on the line is adequate for the requirements of traffic and in view of the heavy commitments already made on a large number of gauge conversion projects, it will not be possible to consider this project for inclusion in the 6th Plan

Takeover of Bharat Overseas by Jaipur Udyog Ltd

3203 SHRI C K CHANDRAPPAN
Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether it is a fact that the Jaipur Udyog Ltd has taken over the huge liabilities of Bharat Overseas (P) Ltd,

(b) if it is so the details thereof and

(c) what is Government's opinion on it'

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) to (c) The position is being ascertained

Amount allocated to Gujarat from Railways Safety Fund

3204 SHRI CHHITUBHAI GAMIT:
Will the Minister of RAILWAYS be pleased to state

(a) the amount allocated to Gujarat from the Railways Safety Fund since the institution of the Fund, and

(b) what are the safety works taken up in that State out of the allocation from the fund and the progress of those works so far?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) Rs 154 crores (approx) upto 31.3.1978

(b) Utilisation of this Fund has been approved in respect of 9 works of road over/under bridge, in replacement of existing busy level crossings and 34 cases of manning/upgradation of level crossings. A statement containing the list indicating the present progress of these works is enclosed

Statement

Name of Work	Present Physical Progress
1 Road over bridge on Karia M Ahmedabad State Highway	Work completed and bridge opened to traffic
2 Road over bridge on Vasad-Borsad Dhar. mji Tarapur State Highway	Work completed and bridge opened to traffic.
3 Road over-bridge on Palanpur Deesa Road	Work completed and bridge opened to traffic
4 Road over-bridge on Barodpadra Jambusar Road	Work completed and bridge opened to traffic
5 Road over bridge on Rajkot Bhavnagar S H Km No 104/2 4 at Dhasa	Work completed and bridge opened to traffic
6 Valsal Providing a road over bridge in lieu of The work on the diversion of road by level crossing No 98	the State P W D is in progress. Contract for pile foundation for the overbridge has been awarded. The work will be taken up as soon as the level crossing is shifted by the State Govt and the diversion commissioned

Name of work	Present physical progress															
7 Ankleshwar—Providing a road over-bridge in lieu of level crossing No 172	Design and drawings for the substructure and foundation of the main bridge have been finalised and tenders for the same finalised. The work on the overbridge will be started after the road across the existing level crossing is diverted by the State Govt															
8 Anand—Providing a road over-bridge in lieu of level crossing No 260	Plans and estimates are under finalisation															
9 Rajkot—Providing a road over-bridge in replacement of level crossing No 3 between Rajkot—Bhaktinagar	Tenders for the over-bridge are under finalisation. The work thereon will be taken up after the State Govt complete the road diversion															
2 Manning of 10 level crossings; and upgradation of 5 level crossings have been completed Manning of 10 level crossings is in progress and expected to be completed shortly																
<p>मन्यह हाई में प्रतिविन तेल का बैरलो में निकाला जाता</p> <p>3205 भी यमुना प्रसार शास्त्री स्था पेट्रोलियम, रसायन और उर्जाक मर्मी यह बनान की हुआ करें कि</p> <p>(क) स्था यह सब है कि बम्बई हाई में बैरल, मई तथा जून 1978 के दौरान प्रतिविन बैरलो में निकाला गया तत्व वर्ष 1977 के दैनिक निकाले जाने की तुलना में कम है और यदि हा तो बैरल मई तथा जून, 1977 में प्रतिविन किलो तेल निकाला गया तथा वर्ष 1978 की इसी प्रवधि में किलो तथा इसमें इमी के स्था कारण है और स्था इस मायन की बाई जात बराई गई है और</p>																
<p>(ख) स्था बगाल की बाई म तत्व कूपी की बदाई का काम भी बालू वर्ष के दौरान हाथ में निये जाने की सभावना है ?</p> <p>पेट्रोलियम तथा रसायन और उर्जाक मर्मी (भी सेवकीय नाम बहुगामा) (क) बम्बई हाई से वर्ष 1977 और 78 के बैरल मई और जून, के महीनो में प्रवधित तेल का भीमत दैनिक उत्पादन निम्नलिखित है</p>																
<table border="1"> <thead> <tr> <th></th> <th>मास</th> <th>मात्रा बैरल मे</th> </tr> <tr> <th>वर्ष</th> <th>बैरेल</th> <th>मई</th> <th>जून</th> </tr> </thead> <tbody> <tr> <td>1977</td> <td>18,327</td> <td>29,646</td> <td>12,279</td> </tr> <tr> <td>1978</td> <td>3,952</td> <td>26,976</td> <td>37,596</td> </tr> </tbody> </table>			मास	मात्रा बैरल मे	वर्ष	बैरेल	मई	जून	1977	18,327	29,646	12,279	1978	3,952	26,976	37,596
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1977	18,327	29,646	12,279													
1978	3,952	26,976	37,596													
3206 SHRI RAJESHEKHAR KOLUR Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state																
<p>(a) whether proposals have been received from the Government of Karnataka and legal bodies of Karnataka for setting up of Bench of the High Court at Hubli, and</p>																

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

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) No proposal for the setting up of a Bench of the High Court of Karnataka at Hubli has been received from the State Government. A representation was received from the Bar Association, Dharwar in February, 1976 for the establishment of a Bench of the High Court at Dharwar.

(b) The Government of India are not considering any such proposal as none has been made by the State Government.

Memorandum for Attaching a Coach

from Fazilka to Delhi Mail

3207. DR. BALDEV PRAKASH: Will the Minister of RAILWAYS be pleased to state:

(a) whether a deputation from Fazilka (Punjab) called upon the Minister of Railways during Budget Session of the Lok Sabha this year and presented a Memorandum regarding restoring the coach from Fazilka to Delhi Mail train which was discontinued from some time; and

(b) if so, the action taken on that?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) Yes.

(b) Restoration of Bombay VT-Fazilka Coach is not feasible due to inadequate margin of time at Firozpur by 37 Up'IFF and 8FF/38Dn trains.

Issue of Registration Certificates to Drug Units Under I (D & R) Act

3208. SHRI RAMJILAL SUMAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) details of the Registration Certificates granted to drug manufacturing units under I (D & R) Act;

(b) what are the basis on which production is made by these companies under registration Certificates during last three years and full details regarding name, prices given in price lists at the time of grant of Registration Certificates and as on date; and

(c) details of fuller utilisation under capacities granted to various companies under 1972 policy, product-wise and company-wise along with details of applicants and products of each Co., rejected for the purpose of fuller utilisation, under what provisions of I (D&R) Act these were rejected?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b) According to Section 10 of the Industries (Development and Regulation) Act, 1951 which came into force on 8th May, 1952, every existing Undertaking had to register itself within a prescribed time.

A Certificate or Registration as prescribed under the Rules was issued to such drug firms for the manufacture of "Drugs and Pharmaceuticals." No individual name of any item was specified in the Registration Certificates. Since the Registration Certificates were issued in the fifties, the other details asked for are not immediately available.

However, before the grant of consolidated Industrial Licence to drug manufacturing units, in terms of the New Drug Policy, all relevant details would have been obtained and all activities scrutinised.

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

रेलवाही के दिल्ली राज्य करने की व्यवस्था

3210. श्री मंत्री जनता सेवा : क्या रेल मंत्री वह बताने की कृपा करें कि

(क) क्या सरकार को इस बात की जानकारी है कि रेलवे के चतुर्वें घोटी के कर्मचारियों की लापत्तियों के कारण रेल-वाहियों के अनक दिल्ली की सफाई मही होती और इसके कारण दिल्ली में मच्छर और बटनल पैदा हो जाते हैं जिससे परियों को मरुस्थिया होती है, और

(ख) क्या सिविल में नुचार करने के लिये कोई कार्यवाही की गई है?

रेल मंत्रालय में राज्य भवी (श्री शिव नारायण) ।
(क) क्या हूँ रेलवे की मुनासिल देव-रेल के लिए मध्ये मध्य तथा गोण अनुसूचण स्टेजों पर सर्विस बनाने वाले कर्मचारी पर्याप्त सध्या में हैं। मूल-गक्सप्रेस और वीजेजर वाहियों के रेको के लेटेकार्म पर लाने से पूर्व घासाई एवं घन-रक्षण लाइनों में उनके सभी मवारी यानों (इनमें दूजे के सवारी यानों नहिं) दिल्ली और शीघ्रालयों की अच्छी तरह घासाई और सफाई की जाती है और उनमें सफाई एवं बटनलों का प्रबलन गवाने के लिए कीट नाशक त्राविया एटिको जाती है। मार्गवर्णी स्टेजों पर भी यानों द्वारा शीघ्रालयों की सफाई की जाती है और उनमें कीट नाशक दबाई एटिको की जाती है। इसके अलावा, इच्छा लाइन दूरी यानों वाहिया में दीर्घन दिल्ली और शीघ्रालयों की देव-रेल के लिए जल सपाई यानों की व्यवस्था भी गई है। इसमें वाहियों के लिए एवं लापत्तियों के लिए जल सपाई यानों की व्यवस्था भी गई है।

(ख) जहा व्यक्तिन रहता है सवारी यानों की देव-रेल और सफाई के काम में भी भी सुधार लाने के लिए उपयुक्त उपाय दिया जाते हैं। इनके बारे में यदि जनता स बाई शिकायत मिलती है, तो सम्बन्धित कर्मचारियों के बिन्दु उपयुक्त व्यावरण कार्यवाही की जाती है। कई बार भीड़-माड़ के कारण दिल्ली पैदा हो जाती है।

Letter from Northern Railwaymen's Union

3211. SHRI SHARAD YADAV Will the Minister of RAILWAYS be pleased to refer to reply given to the Unstarred Question No 4546 on 28th March, 1978 regarding letter from Northern Railwaymen's Union and state:

(a) whether it has been considered;

(b) if so, what action has been taken on the matter by Government; and

(c) if no action has been taken so far, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) to (c). The matter is still under consideration. । ॥

Lowering of Voting Age for Lok Sabha and Assemblies Election

3212 SHRI AMAR ROY PRA-DHAN Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether it has been decided by the Government that the age of voter should be 18 years instead of 21 years for the elections of Lok Sabha and the Assemblies,

(b) if so, when the decision is likely to be implemented, and

(c) if answer of (a) is in negative the reasons therefor? —

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) No decision has been taken in the matter

(b) Does not arise

(c) The proposal is still under consideration, along with other proposals for electoral reform. As the matter requires careful consideration, some more time will be taken to arrive at a decision in the matter.

Shortage of Bulk Drugs and Formulations

3213 SHRI G Y KRISHNAN Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state

(a) whether any initiative has been taken by Centre with the State Gov-

ernment to report any shortage of bulk drugs and formulations to enable the Central Government to take speedy and effective remedial action; and

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

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) Yes, Sir. The Minister for Petroleum, Chemicals and Fertilizers has written to the Chief Ministers of States and Chief Executives of the Union Territories on 27th June, 1978, to have shortages of both bulk drugs and formulations promptly reported to the Central Government so that timely remedial action is taken.

(b) While certain State Governments have in their replies indicated that the concerned organisations in the State Government would monitor drug availability and report shortages, if any, to the Central Government, other State Governments have yet to respond.

Representation from Dainik Yatri Sangh regarding stoppage of Chhattisgarh Express

3214. **SHRI SHAMBHU NATH CHATURVEDI:** Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received repeated representations from the Dainik Yatri Sangh, Mathura and Agra for slight adjustment of timings of 138 UP Chhattisgarh Express, with stoppage at Raja-Ki-Mandi and 17 Dn. Janata Express for the convenience and facility of the Court and office going public;

(b) if so, whether any decision has been taken thereon to meet it; and

(c) if not, whether Government has any other alternative proposal under consideration to achieve the same purpose?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) The suggestions have not been found operationally feasible.

(c) No.

Prospect of Oil in Calcutta and its neighbouring areas

3215. **SHRI CHITTA BASU:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the Eastern Regional office of the ONGC in Calcutta has of late come to the conclusion that Calcutta and its neighbouring areas are situated on what is called gravityhigh;

(b) if so, the prospects of oil in the area,

(c) whether any step has since been taken for the exploration of the same; and

(d) the details thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA): (a) No, Sir. Gravity surveys carried out by the Indo-Stanvac Petroleum Project in the West Bengal basin during the period 1954-57 had indicated that Calcutta and its neighbouring areas are situated on a prominent gravity high.

(b) Gravity highs are sometimes associated with sub-surface structures which may entrap hydrocarbons; however, in some cases such gravity highs may not be associated with any structures. It is, therefore, a normal exploratory practice to carry out other geophysical surveys, specially seismic surveys to confirm the presence of sub-surface structures in the area of gravity highs. It would, therefore, be necessary to carry out further

geophysical surveys to ascertain the prospects of oil in the area of Calcutta and its vicinity

(c) Yes, Sir

(d) Precision Gravity surveys will commence in the city of Calcutta and the adjacent Industrial areas during the 1978-79 field season. It is also proposed to carry out seismic surveys in the area subsequently as may be necessary

Posts Reserved for SC and ST in Refinery Office of IOC

3216 SHRI R L KUREEL Will the Minister of PETROLEUM CHEMICALS AND FERTILIZERS be pleased to state

(a) the number of posts reserved for Scheduled Castes and Scheduled Tribes in both recruitment as well as in Departmental Promotions de-reserved during the period from June 1977 to March 1978 in Delhi Office of Refinery Division of Indian Oil Corporation

(b) the reasons for the de-reservation of posts

(c) whether representations were received from the Member of Parliament by the Chairman of the Indian Oil Corporation protesting against the de-reserving of posts and

(d) action taken thereon?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA)

(a) and (b) For recruitment no posts reserved for Scheduled Castes and Scheduled Tribes were de-reserved during the period June, 1977 to March 1978. However for Departmental Promotions 14 posts were de-reserved due to non-availability/non-eligibility of departmental candidates from the reserved communities. In such cases reservations have been carried forward in conformity with the guidelines laid down in the Presidential Directives

(c) Yes, Sir. One letter dated 19.5.1978 has been received by Chairman, I O C from Honourable Member Shri R L Kureel in this regard

(d) It is presently under consideration of the Indian Oil Corporation

Trivandrum Railway Division

3217 SHRI N SREEKANTAN NAIR Will the Minister of RAILWAYS be pleased to state

(a) what is the reason for the inordinate delay in sanctioning the Trivandrum Railway Division of Southern Railway which the Minister has agreed to constitute

(b) when can the opening of the new division be expected

(c) whether the State Government have not fulfilled the conditions put forward by the Railway Ministry for the opening of this new division

(d) whether the Minister has written to the Chief Minister of Kerala to convene a conference of all concerned to settle the dispute over the jurisdiction of Olavakkot Division after the formation of the Trivandrum Division and

(e) if so what is the response to the suggestion?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) to (e) After the announcement of the decision to form a new railway division on Southern Railway with headquarters at Trivandrum representations were received from various interests in North Malabar, Cochin and Olavakkot areas protesting vehemently against the inclusion of Mangalore-Ernakulam Section of the existing Olavakkot Division in the proposed new Division.

These strong feelings were sought to be assuaged by limiting the jurisdiction of the proposed division from Trivandrum to Shoranur only. But since this alternative considerably reduced the route kilometrage, making the proposed new Division non-viable, it was decided, as a first step, to form a Transportation Division only at Trivandrum, to be developed into a full-fledged division in due course.

Unfortunately, the above scheme too did not find favour. The State Government also stated that they would not be able to offer land free of cost as promised earlier unless a full-fledged division at Trivandrum was created.

In the changed back-ground the Chief Minister of Kerala has been requested to have detailed discussions with all the concerned parties in the area and envolve an agreed solution so that the matter could be processed further. There is no indication yet of such discussions having taken place.

Low Iron Oxide in vast sandy areas of Tiruchendur

3218. SHRI K. T. KOSALRAM: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the soil in the vast sandy areas of Tiruchendur taluk, Tirunelveli Distt. of Tamilnadu State, contains low iron oxide, which can be utilised for Paint Industry; and

(b) if so, whether Government will examine the same and suggest proposals for upgrading the material with a view to encourage local entrepreneurs to set up units for Paint Industry?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

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

कर्तीम यह दस्तावेज़ के दिल्ली को बदलना

3219. की बदलना हेतु दस्तावेज़ की बदलने की हुआ करें कि :

(क) यह प्रदेश से दिल्ली के लिये आने वाली एक यात्रा गाड़ी, छत्तीसगढ़ एकत्रित तिक्कि को बदलाई गई थी और उसके होने वाली यात्रा का बर्चार घ्यारा था ;

(ख) यह इन गाड़ी के बहाव तक इससे होने वाली यात्रा को देखते हुए यह बदलना इन गाड़ी के दिल्ली से बदलने के प्रश्न पर विचार कर रहा है ; और

(ग) यदि ना, तो ऐसा कदम तक किया जायेगा और यदि नहीं, तो उम्मीद यह कारण है ?

देश बदलना में राज्य मंत्री (भी शिव भारतवर्ष) : (क) छत्तीसगढ़ ग्रामप्रीम 1-11-75 से रायपुर और भोपाल के बीच चलाई गयी थी । 26-1-76 से यह गाड़ी बिलासपुर तक और 16-2-1977 में निजामगंज तक बढ़ायी गयी थी । अब ग्रामप्रीम की प्रामनी/वर्जन के पृष्ठक पृष्ठक आकर नहीं रखे जाने ।

(ख) और (ग) इन गाडियों में भी उनी प्रकार के दिल्ले लगाये जाते हैं जिस प्रकार के दिल्ले पन्थ मेल / ग्रामप्रीम गाडियों में लगाये जाते हैं ।

मुख्यमंत्री भारतवर्षी भीटर नेज लाइन को ब्राइट लाइन में बदलने के लिए घटटी की टर्नों में बाधव्यक्ता

3220. की राम गरेज कुशबाह : यह देश मंत्री यह बदलने की हुआ करें कि

(क) बुजफ्फरपुर-बाराबंकी भीटर नेज लाइन को ब्राइट लाइन में बदलने के लिए कितने टन घटटी की बाधव्यक्ता होगी ;

(ख) कितने टन घटटी के लिये क्रायोज्ज्वल लिए गए हैं ;

(ग) इनके लिए कितनी संख्या में लकड़ी के स्पीपरो की बाधव्यक्ता होगी और उन की संख्या के लिए क्या अवध्या की गई है ;

(c) यदि उस सामग्री कार्बोन के अनुसार समान नहीं की जहां तो उस उस सामग्री का वर्णन 1980 तक पूरी हो जाएगी, और

(d) यदि नहीं, तो उस वर्णन में उपरोक्त रेल लाइन का निर्वाचन पूरा करने के लिए सरकार का यथावत्स्था बर्देश्वरी ?

रेल लाइन के रास्ते लंबी (जी लिव नारायण) :
(c) से (d) लागवडी समस्तीय रास्ता परिवहन परियोजना के लिए परियो और लकड़ी के स्तरियों की समानाई के सम्बन्ध में स्वित इस प्रकार है —

	पदरिया (मीट्रिक टनों में)	लकड़ी के स्तरिया (रेप)
1 कुल जड़त	66 615	773 000
2 31 मार्च 1978 तक प्राप्त	18,615	340 000
3 1978-79 की प्रवर्ति में लाइन	28,100	200,000
4 लेव माला जिसकी व्यवस्था की जानी है	20 110	233 000

(e) और (f) धारान परिव तंत्रजन परियोजना को 1980 तक पूरा करने के लिए उसके लिए प्रयोगित रेलपथ सम्बन्धीय भारी समानाई करने के लिए हर प्रयाम किया जा रहा है ।

मुजफ्फरपुर से लिली के लिये जबती जनता एकसमैत को भवाह में दो दिन बचाने का प्रस्ताव

3221 और रास सेवक हजारी का रेल मली यह बताने की कृपा करें कि

(g) क्या सरकार ने यात्रियों की कठिनाइया को देखने हुए मुजफ्फरपुर से लिली तक के लिये समाह में दो बार बचाने वाली यज ती जनता एकसमैत बताने के प्रन्ताब पर विचार किया है

(h) यदि हां तो सरकार ने इस मामले में क्या नियंत्रण किया है ,

(i) यदि नहीं, तो इस बारे में सरकार का क्या कार्रवाई करने का विचार है , और

(j) क्या सरकार का इस सेवकन पर कोई अन्य भावी बताने का विचार है ?

रेल लाइन के रास्ते लंबी (जी लिव नारायण)
(k) से (l) समाह में दो बार बचाने वाली 153/ 154 मुजफ्फरपुर-लिली जबती जनता एकसमैत के फेरे बदाना यथा इस बात पर एक अतिरिक्त

एकसमैत जारी जलाना, फिलहाल, मार्डिनी बंडों पर जाइन जनता और लिली लेज में ट्रैमनल सम्बन्धी लुप्तियां भी करनी होने के कारण परिवहनिक पूर्ण से व्यावहारिक नहीं है ।

Payments for advertisements made by Government Companies to Political Parties

3222 SHRI L L KAPOOR Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) List of 101 Government Companies which had made payments for advertisements in the souvenirs brought out by political parties between 1-1-1974 and 31-3-1977, and

(b) the amount of payment made by these public undertakings during this period to each of the political parties year-wise?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) and (b). The list of 101 Government Companies which had made payments for advertisement in the souvenirs brought out by political parties between 1st January 1974 and 31st March 1977 indicating inter alia the amount paid and the party to whom such payments were made was placed on the table of the house in reply to part (b) of the Unstarred Question No 2169 answered in Lok Sabha on 1st August 1978

नई सम्बन्धियों का व्योकरण

3223 श्री हुकम लेव नारायण यादव क्या विलि, धारा और जलनी दायर मली यह बताने की कृपा करें कि

(k) जनता जासन के प्रारम्भ होने के पश्चात कितनी नई कम्पनियों का पंजीकरण हुआ है और उनमें से कितनी कम्पनियों एकाधिकार थहीं की है , और

(क) उपरोक्त कम्पनियों में से कितनी कम्पनियों के शेयरहालियों को कम्पनी नियमों के उल्लंघन की तरफ निम्न चुकी है?

विवि, न्याय और कानूनी कार्य मंत्री (बी शासि शूलक) : (क) 1 अगस्त, 1977 से 30 जून, 1978 तक की अवधि के मध्य, कम्पनी भवित्वित्यम, 1956 के अन्तर्गत 3528 कम्पनियों का पांचीकण हुआ था। 3528 कम्पनियों में से कोई भी एकाधिकारी घराना से सम्बन्धित नहीं है।

(ब) हिसेंधारी, अपनी इसी हैतियत में, कम्पनी भवित्वित्यम, के उल्लंघनों के लिये दोषी नहीं घटाये जाते हैं।

Recommendations of Bhagwati Committee on legal aid to the poor

3225. SHRI D. AMAT:

SHRI R. V. SWAMINATHAN:

SHRI AMARSINH V.
RATHAWA:

SHRI AHMED M. PATEL:

SHRI K. LAKKAPPA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have set up a Committee to examine in depth the recommendations of the Bhagwati Committee on legal aid to the poor; and

(b) if so, what are the terms of reference of this Committee and by what time the report will be available?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) and (b). Yes, Sir. An inter-departmental committee has been constituted by the Ministry of Law, Justice and Company Affairs, with representatives from the Ministries of Finance, Home, Labour and Departments of Social Welfare, Personnel and Administra-

tive Reforms to examine the recommendations of the Committee in depth, and to work out a mechanism of legal aid keeping in view the financial implications of the scheme. The Committee will prepare a policy paper on the basis of which decisions can be taken by Government. The committee has already held some meetings and it is expected that the examination by the Committee will be completed and the policy paper would be prepared as soon as possible.

Oil drilling operations in Tripura by ONGC

3226 SHRI KIRIT BIKRAM DEB BURMAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether seven sites in Tripura have been identified by the ONGC for oil drilling operations;

(b) if so, the details of these sites; and

(c) the action so far taken for drilling operations on each site and the reasons for the delay?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) The ONGC has so far identified 23 sites for oil drilling operations in Tripura.

(b) The sites have been released on 6 different structures. The details are:—

- (i) 17 in Baramura;
- (ii) 2 in Rokhia;
- (iii) 1 in Tichna;
- (iv) 1 in Gojalia;
- (v) 1 in Batchia; and
- (vi) 1 in Tulamura.

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(c) The ONGC has completed drilling of three sites on Baramura structure, where testing is currently being

done. The three rigs deployed here would move to the next locations on this structure. The Commission has also started preparation for drilling on two locations on two other structures, namely—Gojala and Rokhua. Drilling of these structures is expected to commence shortly.

There has not been any slackening on the part of the Commission to intensify oil exploration activities in Tripura. Five drilling rigs currently have been earmarked for drilling in this area. There are, however, limitations of logistics and down hole complications.

Manning of railway crossing to avoid accidents

3227 SHRI ARJUN SINGH BHADORIA Will the Minister of RAILWAYS be pleased to state

(a) whether the Government had decided to man all the railway crossings in the country in order to avoid accidents; and

(b) if so why in spite of these instructions a serious accident took place with a bus near Bareilly recently?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAI) (a) No

(b) This accident has been inquired into by the Additional Commissioner of Railway Safety Northern Circle Lucknow. According to his provisional finding the accident was due to the failure of railway staff. It has also been mentioned that failure on the part of the Road Authority to provide the necessary caution signs on the road leading to the level crossing and failure of the road vehicle driver to exercise the degree of caution which a prudent person exercises when placed in similar circumstances, contributed to the accident.

Appointment in Printing Press of Northern Railway, Shakurbasti

3228 SHRI BHAGAT RAM Will the Minister of RAILWAYS be pleased to state how many persons were appointed in Printing Press of Northern Railway, Shakurbasti without going through the normal process of regular selection or interviews during 1975 and 1976?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) No appointments on regular basis were made without going through the normal procedure of recruitment. 77 persons were appointed as substitutes out of which 57 were through selections after notification. 9 Jr Machinemen (semi skilled) and 11 khalasis were recruited locally after adjudging their suitability of which 1 was against the quota for physically handicapped and 2 against loyal quota.

Proposed changes in Managerial remunerations in corporate sector

3229 SHRI VIJAY KUMAR MALHOTRA Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) what are the proposed changes in respect of managerial remuneration in the corporate sector and

(b) whether any representation has been received which opposes any reduction in limits of managerial remuneration in companies?

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) A proposal to revise the existing guidelines regarding managerial remuneration is still under the consideration of the Government. It is not possible to give further details.

(b) A representation was received from the Associated Chambers of Commerce and Industry of India dated

2nd May, 1977, wherein it was suggested that there should be no fixation of the ceilings on managerial remuneration.

Introduction of passenger Trains between Uran and Parvel

3230. SHRI D. B. PATIL: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that because of the Naval Armament Depot, Karanja, and industrialisation round about Uran, passenger traffic between Uran and Parvel, Kalaba District Maharashtra State has increased to such an extent that State Transport Corporation is not in a position to cope up with the traffic efficiently and thereby causing great hardships to the passengers;

(b) whether there is a long standing demand of the public in general and students of Panvel Art, Science and Commerce colleges and as well as ITI Parvel in particular of that passenger trains should be started between Uran Parvel; and

(c) if so, when such passenger trains are likely to be started between Uran-Parvel?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). There are demands for introduction of passenger trains between Panvel and Uran. At present this section is opened only for goods traffic. Examination of likely traffic pattern on Panvel-Uran section has shown that introduction of passenger services on this section is, at present, economically not justified. Besides, the track is also at present not fit for running passenger trains.

Unmanned Level Crossings

3231. SHRI PRASANNBHAI MEHTA: Will the Minister of RAILWAYS be pleased to state:

(a) what is the total number at present of level crossings for vehi-

cular traffic on the Indian Railways;

(b) if so, how many out of them are manned and how many unmanned;

(c) what is the number that are likely to be upgraded so that they can be manned; and

(d) what are the main reasons for keeping large number of level crossings unmanned, so far?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) 36,360.

(b) Manned — 14,060

Unmanned — 22,300

(c) About 70 unmanned level crossings are expected to be taken up for manning during 1978-79.

(d) It is neither necessary nor financially feasible to man all the unmanned level crossings; nor is manning a hundred percent guarantee against accidents. Only those level crossings in which there is a potential hazard are taken up on a programmed basis in consultation with the State Governments.

Staff Complaints

3232. SHRI RAM PRAKASH TRIPATHI: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is a procedure in Railways to look into the staff complaints against Railway Officers or staff for willful harassment or non-payment of dues etc. by misuse of the official position;

(b) if so, whether complaints from Delhi Division staff against the officials were ever received during one decade and action taken to satisfy the complainants;

(c) how many such complaints are pending for more than 5 years and what are the reasons for non-finalization;

(d) whether there are any complaints more than 5 years old for non-payment of wages; and

(e) if so, please state reasons for non payment of dues for such a long period and whether the Railway administration is contemplating to take action against the defaulting staff?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) Yes

(b) Yes Action is taken on all complaints and the employees are informed of the disposal of their complaints

(c) Only one complaint pertaining to the year 1965 could not be finalised as the records were destroyed having been time-barred

(d) & (e) Only one claim relating to non-payment of wages for the period from 6th July to 13th August 1965 and 13th September to 8th October 1965 could not be finalised due to non-availability of records which have been destroyed being time-barred As such the question of taking action against the staff does not arise

Assurance given to Gujarat for supply of associated and natural gas from Bombay High

333 SHRI VINODBHAI B SHETH Will the Minister of PETROLEUM CHEMICALS AND FERTILIZERS be pleased to state

(a) whether the Government is aware that supply of associated and natural gas from Bombay High has been started as per assurance given by Government to Maharashtra and that the assurance given to Gujarat of starting the work as per schedule has not been kept,

(b) will he assure the House that implementation of the assurance given by Government to Gujarat will be taken up immediately, and

(c) if yes, when it is likely to be taken up?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) to (c) The laying of sub-sea pipelines from Bombay High to Uran as well as the laying of transfer lines from Uran to Trombay has been completed Oil and gas have started flowing through these pipelines It has also been decided that there would be another gas pipeline from South Bassem field to Gujarat which on its way would be inter-connected with the associated gas pipeline from Bombay High so that the flow of both associated and non-associated gas in the two directions could be regulated according to requirements

A Feasibility Study on the gas pipeline to Gujarat has just been completed and is being examined by ONGC The report alongwith ONGC's recommendations is expected to be submitted to Government shortly Thereafter a view on the economics location time-schedule of completion, etc of the pipeline would be taken by Government

Supply of Coal to Textile Mills

334 SHRI VIJAYKUMAR N PATIL Will the Minister of RAILWAYS be pleased to state

(a) whether the number of wagon loads of coal to be supplied to some textile mills per month has been reduced,

(b) whether the quota of wagon loads of coal to be supplied to some other textile mills has been increased, and

(c) if so, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) Yes,

(b) Yes

(c) Secretary, Indian Cotton Mills Federation who is the sponsoring authority for movement of coal to cotton mills has recommended reduction in allocation of coal wagons in respect of 43 units and has enhanced allocation for 30 units. These recommendations have been accepted for implementation from August 1978

Restructuring of Price of Farm Inputs

3235. SHRI T. A. PAI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) has the attention of the Government been drawn to the reported speech of the Minister for Petroleum and Chemicals that the farm inputs price require restructuring in the interest of the farmers; and

(b) what urgent steps the Government propose to take in this matter in the immediate future?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b). It has been the constant endeavour of the Government to make available farm inputs to the farmers at reasonable prices. The price of urea, the major nitrogenous fertilizer, was reduced by Rs. 100 per tonne with effect from 12-10-77. Based on a report of Bureau of Industrial Costs and Prices which indicated some scope in reduction of prices of pesticides, a dialogue was held with the pesticides manufacturers who have also reduced prices of a number of items of pesticides ranging upto 12 per cent. Government have also recently withdrawn excise duty on pesticides. Besides, the Chief Ministers have been requested to exempt fertilizers and pesticides as also the raw materials used in their manufacture from sales tax/octroi, etc.

Contracts for construction of Mathura Refinery

3236. SHRI SURENDRA BIKRAM: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many contracts for building and construction of Mathura Refinery have been given to foreign and Indian Companies;

(b) whether India is today not fully capable of taking over the entire construction and erection of a refinery of this magnitude; and

(c) for how much money the contracts have already been given to various contractors?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (c). Out of 78 major contracts of the value of approximately Rs. 83 crores, 11 contracts amounting to about Rs. 22 crores have been awarded to foreign companies and the remaining 67 to Indian companies.

(b) Although considerable know-how in the field of process design, engineering and fabrication of equipment and machinery is available in India, for a refinery like Mathura, which has a single Atmospheric column of 6/7 million metric tonnes per annum, expatriate assistance would be needed. Similarly for construction and erection of imported equipment and machinery, some expatriate assistance becomes necessary mainly to ensure performance guarantees.

Effect of Telephone Cable Thefts and Chain Pulling on Punctuality of Railways

3237. SHRI MADHAVRAO SCINDIA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the large scale theft of telephone cables and indiscriminate pulling of the alarm chain of Railways have adversely

affected the punctuality of Railways throughout the country specially in Danapur Division of Eastern Railways,

(b) if so details of such thefts and chain pulling during the last one year, and

(c) action taken against the thieves and chain pullers?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHFO NARAIN) (a) Theft of telephone cables and unauthorised alarm chain pulling on the Indian Railways including Danapur Division of Eastern Railway has affected the punctual running of trams

(b) During 1977-78 there were 988 cases of cable thefts, and 98499 incidents of unauthorised alarm chain pulling on the railways

(c) The drives to combat thefts of cables and the menace of unauthorised pulling of alarm chain by anti social elements have been intensified with the cooperation of local civil and police authorities. Close liaison is being maintained with the State Governments to curb the activities of these anti social elements

Railway Income Out of Sale of Hill Station Tickets

3.38 SHRI MADHVARAO SCINDIA Will the Minister of RAILWAYS be pleased to state

(a) whether it is not a fact that income of railways through sale of tickets for hill stations during the current summer season was less than compared to last seasons

(b) if so, the total income in the years 1976-77 1977-78 and 1978-79 upto June, 1978,

(c) whether it is not a fact that inflow of passengers was hit by the introduction of prohibition in some of the hill stations, and

(d) if so, his reaction thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) to (d) The information is being collected from the Zonal Railways and will be laid on the table of the House

Railway Line in Murbad Taluk of Maharashtra

3.39 SHRI R K MHALGI Will the Minister of RAILWAYS be pleased to state

(a) whether the survey has been conducted for the construction of Railway line in the Taluk of Murbad (Distt Thana, Maharashtra),

(b) if so when and with what result,

(c) whether Railway Ministry have taken any decision on the said survey report if so when and with what result,

(d) whether it is a fact that the Murbad Taluk is one of the backward areas of Thana District and whether Kalvan junction on Central Railway is only about twenty miles from Murbad—a Taluk place and

(e) if so the difficulties to construct the rail line?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) to (e) Yes An engineering cum traffic survey for a new railway line from Kalyan to Ahmednagar was carried out in 1969-70 with a view to develop additional line capacity from Bombay across the Ghats. Murbad is 314 kms away from Kalyan on this alignment. The survey revealed that it would be cheaper and operationally more advantageous to develop the capacity on the existing Northeast and Southeast Ghat lines instead of constructing a new line between Kalyan and Ahmednagar

Third lines between Kasara and Igatpuri on N. E. Ghats and between Karjat and Lonavla on S.E. Ghats and other matching traffic facility works are under execution.

Representation from Staff Members of Kalyan Power House

3240. SHRI R. K. MHALGI: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Government have received a representation dated 22nd April, 1978 signed by eighty three operating staff members of Kalyan Power House at Thakuvli (Distt. Thana, Maharashtra) regarding their various problems;

(b) if so, what action Government have taken and with what result; and

(c) if no action has so far been taken the reasons thereof and when it is proposed to be taken?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) Yes, an undated representation has been received by the Central Railway Administration on 6-5-1978

(b) and (c) The grievances mentioned in the said representation are being looked into.

Advance Increments to Clerks Grade I of Railway Accounts Departments

3241. SHRI R. K. MHALGI: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Government have received a representation dated 2nd March, 1978 regarding the grant of four advance increments to Clerks Grade I of the Accounts Department of Railways; and

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

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) The matter regarding grant of incentive in the revised pay structure to Appendix 2 qualified staff on Railways is under the consideration of Government.

Railway line in Chandrapur District of Maharashtra

3242. SHRI R. K. MHALGI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received proposal for a 26 KM railway line in Chandrapur District of Maharashtra which is considered absolutely necessary for establishment of cement factories in the said area; and

(b) if so, what steps are being taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) and (b) Yes A proposal has been received for the construction of a railway line from Manickgarh to Chandur in Maharashtra to serve the proposed cement factories in the area. It will be possible to examine the proposal when a firm decision is taken to set up the factories

Policy regarding Sole Selling Agency System

3243. SHRI C. K. JAFFER SHAFFI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have formulated any policy regarding sole selling agency system vis-a-vis the interests of consumers;

(b) if so, what are the details thereof and how it is being implemented; and

(e) if not, whether Government propose to lay down their policy in this regard in order to protect the interests of consumers from the malpractices indulged in by the sole selling agents?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) to (c). Under sub-section (1) of Section 294AA of the Companies Act, 1956, the Company Law Board may declare that sole selling agents should not be appointed by the companies producing or supplying any category of goods for which, in its opinion, the demand substantially exceeds the production or supply of such goods and that services of sole selling agents would not be necessary to create a market for such goods. Pursuant to these powers, the Company Law Board, in consultation with the concerned Ministries, have issued Notifications prohibiting appointment of sole selling agents in respect of following categories of goods for a period of 5 years from the dates mentioned against each of them.

(a) Paper	18-9-1975
(b) Cement	18-9-1975
(c) Sugar	5-9-1975
(d) Vanaspati	5-9-1975

2 Under sub-section (2) of Section 294AA, no individual firm or body corporate having substantial interest (by which is meant the holding in one's own name or in the name of relatives or partners or their relatives or directors or relatives of directors shares of the face value of Rs. 5 lakhs or 5 per cent of the total whichever is less) in a company shall be appointed sole selling agent of that company without prior approval of the Central Government. Under sub-section (3) of section 294AA, appointment of sole selling agents by the companies having paid up capital of Rs. 50 lakhs and above would require approval of the shareholders by a special resolution and also of the Central Government. Each application for appointment of the sole selling agent under sub-sections (2) and (3) of Section 294AA of the Companies Act, 1956, is considered on its merits

by the Company Law Board having regard *inter alia* to the following relevant factors:—

- (i) the nature of the product manufactured by the company and its market share and the extent of competition in that product;
- (ii) the nature and extent of services performed by the sole selling agent together with its organisational set up for rendering marketing services;
- (iii) the commission earned, expenses incurred and the profits retained by the sole selling agent for marketing the products of the company;
- (iv) the interest of the sole selling agent in the principal company; and
- (v) the interest of the directors of the Company in sole selling agent.

These restrictions are prescribed to protect the interests of the consumers and to prevent malpractices.

Issue of Industrial Licences to IDPL.

3244 SHRI MOTIBHAI R. CHAUDHARY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many industrial licences are issued to IDPL during the last three years; how many Industrial licences, letter of intents licences expired and are still shown valid for claiming capacities by IDPL; and

(b) whether IDPL sought approval for items not actually produced; if so, details of the same?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) Seventeen Industrial Licences have been

issued during the last three years to M/s IDPL for the manufacture of Drugs and Pharmaceuticals.

The period of validity of 3 Industrial Licence/Letters of Intent granted to M/s IDPL for the manufacture of certain bulk drugs stands expired as on date. However, M/s IDPL have requested the Government for extension thereof, which is under consideration.

(b) All Industrial Undertakings in the organised sector of drug industry are required to obtain prior approval of the Government under IDR Act to manufacture new items of Drugs and Pharmaceuticals.

Details of all un-implemented approvals granted to M/s IDPL for the manufacture of drug items are being collected and will be laid on the Table of the House.

Loading and Unloading of Canalised Drugs

3245. SHRI MOTIBHAI R. CHAUDHARY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) details of loading and unloading of canalised bulk drugs done during last three years;

(b) details of surplus due to loading/unloading of canalised bulk drugs which was available at the end of each year, distributed by CPC and IDPL; and

(c) how these surpluses were adjusted in fixing prices of canalised bulk drugs and what portion of the same was utilised for payment of taxes and did it affect the increase in prices for consumers due to loading/unloading?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) to (c). Information is being collected and will be laid on the Table of the House.

Surplus received by Trading in Importing Bulk Drugs by IDPL and CPC

3246. SHRI MOTIBHAI R. CHAUDHARY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what were surplus received during last three years by trading in imported bulk drugs by CPC and IDPL and how were these utilised;

(b) details of income tax or different adjustments made out of this money;

(c) effects of loading on consumer products, percentage-wise including effect if the bulk drugs would have been allowed for import by Actual Users; and

(d) is it a fact that prices of Ethambutol and formulations which were not canalised went down in Indian market, if so, why Government do not de-canalise all drugs?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b) Information is being collected and will be laid on the Table of the House.

Arrangements for availability of Drugs at below cost price

3247. SHRI K. PRADHANI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have made suitable arrangements for the essential medicines and drugs to be made available to the public at below cost price;

(b) if so, the details regarding its performances?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and

(b). The prices of drugs are regulated under the provisions of the Drugs (Price Control) Order, 1970. The prices fixed under the said Order are the maximum retail prices and the manufacturers are free to sell at any price lower than the price approved by the Government. There is no proposal to make available medicines and drugs to the public at below the cost price. There are, however, various national programmes of the Govt. like Rural Health Scheme, National Malaria Eradication Programme and under these programmes drugs are supplied free of cost to the public.

Under the New Drug Pricing Policy, graded mark-ups, have been provided for the price controlled formulations comparatively lower mark-ups for Category I and II formulations. The intention is to make drugs of mass consumption available to public at comparatively lower prices

वानिक्य बंदल, गोंडल का व्यव्यापेदन

3248. श्री अर्जुनसिंह भाई वडेस : क्या रेल मंत्री यह बताने की हुपा करते हैं कि

(क) क्या यह सच है कि वानिक्य बंदल, बोंडल, हाईराइट, गुजरात ने रेलवे से सरकारी व्यव्यापक व्यापकों के बारे में जून, 1978 में एक व्यापारेवेतन भेजा था,

(ब) यदि हाँ, तो व्यापारेवेतन द्वे किस प्रकार की नामों की गई हैं;

(ग) प्रत्येक यांत्र के सम्बन्ध में सरकार ने क्या कार्यवाही की है, कोन-कोन सी यांत्रे पूरी कर दी गई है और कौन-कौन सी यांत्रों परी सेव है और सेव यांत्रों के बारे तक पूरी हो जावेगी; और

(च) कुछ यांत्रों को पूरा न करने के क्या कारण हैं और क्यों यांत्रों के कारण पूरी की जावेगी?

रेल व्यापारमें राज्य मंत्री (श्री शिव नारायण) :

(क) हाँ है। वानिक्य बंदल, गोंडल के 30-6-1978 का एह सरकारी वित्त वाले वित्तमें सेवत कक्ष यांत्र का उत्पोदन किया जाता था।

(च) उक्ती यांत्र की कि सरकार और राज्यकोटे के बीच यांत्री में 330/340 को को कक्ष व्यापारमें होने के कारण 4-12-73 के बद्द कर दी यांत्री थी, कुछ व्यापार यादे।

*180 LS-6

(ग) और (च). वानिक्य बंदल की माला कम होने के कारण इस यांत्री का तुल व्यापार व्यापक व्यापक यांत्री नहीं है। मालवाल व्यापक और राज्यकोटे के बीच 4 यांत्री पूरा व्यापक और 4 यांत्री व्यापक व्यापक बनती हैं।

वर्ष 1979-80 के लिए वित्तीय-वार्षिक्य

3249. श्री अर्जुनसिंह भाई वडेस : क्या रेल व्यापक यह बताने की हुपा करते हैं कि :

(क) परिवहन रेलवे के भावनगर विद्युतियमें पोर्टल्स्टर, जूनपाल, उपवेटा, बालाजालिया, बुकाला, पालवड, जेटपुर, गोप बंडो, यावितपुर या व्यापक कार्यक्रम में किन-किन नियमण-कार्यों की व्यापक व्यापक यांत्र हैं व्यापक व्यापक करने का प्रत्याप है;

(ब) क्या भावनगर विद्युतियमें रेल प्रबोक्सा परमामार्गवाली व्यवस्था ने इस बारे में कोई सिकारित की है और यदि हाँ, तो कब और कैसी,

(ग) यांग 'क' उत्तिवित स्टेटों पर वर्ष 1979-80 में होने वाले इन नियमण-कार्यों पर वार्ष-वार वित्तीय बनरायि कर्म होती ; और

(द) उपर्युक्त यांग (क) में उत्तिवित रेलवे स्टेटों पर विविध नियमण-कार्यों के कब तक प्रारम्भ हो जाने की समावना है और वे कब तक पूरे हो जायेंगे ?

रेल व्यापारमें राज्य मंत्री (श्री शिव नारायण) :

(क) से (च). 1979-80 के रेलवे नियमण-कार्यक्रम में व्यापक व्यापक यांत्रों का व्यापक रेलवे व्यवहार को भावनगर कर्म द्वे विद्युतीयमें परमार्ग ही उपलब्ध कराया जा सकता है। 18-5-78 की बदल रेल उपर्योगकर्ता परावर्त्य व्यवस्था, भावनगर की बैठक हुई श्री और उत्तरे उस बैठक में यांत्री युवराज सम्बन्धी कुछ नियमण-कार्यों की वित्तीयमें सम्बन्धीय व्यापक व्यापक व्यवस्था की थी। इन नियमण-कार्यों पर नियमण-कार्यक्रम में व्यापक व्यवस्था नियमण-कार्यों के साथ-साथ विद्युत किया जायेगा। वे नियमण-कार्य वे तुरु/त्वाप्त कार्यक्रम को व्यापक रूप द्वे विद्युतीयमें परमार्ग ही उपलब्ध हो सकती।

पोर्टल्स्टर और वीरलस्टर के बीच तुरुपर कास्ट यांत्री व्यवस्था

3250. श्री अर्जुनसिंह भाई वडेस : क्या रेल मंत्री यह बताने की हुपा करते हैं कि :

(ब) क्या व्यापक व्यापक 'जल बोर्डपुर्द', व्यापक व्यवहार, उपवेटा, बोरावी, वेतवाल, बोंडल, यावितपुर

बीकानेर, सुपर नगर, बीरमगांव से हो कर पोरबदर और बीरमगांव प्रांत बीरमगांव से बम्बई के बीच एक जनता सुपर फास्ट ग्रांप्रांत जाते गांवी, जिसकी गुरुवार के सौराष्ट्र खंड के 60 लाख लोगों की बड़े समय से माग है, कब से चलाई जायेगी;

(ब) उक्त जनता सुपर फास्ट गांवी के विस्तृत के चलाये जाने के यह लाभ है,

(ग) क्या । दर से बीरमगांव और बीरमगांव से बग्र बीच एक ।।। सुपर फास्ट रेलगांवी चला जाना एक ।।। यहां किया गया है; प्रोर गांव दा, तो तन्मवार्षी और गांव है, और गांव नहीं तो इनका क्या कारण है, और

(घ) सौराष्ट्र के लोगों की जनता की सुपर फास्ट गांवी चालू किये जाने की माग को कब तक पूरा किया जायेगा?

रेल नंतरालय में राज्य बंडी (बी लिव नाराज़व) : (क) के (घ) पोरबदर और बीरमगांव तथा बीरमगांव और बम्बई नेटवर्क के बीच जनता गांवीयों चलाने का कोई प्रस्ताव नहीं है। लेकिन, पोरबदर/बीरमगांव और बहुमवाराव के बीच बीलका और बोरावार के रास्ते एक जोधी बीली-राहत गांवी 4/8/46 गांवीयां एस्प्रेस 8-8-1978 को लाई थी है। यह गांवी बम्बई के लिए तथा बम्बई के उक्तीयों गांवी की यात्रा के लिए 15/16 गांवीयों एकत्रित और 12 गुरुवार एस्प्रेस से भेज देती है।

पूर्वानु रेलवे स्टेशन के लिए यात्रा लियों की लम्हाई

3251. बी बर्मिंहम लाई एस्प्रेस या रेल बंडी यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भैंसे प्रांतों प्रायसके इण्टर्स्टीज, जूनागढ़ ने 15 मई, 1978 को जनतागढ़ रेलवे नेटवर्क को खाली बैगन देने के लिए रेल नंतरालय तथा बम्बई और भावनबद्र नियत रेल प्रधिकारियों से अनुरोध किया था;

(ब) यदि हा, तो किन-किन बम्हाईों के लिए और किनते बैगनों की माग की गई थी;

(ग) इस माग में से किनते बैगन गम्भाई लिये गये हैं; और

(घ) भैंसे प्रांतों प्रायसके इण्टर्स्टीज जूनागढ़ की यात्रा कितने बैगनों की माग विचाराधीन है, विचाराधीन माग पर दैगनों की सम्भाई कब और कैसे की जायेगी?

रेल नंतरालय में राज्य बंडी (बी लिव नाराज़व) : (क) से (घ) पर्याप्त रेल प्राकाशन को भैंसे प्रांतों प्रायसके इण्टर्स्टीज, जूनागढ़, जूनागढ़ से एक प्रायसवेदन प्राप्त हुया था जिसमें उक्तीयों प्रायसवेदन से प्रायसवेदन में उनको कितने माल-डिप्ला की ग्रावर्यकता है, इस बात का विविध स्तर से काहू उत्तेजन नहीं किया गया। यहां से जुलाई, 1978 तक की घटवाई में जूनागढ़ में 84 माल डि-1 का लदान किया गया था और इन घटवाई के घ-1 में से भैंसे प्रायसके इण्टर्स्टीज के 30 माल ।।। ये भैंसे-प्रायसके बोरावा थे। यह म-बन्धन प्रधिकारियन गतवार स्टेशन पूर्वोत्तर सीमा रेलवे पर स्थित स्टेशनों के लिए हाता है जिनके लिए एक कोटा नियमित है और यातायात की निकासा की गांग-पदों की वरीयता भी ग्रामीणिकता के अनुसार प्रवर्तनान काटे के अन्तर्गत विनियमित किया जाता है। हालांकि, यह यात्रा गया है कि भैंसे-प्रायसके सर्वेव वास्तविक नहीं होते हैं और वह कभी माल-डिप्ले सम्भाई किये जाते हैं तो उक्तेग भारी मात्रा में गांग-पद रद्द कर देते हैं। जुलाई, 1978 में जब पूर्वोत्तर सीमा रेलवे पर स्थित गतवार स्टेशनों के लदान के प्रयोगन से एक यूपर बंडल को एक ऐक प्रायसवेदन किया गया था, उत तब भैंसों को बह-बहा कर बताना या यात्रा भारी ।।। यह बंडल-पदों को शाप्त किया गया।/।।। कर दिया गया।

से-। नियमित बैंड-1 और बैंड-11 का क्षमीकरण

3252 और ३० राज्य : यह रेल बंडी बैंडा नियमित बैंड-1 और II के एकीकरण के बारे में ।।। यहां, 1978 के यातारांप्रिय प्राप्त संख्या 5426 के उत्तर के लम्हालय में यह बताने की कृपा करेंगे कि :

(क) क्या यह प्रदोषनियों के लिए 25 प्रतिशत यह बरिष्ठता के आधार पर यारित है;

(ब) क्या ऐसे कर्मचारियों को वित्तीय साम पहुंचने का कोई प्रस्ताव मरकार के विचाराधीन है जो यथाने बैंसनामानों में प्रविकरम सीमा पर पहुंच चुके हैं, और

(ग) यदि हाँ, तो क्या भैंसी महीनव बता देंगे कि पूर्वों नेटवर्क के बैंड-1 और । के लदानों को सरकार ने क्या नोचाराएं दी हैं और जस्तम्भाई प्रदोष-यात्रा योरा क्या है?

रेल नंतरालय में राज्य बंडी (बी लिव नाराज़व) :

(क) बैंसे-बैंड-1 की 25 प्रतिशत नियमितों को वर्षांपत्र-एक्स-उद्युक्तता के आधार पर यात्रा दर्शेंगा है।

(ब) जो कर्मचारी अपने देतनामों में विविध सीमा पर पहुँच चुके हैं ऐसे कर्मचारियों को राहत पहुँचाने का प्रश्न कर्मचारियों की ओर से राष्ट्रीय परिवद में उठाया गया है और इस पर अभी भी विचार-विमर्श हो रहा है।

(ग) चिकित्सा पर विचार-विमर्श चल रहा है इसलिए प्रश्न नहीं उठता।

Officiating Assistant Engineers Class II

3253. SHRI DAYA RAM SHAKYA: Will the Minister of RAILWAYS be pleased to refer to the reply given to the Unstarred Question No 1095 on the 28th February, 1978 and to state-

(a) the number of persons officiating as Assistant Engineer Class II on ad-hoc basis earlier to the selections held in 1973; 1975 and 1976 with dates in each year; the number of posts assessed for the size of panel as per Indian Railway establishment manual para 203 in each year; the number of persons called to appear in the Selection as per 6-x formula, the number of posts reserved for the Scheduled Caste/Tribe; the total number of persons successful for empanelment; the actual number impanelled in each year with reasons;

(b) the report of the Dy. Chief Vigilance Officer in the Railway who enquired into the staff complaints in the 1976 selection alongwith his findings, the results of the re-valuation of the answer papers by the Chief Engineers of two Railways who examined it together with the actual number of failed candidates empanelled and passed candidates shown failed; and

(c) steps being contemplated to institute an enquiry into the irregularities to punish the guilty and order fresh selections for 1976, empanelment of balance candidates in 1975 and cancellation of extra names in 1973 selections, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS

(SHRI SHEO NARAIN): (a) A statement is laid on the Table of the House. [Placed in Library. See No. LT-2606/78].

(b) and (c) Certain complaints were received about the selection held in 1975-76 and the North Eastern Railway had the answer books of the candidates re-evaluated by the Chief Engineers of two other Railways independently at the instance of the Railway's Vigilance Branch. The re-evaluation revealed that the earlier evaluation made by the Chief Engineer, North Eastern Railway was in order. The matter was accordingly closed in consultation with the Central Vigilance Commission and no further enquiry was considered necessary in the matter.

Manufacture of N.G. Rail Bus

3254. SHRI HUKAM CHAND KA-CHWAI: Will the Minister of RAILWAYS be pleased to state:

(a) is it a fact that designing and manufacture of a Narrow gauge Rail Bus was sanctioned by the Railway Board in August, 1961;

(b) if so, whether the work has since been completed and to what use the Rail Bus has been put;

(c) what is the total expenditure incurred up to date on the Rail Bus and what is the foreign currency content of the expenditure,

(d) is it correct that an officer who was sent abroad for study and training in developing the rail bus, has miserably failed to develop the power pack; and

(e) what action has been taken against the officers responsible for proposing and sanctioning such a huge unproductive expenditure?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes, the

Railway Board placed a developmental order for the manufacture of a Narrow Gauge Rail Bus on 24-5-1962

(b) The work of manufacture of Rail Bus has been completed and it is available for use on the Kalka-Simla Section of Northern Railway.

(c) The total expenditure incurred is Rs. 2,61,617.27 and the foreign exchange involved is 132 10 S

(d) No.

(e) Does not arise.

Selection for S.C./S.T. Vacancies

3255 SHRI DAYA RAM SHAKYA. Will the Minister of RAILWAYS be pleased to refer to the reply given to the USQ 8033 on the 25th April, 1978 regarding selection of posts for Class III & II and to state.

(a) the reasons for repeated assurances of the observance of rules which none of the rules laid down in the I.R.E.M. paras 203; 206; de-reservation circulars, non-carry forward of SC/ST vacancies are observed in selections;

(b) the reasons for not getting the SC/ST vacancies of 1975 and 1976 selections de-reserved same year, thus putting the 19 successful general candidates into harassment and financial loss the details of assessment of vacancies as per para 203 of the I.R.E.M. be started for each year 1975 and 1976;

(c) why all the 19 general successful candidates were not empanelled while 24 persons were offg. about 1& 1/2 to 2 years earlier to 4-11-74 and 19 more persons were promoted upto July, 76. The list of persons offg. and earlier and those promoted in ad-hoc after the absorption of 16 candidates with dates; and

(d) the reasons for making a short-panel and the authority for violating para 206 of the I.R.E.M. to conduct subsequent selections be stated?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) As no specific case of non-observance of rules etc. has been stated, no specific reply can be given.

(b) and (d) It is presumed that the question refers to the class II selection held in the Civil Engineering Department of the North Eastern Railway in the years 1975-76. It was decided to hold a selection to fill up 21 vacancies of Assistant Engineers as per extent rules and orders. Out of 21 vacancies for which the selection was held, 3 were reserved for Scheduled Castes and 2 for Scheduled Tribes 19 general candidates only qualified and out of them 16 were empanelled against non-reserved vacancies and were also regularly promoted to class II. The remaining 3 unempanelled candidates were promoted to Class II on *ad hoc* basis. Subsequently, in 1977 when the next Class II panel for Civil Engineering Department was drawn up, the *ad hoc* promoted were reverted to Class III

The Department of Personnel and the Commissioner for Scheduled Castes and Scheduled Tribes have been approached for de-reservation of 3 out of the 5 reserved vacancies for SC and ST pertaining to the selection held in 1975-76. Out of three who qualified but were not empanelled, two appeared in the next selection held in 1977 and the third candidate declined to appear. Of the two who appeared one got selected and was put out as an Officer (Class II) on a regular basis. The second candidate failed in this selection. Orders have been issued to consider the candidate who declined to appear in 1977 selection and also the one who failed, for promotion to Class II on *ad hoc* basis in case the regular panel has been exhausted.

Apart from this selection, no other Class II selection for Assistant Engineers was held by North Eastern Railway in 1978.

(c) Only 20 Class III employees were officiating in Class II on ad hoc basis at the time the selection was held in 1975-76. The particulars of

these officers and the period of their officiating are given in the attached statement.

Statement

Year of Selection	Name of the Officer	Date from which officiating in Class II (ad hoc)
S/No.		
1975-76	1. Laljee Sahai	8-6-1972
	2. P.S. Rajput	14-12-1972
	3. J.P. Saxena	22-11-1972
	4. Sharda Prasad	12-11-1972
	5. Gurbaksh Singh	29-11-1972
	6. Kanwar Naunihal Singh	29-12-1972
	7. G K. Sood	5-8-1973
	8. M M. Mukherjee	1-11-1973
	9. R.K. Roy	30-11-1973
	10. H.N. Tiwari	28-12-1973
	11. S.K. Ojha	19-11-1973
	12. S.K. Misra	15-1-1974
	13. P N. Dutta	8-2-1974
	14. B B. Singh	2-12-1974
	15. K C. Chavan	1-1-1974
	16. O D. Rastogi	22-1-1974
	17. S N. Bhatiya	25-2-1974
	18. N N. Singh	18-2-1974
	19. K N. Saxena	6-12-1973
	20. Kashi Nath	14-10-1974
1977	1. M.M. Mukherjee	1-11-1973
	2. H N. Tiwari	28-12-1973
	3. N.N. Singh	19-2-1974
	4. Kashi Nath	14-10-1974
	5. M.S.P. Rao	16-1-1976
	6. R.K. Srivastava	16-2-1976
	7. J.R. Arora	11-2-1976

आनंदान के टेके की नीति में परिवर्तन

3256. श्री उपरेत्त : दया रेल नीति यह बताने की कृपा करेंगे कि रेलवे स्टेशनों पर आनंदान के टेके देने सम्बन्धी विवारणीय नीति क्या है और क्या इस नीति में हाल में कोई परिवर्तन किया गया है ?

रेल भवानालय में रखव लंबी (जो लिख आरामाल) : रेलवे स्टेशनों पर आनंदान / जोमचे के टेके देने के लिए, प्रेस विवारणीयों द्वारा दीर / या रेलवे स्टेशनों पर मुख्यालय स्थानों में भूलानाये प्रयोगित करके आवेदन पत्र आमंत्रित किये जाते हैं । इनके बाद जाव समिति द्वारा इनकी आनंदान की जाती है जाव समिति द्वारा इनकी आनंदान की जाती है जिसमें बेतनमान ५४ इसमें प्राथिक बेतनमान के दम से कम तीन यांत्रिकारी होते हैं । उम्मीदवार की उपयुक्तता, विस्तारीय विधियां, प्रबलता, प्रत्यक्ष आविष्कार की उपयुक्तता है जैसे रखते हुए, जाव समिति उपयुक्त उम्मीदवारों की सकारात्मकता की विवारणीयों को व्यापार में रखते हुए, सबसे उपयुक्त उम्मीदवार को व्यापार करता जाता है । आनंदान/जोमचे के टेके देने में अनन्यानिक जाति, अनन्यानिक जन जाति, सहकारी समितियों, याहूला समितियों, स्वतन्त्रता सेनानियों आदि को प्रायोगिकता दी जाती है । आधी प्रायोगित जन जाति के उम्मीदवारों को ही दिये जाते हैं । एक ठेकेदार को अब केवल प्रायोगिकतम आर ग्रूपिट तक आनंदान / जोमचे के टेके भावनित किए जा सकते हैं ।

रेलवे स्टेशनों पर आनंदान/जोमचे के टेकों की नीति के सम्बन्ध में हास ही में कुछ परिवर्तन किये गये हैं जिनका उल्लेख डपर किया गया है ।

Change in Drug Policy

3257. SHRI L. L. KAPOOR:

SHRI P. K. KODIYAN:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Government has changed the drug policy to suit the drug manufacturers;

(b) if so, what are the changes made; and

(c) if not, whether any Central Minister has assured the drug manufacturers in public about the changes in the drug policy?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) No, Sir.

(b) Does not arise.

(c) The Defence Minister addressed the 38th Annual General Meeting of the Pharmaceuticals & Allied Manufacturers' & Distributors' Association Ltd., on 9th July, 1978 at Bombay which has been reported in the leading papers of the country. The relevant portion as reported in the "Times of India" of 10th July, 1978 is reproduced below:—

"Mr. Jagjivan Ram, Union Defence Minister, declared here today that the Centre would not hesitate to modify the new drug policy if it did not serve the desired purposes. He pointed out that a pragmatic approach had been taken while evolving the new policy.

The Minister, who was speaking as the Chief guest at the annual general meeting of the Pharmaceutical and Allied Manufacturers' Association Ltd., stated that if the new policy, which was designed to help the industry, had caused hardship to several units, the Government was ready to review the policy."

Facilities at Vadodara Station

3258 SHRI F. P. GAEKWAD: Will the Minister of RAILWAYS be pleased to state:

(a) whether the existing facilities available at Vadodara station on the Western Railway are adequate to meet the growth of traffic anticipated in the near future and that there is no need for drawing up a 'Master Plan' for Vadodara station at present;

(b) whether it is a fact that the two Railway Ministers have upheld the above contention in their letters dated 14th December, 1976, 8th July, 1977 and 25th November, 1977;

(c) in view of (b) above, whether any new facts have come to light to warrant a revision of the above decision; and

(d) if so, give reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The existing facilities at Vadodara Station are adequate to meet the growth of traffic anticipated in the near future. Hence, there is no need for formulating a master plan for Vadodara station at present.

(b) Yes.

(c) and (d). No.

नीमच को गारण्टीशुदा सप्लाई स्टेशन घोषित किया जाना

3259. डा० लक्ष्मीनारायण पाठेय: क्या रेल मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि नीमच, मध्य प्रदेश के व्यापारियों ने यह अनुरोध किया है कि नीमच को गारण्टी शुदा सप्लाई स्टेशन घोषित किया जाना चाहिए;

(ख) क्या यह भी सच है कि यह मांग काफी समय से की जा रही है;

(ग) क्या नीमच एक बड़ी व्यापारिक मर्जी है और वहां इस सुविधाका दिया जाना अवश्यक है, और;

(घ) यदि हां, तो इस बारे में क्या कार्यवाही की जर्दि है?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण): (क) और (व). जी हां।

(ग और घ). गारण्टीशुदा सप्लाई की व्यवस्था करने की अनिवार्यता का प्रश्न किसी स्टेशन पर अधिक लाभ देने वाले पर्याप्तार्थों की मात्रा पर निर्भर करता है। नीमच स्टेशन माल-डिव्हर्सों की गारण्टीशुदा सप्लाई के लिए खोले जाने हेतु अर्हक नहीं है।

अम्बा झरी में एक स्थानीय रेलगाड़ी का चलाया जाना

3260. श्री दयाराम शाक्य: क्या रेल मंत्री यह बताने की कृपा करेंगे कि अम्बा झरी में स्थानीय रेलगाड़ी के चलाये जाने में विलम्ब के क्या कारण हैं और यह रेलगाड़ी कब चलाई जायेगी?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण): अम्बा झरी साइडिंग तक से एक

गाड़ी का चलाया जाना न तो वित्तीय दृष्टि से श्रीचित्य-पूर्ण पाया गया है और न ही परिचालनिक दृष्टि से व्यावहारिक।

Sale of Styrene by Synthetics and Chemicals Ltd.

3261. SHRI SURENDRA BIKRAM: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Synthetics and Chemicals Limited has been permitted in its licence to sell styrene to outside parties besides its use in the manufacture of Synthetic rubbers; and

(b) if so, how this Company has been selling styrene to outside parties, why action was not taken on this Company?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b). There is no prohibition, in the terms of the Industrial Licence issued to M/s. Synthetics and Chemicals Ltd., on sale of styrene monomer by them to outside parties.

Election for Samastipur Parliamentary Seat

3262. SHRI P. VENKATA-SUBAIAH:

SHRI K. MALLANNA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Election Commission of India had proposed twice/thrice to hold election for the Samastipur Parliamentary seat, vacated by the Chief Minister of Bihar, but the State Government got that postponed; and

(b) what were the reasons given by the State Government for the postponement of this election?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI

SHANTI BHUSHAN): (a) and (b). The Election Commission initially decided to hold the bye-election on 7th May, 1978. The bye-election was postponed because the Commission was informed by the State Government that due to disturbed law and order situation which was surcharged with caste considerations, the atmosphere was not congenial to hold the bye-election at that time. In the meantime, the State Government was busy with the Gram Panchayat Elections which were held all over the State from 24th May to 14th June, 1978. The Commission hopes to hold the bye-election after the monsoon season.

Railway employees under suspension

3263. SHRI D. D. DESAI: Will the Minister of RAILWAYS be pleased to state:

(a) whether a railway employee under the District Controller of Stores, E. Rly. Jamalpur has been under suspension for 12 long years since 1966;

(b) if so, whether no decision has been taken so far though the employee is due to retire on 1st August, 1978; and

(c) the details of the case and the final action proposed to be taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes. One Shri A. K. Gupta, Assistant Store Keeper, has been under suspension since 1966.

(b) No decision has been taken as the case is sub-judice.

(c) 50 condemned locomotives were sold on auction in 1965 at Jamalpur on the condition that purchasers would cut and take only ferrous portion of the engines and surrender all the non-ferrous portion. Shri Gupta was one of the staff to supervise cutting and

loading of proper material. It was detected that some non-ferrous portion was also loaded along with ferrous portion belonging to purchasers. He was, therefore, prosecuted in the Court of Law for criminal misappropriation of Railway property. The matter is pending in the Sessions Court of Monghyr and no disciplinary proceedings could be initiated under Railway Servants (Discipline and Appeal) Rules, 1968. Final action can be considered only after the verdict of the Court is pronounced.

Complaints of fake and short-filled gas cylinders

3264. SHRI D. D. DESAI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased state:

(a) whether Indian Oil Corporation is concerned at the increasing appearance of fake cooking gas cylinders in Northern India;

(b) whether complaints of large scale short-filling of cylinders have also come to his notice; and

(c) what effective measures are proposed to be taken to protect the consumers' interests?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) to (c). So far, the Indian Oil Corporation (IOC) have detected a total number of 643 fake (spurious) gas cylinders in their bottling plants. Out of this, approximately 321 such gas cylinders have been detected at the IOC's Shakurbasti (Delhi), 87 in Haldia Refinery and 235 in Gujarat Refinery bottling plants.

During the period from 1.1.78 to 31.7.78, 18 complaints have been received in the Complaints' Cell of this Ministry alleging delivery of under-filled cylinders. All such complaints received in the Complaints' Cell of the Ministry are thoroughly investigated.

5 complaints were found to be correct and the oil companies provided compensation to the consumers; 4 complaints were not found to be correct; 7 complaints were of a general nature where no specific instance of the dealer having delivered an under-filled gas cylinder was quoted. The remaining 2 complaints are under investigation.

The Directorate of Weights and Measures of the Ministry of Civil Supplies and Cooperation have not received any complaint about short-filling of gas cylinders in the course of last 6 months.

It has not been possible for the Indian Oil Corporation so far to establish the source of supply of the above fake gas cylinders. As such, no action could be taken against the companies/persons who are responsible for inducting such gas cylinders in circulation. Cylinders, as they are received in bottling plants, are visually inspected prior to filling. Any cylinder which is of a doubtful nature is set aside and is subjected to further examination and test. Such cylinders are segregated and scrapped. Apart from this, at times if fake (spurious) cylinders are not detected by any chance at the initial visual inspection, the same is detected at the time of filling as such cylinders start leaking due to internal pressure and are again segregated/scrapped. To avoid such scrapped cylinders from coming into circulation, all cylinders are pressed flat or cut into multiple pieces before disposal as scrap. Instructions have also been issued by the Chief Controller of Explosives to the cylinder manufacturers that all gas cylinders which are semi-processed or rejected during inspection should be properly deshaped so that no cylinder could be made out of such scrapped pieces.

The gas cylinders are filled at the bottling plant manually on automatic as well as non-automatic machines. Random checks are also made of the

cylinders before being delivered to transporters. Any under-filled cylinders are segregated and only cylinders with correct weight are delivered to transporters from the bottling plants. There are standing instructions to the oil companies that all cylinders should be weighed both at the bottling plant and the distributors' premises before being sent to consumers. Appropriate pilfer-proof tin-seal has been introduced in Delhi on experimental basis.

Conversion of Viramgam—Okha Line

3265 PROF P G. MAVALANKAR
Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to give priority to the conversion work Metre Gauge into Broad Gauge—already under way on the Viramgam-Rajkot-Porbandar-Okha Sector of the Western Railway;

(b) if so, whether Government propose to allocate additional funds for the same in the current financial year; and if so, when and how much;

(c) if not, why not?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c) High priority has been given already to the Viramgam-Okha/Porbandar gauge conversion project and funds to the extent of Rs 7 93 crores have been allotted for it in the current year against only Rs 5 50 crores in 1977-78.

Demonstration by Commuters against cancellation of local trains on Central Railway

3266. PROF. P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether commuters of suburban trains on the Central Railways recently staged violent demonstra-

tion at V.T. and other stations to protest against the cancellation and their delayed operations of local train services;

(b) if so, full facts thereof including the railway property burnt/destroyed/damaged and the total losses suffered; and

(c) whether effective prompt remedial measures are taken by Government to improve the situation and if so, what are they?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). I. There was a demonstration by commuters at Bombay V.T. on 26-5-78 due to change of Platform of suburban local trams. One after another 3 incoming EMU rakes were declared unfit to work. Some commuters indulged in violence and considerable damage was done to several EMU rakes, glass panes at the station platform, train indicators and a large number of automatic signal lenses. One first class coach was set on fire. The coach was completely gutted but further spread of the fire to other coaches was arrested by the Fire Brigade. Two Motormen, one Assistant Station Master and some other Railway staff was also injured. There was a scuffle between some Motormen and commuters whereupon the Motormen suspended work and refused to run the suburban trains. As a result the suburban train services remained suspended from 20.00 hours on 26.5.78 and was restored at 00.15 hours on 27.5.78. The commuters who were walking from Bombay V.T. station towards Byculla alongside the Railway track pelted stones on the stationery rakes that were immobilised in the section as a result of the trouble at V.T.

II On 30-5-78 Bandra bound commuters squatted on the track at Vandal Road station of the Harbour Branch for half an hour demanding diversion of a Mankhurd bound train to Bandra.

III. On 31-5-78, there was rowdyism at Kurla and on 1-6-78 at Chembur over the termination of Mankhurd bound trains at Kurla.

IV. On 12-6-78, there was rowdyism by commuters at Dombivli station due to delayed running of local as a result of interruption of power supply between Diva and Kalyan due to lightning at about 19.00 hours. The commuters pelted stones at N-9 Down Bombay-Kasara local which had halted at the Gate signal which was showing red at 22.30 hours. As a result of the stone throwing, the Motorman got injured. However, he took the train upto Dombivli platform. A section of the crowd then indulged in stone throwing at the Dombivli station while the Motorman was being given first aid in the Assistant Station Master's Office. As a result of stone throwing, the rakes of N-9 Down and of two other trains as also the indicator boards, station clock, tea stall etc were damaged. The services on both Up and Down lines were dislocated as a result of this incident and were resumed at 1.15 A.M. on 13.6.1978.

V. The estimated loss has been worked out to be Rs. 1,32,600/-.

(c) A high level study team has gone into the working of the Central Railway suburban services and has suggested certain measures. These are being processed for further action.

Violation of the Child Marriage "Sarda" Act

3267 PROF. P. G. MAVALANKAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are aware that several thousands of child marriages are still taking place in violation of the child marriage "SARDA" Act, in various parts of the country;

(b) if so, what steps are being taken to put an end to such illegal marriages; and

(c) whether the amendment of the Act raising the marriageable ages of boys and girls from 18 and 16 to 21 and 18 respectively passed recently by both Houses of Parliament, has received the President's assent and if so, when will it be in operation?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) and (b). Though Government is aware that the Child Marriage Restraint Act 1929 has not proved completely effective in eliminating the child marriages, it has no authentic information as regards the number of child marriages that are taking place in violation of the said Act

(c) The Child Marriage Restraint (Amendment) Act, 1977, seeks to increase the minimum age of marriage from 15 to 18 for females and from 18 to 21 for males. The said Act has received the assent of the President on 13 March, 1978, and Government intends to bring it into force shortly.

Proposal to start a new train between Ahmedabad and Jodhpur

3268 PROF. P. G. MAVALANKAR:

SHRI R. D. GATTANI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to start, in view of the heavy passenger rush, a new daily fast or express train running between Ahmedabad and Jodhpur (Rajasthan) on the Western Railway;

(b) if so, when; and

(c) if not, why not?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c).

Introduction of an additional train between Ahmedabad and Jodhpur is not operationally feasible due to lack of terminal facilities at Ahmedabad station and strained line capacity on sections enroute.

रेलवे के परिवार कल्याण विभागों के कर्मचारियों से प्राप्त जम्मावेदन

3269. श्री हरपोदिल वर्मा: क्या रेल मंत्री यह बताने की कृपा करें कि :

(क) मार्टिय रेलवे के परिवार कल्याण विभागों के कर्मचारियों से गत एक वर्ष में कितने जम्मावेदन प्राप्त हुए हैं;

(ख) क्या सरकार ने उन पर भर्ती तक पांच कार्यवाही की है, और

(न) यदि हाँ, तो तत्सम्बन्धी व्यक्ति क्या है और यदि नहीं, तो इसके क्या कारण हैं?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) रेल मंत्रालय में प्रतील, 1977 से जुलाई, 1978 तक की वार्षिक के दोहरा विभिन्न एवं सियों के माध्यम से ऐसे 26 जम्मावेदन प्राप्त हुए हैं।

(ख) और (न) . इस मामले पर स्वास्थ्य मंत्रालय के साथ परामर्श करके विचार किया जा रहा है।

रेलवे सम्पत्ति की ओरी की घटनाएँ

3270. श्री हरपोदिल वर्मा: क्या रेल मंत्री यह बताने की कृपा करें कि

(क) क्या गत दो महीने से रेलवे सम्पत्ति की ओरी की घटनाएँ बढ़ रही हैं,

(ख) यदि हाँ, तो इस प्रवधि में कितने मूल्य की सम्पत्ति की ओरी हुई है, और

(ग) इनमें से ओरी के कितने मामले हल किए गए?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) विभिन्न दो महीनों के दोहरा केवल मध्य, उत्तर, दक्षिण-मध्य और पश्चिम रेलों पर ही रेल सम्पत्ति की ओरियों में वृद्धि हुई है।

(ख) 38,11,870 रु. (केवल भारतीय राज्य, व्यारह हजार, छाठ से सत्तर रुपये)।

(ग) पिछले दो भवित्वों की दर्शाव में 1038 मासमें हल्के फिले गये में और लगभग 8 मास लगे की सम्भाल बरामद की गई।

Proposal to reduce margin of profit on drugs by State Trading Corporation

3271. SHRI C. K. JAFFER SHARIFF: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the State Trading Corporation proposes to reduce its margin of profit on some of the imported drugs;

1. Weighted average c.i.f. price	Actual
2. Customs duty plus ad valorem duty, if any	Actual
3. Clearance charges	2% of the c.i.f. cost
4. Landed cost-total of (1) to (3) above	
5. L.C. Opening charges and voyage interest	2% of the c.i.f. cost
6. Distribution charges	5% of landed cost
7. CPC margin	3% of the c.i.f. cost
8. Selling Price-total of (4) to (7) above	

The Sub-Committee of the Consultative Committee of Parliament for the Ministry of Petroleum, Chemicals and Fertilizers (headed by Shri K. S. Chavda, M.P., have, in their report, recommended that this formula should be reviewed. On the basis of actual expenditure incurred by the canalising/distributing agency, with a view to reducing such costs and passing on the resultant benefits to the consumer. Government have accepted this recommendation and action to implement this has been initiated.

(b) whether this reduction will be reflected in retail prices also; and

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

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) to (c). The prices of bulk drugs imported by the State Chemicals and Pharmaceuticals Corporation of India Limited (CPC) are fixed by the Government in accordance with the CCI and E's formula, which is given below:

Seminar on bonus for Rail and P&T Staff

3272. SHRI C. K. JAFFER SHARIFF: Will the Minister of RAILWAYS be pleased to state:

(a) whether a three day seminar sponsored by the administrative college of India was held in New Delhi recently regarding bonus for Rail and P&T staff.

(b) if so, the recommendations about it at the seminar; and

(c) the reaction of Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) A 3-day seminar from 3rd to 5th July, 1978 was held in New Delhi to discuss the wages, incomes and prices policy. The issues discussed *inter alia* covered the payment of bonus.

(b) No recommendations have been received so far by Government

(c) Does not arise

उर्वरकों का उत्पादन और मध्य व्यवेश में उर्वरक लंबाई की स्थापना

3273. डा० लक्ष्मीनारायण वाच्चेय :

स्पा वेटोलिनियन, रत्नालन और उर्वरक मर्ती यह बनाने की कृपा करें कि :

(क) क्या यह सच है कि इस समय देश में उर्वरकों की मात्र निरन्तर बढ़ रही है और उन अनुपात में उत्पादन नहीं बढ़ रहा है,

(ख) क्या यह भी सच है कि बम्बई हाई से निम्नले वाली दौस के आवार दर उर्वरक कारबाने स्थापित किये जाने की सम्भालना है;

(ग) क्या यह भी सच है कि मध्य प्रदेश में बंदसीर और रत्नालन जिले इस कार्य के लिए उपलब्ध हैं लांडक ये वाली आवारी वाले काफ़िर लोग हैं तथा देश के मध्य में दियत हैं और वहाँ औद्योगिक वालित ह तथा वहाँ भूमि आवारी को पर्याप्त सुविधाएँ उपलब्ध हैं और मध्य प्रदेश नरकार भ्रष्टा पूरा सहयोग देने के लिए तैयार है,

(घ) क्या यह भी सच है कि जैसा कि मध्यराजा तेज लोक कारबाने के भावले में है, यहाँ (बंदसीर रत्नालन) बम्बई हाई ने पाइपलाइन डारा रीम लाइ जा सकती है; और

(ङ) यदि हाँ, तो इन पर सरकार की क्या प्रतिक्रिया है ?

पेटोलिनियन तथा रत्नालन और उर्वरक लंबी (जो है भावती नम्बर ब्यूक्यूना) : (क) उर्वरकों का उत्पादन निरन्तर बढ़ता रहा है और बायत वर की लुकाना में अनुपातिक उत्पादन दर अधिक है। जैसा कि वाली और पावडी योद्धाना के निम्न विवरण से देखा जायेगा :

	मात्रा साल भीटरी टन में				उपर दर		
	(चौबी प्लान के अन्त में)	(पांचवी प्लान के अन्त में)	एन	पी२ और १५	एन	पी२ और ५	
उपरत	18.29	6.50	28.88	8.27	57.8%	27.2%	
उत्पादन	10.60	3.23	20.00	6.70	88.7%	107.4%	

परन्तु चूंकि इस समय उत्पादन आवश्यकता से कम है। भरत: अनित निर्वरदा प्राप्त करने के लिए उर्वरक लंबाई के विस्तार के लिए प्रयास किया जा रहा है। इस समय वहै रैपोर्ट के 13 उर्वरक प्लाट कारबिनेट के विस्तार स्तरों पर है और उठी योजना के द्वितीय चूंकि लंबी आवश्यकताओं का कारबिनेट करने का भी विस्तार है।

(ब) ची, हाँ।

(ब) के (ब) . उर्वरक प्राप्तीका के स्वतंत्र का विवारण लंबाईकी आवधि के विचारों पर किया

जाता है और इसमें मध्य विचारों के साथ-साथ फीडस्टाक की उपलब्धता इन्काउट्रोवर सुविधाओं की उपलब्धता मार्केट का समीप होता तथा आयोजना के आवधि के मार्केट लेवल में उर्वरकों की मात्र आवधि स्थापित है। बम्बई हाई/ वेस्टर्न से उपलब्ध होने का मार्किटम उपयोग करने के लिए जिसे वही प्रयोग से वहाँ पाया गया है कि वैसे सम्पादि लंबी के समीप उर्वरकों का उत्पादन सही होता, वहाँ वह इसके कि उर्वरक उत्पादन के लिए वैसे का जिसे दूर स्वतंत्र तक परिवहन किया जाय।

(क) यदि हो, तो उन कम्पनियों के नाम यह है और लिमिटेड उत्पादन के भूत्य बढ़ाए गये हैं, और ये भूत्य किस सीमा तक बढ़ाये गये हैं, और

(ग) सरकार ने उन कम्पनियों को किन-किन कारणों से उनके भूत्य बढ़ाये की अनुमति दी है?

वेडोलियम तथा रसायन और उर्वरक भवी (भी हैमोली नम्बर बहुप्राप्त) (क) जो नहीं। भौद्यों के भूत्य अधिक (मध्य नियन्त्रण) आदेश, 1976 के प्रावधानों के अन्तर्गत समेवित किये जाते हैं जिसके अन्तर्गत भूत्यों में वृद्धि करने के लिए सरकार की पूर्व स्वीकृति आवश्यक है।

(ब) और (ग) प्रमाण नहीं उठता।

उर्वरकों का उत्पादन
3278 भी भारत तिह चौहान।

भी पुष्पाल भास्तुः ।

तथा वेडोलियम तथा रसायन और उर्वरक भवी वह बताने की कृपा करें कि :

(क) गत तीन वर्षों में उर्वरकों का कितना उत्पादन हुआ,

(ख) क्या इसमें देश की वर्तमान मान की पूर्ति होती है और

(ग) यदि नहीं तो उत्पादन की पूर्ति के लिए कम प्राप्ति पग उठाये जाने ने है?

वेडोलियम तथा रसायन और उर्वरक भवी (भी हैमोली नम्बर बहुप्राप्त) (क) गत तीन वर्षों के उर्वरकों का उत्पादन गिर्व प्रकार या —

उत्पादन (वार्ष मी.०टनों में) —

वर्ष	नाइट्रोजन	फास्टेट
1975-76	15 35	3 20
1976-77	19 00	4 80
1977-78	20 00	6 70

उत्पादन में पाठांश का कार्ड उत्पादन नहीं होता।

(क) जी, नहीं।

(ग) शतिरोध दूर करने वालींकरण प्रतिस्पादना भावि जैसे सांखोधन कार्यक्रम चालू भवित्वों में लागू किये जा रहे हैं ताकि उत्पादन अधिकतम हो। इसके बातिलिक एक बड़े पैमाने का उर्वरक वितरण 13 बड़े भाकार की परियोजनाएं जागिर हैं कार्य-व्यवाधारित हैं ताकि उर्वरकों की उत्पादन क्षमता का विस्तार किया जाव। युक्ति चालू भवित्वों और कार्यविवरणवालीय परियोजनाओं से शास्त्र उत्पादन क्षमता विकास के अन्त तक उर्वरकों की व्यवाधारित व्यावहारिकताओं से कम होगा, अत वर्षाई हाइड्रोलिक ट्रॉक्सर से उत्पादन वैस पर प्राप्तिरात भारत भाकार के उर्वरक प्लाट, दो नहराएँ और और दो गुरुरात में और और एन भी भी और भावन इंदिया लिंक 0 के तेज के लोकों में से उत्पादन में उत्पादन गैर पर प्राप्तिरात वाम्बक में एक प्लाट की स्वापना करने का प्रस्ताव है। ऐसर्त हाइड्रोलिक एकलप्लोटिंग लिंक 0 को उनके कानपुर में बर्तभान प्लाट की ज्ञाता का विस्तार करने के लिए एक आवश्यक प्रकार भी दिया गया है।

वेडोल पद्ध और उर्वरक कारखाने भावि ज्ञानने के लिये लाइसेंस भारी किया जाना

3279 भी भारत तिह चौहान

भी चतुर्भुज

तथा वेडोलियम तथा रसायन और उर्वरक भवी यह बताने की कृपा करें कि

(क) क्या यह सच है कि देश के विभिन्न भागों में वेडोल पद्ध जाने जाने, उर्वरक कारखाने व्यापित लिये जाने और भौद्यों के उत्पादन से लिए नए लाइसेंस बज़र किये जाये हैं;

(क) यदि हाँ तो उन व्यक्तियों के नाम यथा हैं जिन्हें ये लाइसेंस दिये गये हैं और ये कहाँ-कहाँ के लिए दिये गए हैं;

(ग) यदा इन लाइसेंसों को बंजर करने के लिए कोई प्राधार अपनाया यथा था, और

(च) यदि हाँ, तो नम्स-बन्धी घोरा क्या है?

मेहरानगढ़ तथा रसायन घोर उर्जर बंधी (बी

हेपली लालन लालन) : (क) लोर (ब) डैल में स्थापित दिये जाने उर्जर बाले तथा घोर लालों के बन्धन में वर्ष 1975 से लिए जानवरक जानकारी विवरण में दी गई है।

जहाँ तक ऐडोल पम्पों का सम्बन्ध है पूछी गई सूचना को एकाल करने में काफी परिप्रय और तम्भ लगेगा जो कि इससे सम्बन्धित प्राप्त परिणामों के अनुपात में नहीं होगा।

विवरण

पार्टी का नाम

यूनिट की स्थिति

उर्जर

1. मैसर्स ऐम पी ऐप्रो सुरातली कर्टीसाइजर	मेहरानगढ़, आकूपा जिला भव्य प्रदेश राज्य
2 मैसर्स नागर्जन कर्टीसाइजर एवं कैमीकल्ज सिमिटेंड	काकी नाडा, आकूपा प्रदेश
3 मैसर्स नायपक नाईट्रोइट लिं	टालोजा, महाराष्ट्र

बोर्ड

1 मैसर्स बाई डी पी एस	देहरादून (उत्तर प्रदेश)
2 मैसर्स यूनिकेम लेकोरेटरीज लिं	रोडा, जिला कोलाबा, महाराष्ट्र
3 मैसर्स ऐलिमिक कैमीकल बंकस लिं	बोदो (गुजरात)
4 मैसर्स बी ई सी कैमीकल प्राइवेट लिं।	रोहा, जिला कोलाबा (माहाराष्ट्र)
5 मैसर्स बीक लेकोरेट्रीज	विद्याविहार (महाराष्ट्र)
6 मैसर्स न्यू ड्रेस (ईंडिया) लिं	बेटक (आकूपा प्रदेश)
सर्स रैनवर्कसी लेकोरेट्रीज लिं	बर्ड (पंजाब)
8 मैसर्स स्टेनर्क बार्मसीटीकल्ज लिं	मार्टमुंड-जिला द्वाली (परिचयी बंगाल)
9 मैसर्स घ्रामूत्तजन लिं।	मावलपुर (माद्रास)
10 मैसर्स घोरिंग कॉर्पोरेटीकल्ज लिं	जिला विनालापुर (तमिलनाडु)
11. मैसर्स साराम्ब ऐम कैमीकल्ज	बड़वा (गुजरात)।
12 मैसर्स हिन्दुस्तान एंटीबोटिस लिं	पिम्परी, जिला पूना
13 मैसर्स दुकार इन्टरकार्म लिं	साना (महाराष्ट्र)

Representation for change of inter-change point from Gudur to Tiruvottiyur

3280. SHRI P. RAJAGOPAL NAI-DU: Will the Minister of RAILWAYS be pleased to state:

(a) whether any representation has been made to Government to change inter-change point from Gudur to Tiruvottiyur;

(b) whether there is any agitation from railway workers from Vijayawada and other areas regarding that; and

(c) if so, the decision taken by the Government in this regard?

THE MINISTER OF STATE IN THE MINISTER OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Yes.

(c) There is no proposal to change the inter-change point.

अधिकारित तेज के लालत के लिए हरिकर्मों तथा लिल्डे
वर्गों की प्राप्तिकर्ता

3281 श्री शुभाच शाहजा क्या
देशस्त्रिय, रसायन और उर्वरक भवी यह बताने
की कृपा करें कि

(क) क्या अधिकारित तेज का प्राप्तान इन
की व्यवस्थकरता है,

(द) गर्व इसे गन तीन वर्षों के दौरान
उत्तरार्दी तथा गैर-मरार्दी लेत द्वारा इसका
किसी भावाने में प्राप्तान विद्या क्या और

(ग) क्या हरिकर्मों तथा लिल्डे वर्गों के
लोगों का गैर-मरार्दी के द्वारा अधिकारित तेज का प्राप्तान
इनमें में प्राप्तिकर्ता दो जा रही है?

प्रेटोलियम तथा रसायन और उर्वरक भवी (श्री
देवकर्ता नवन वहुगुण) (क) वेतीय
प्रशासनिक तेज का उपयोगता देश की भोजन समता
तथा वर्गों वाले वैज्ञानिक उत्पादों के प्राप्तान करने
की व्यवस्थकरता का पता लगा कर प्रेटोलियम
उत्पादों का सामाजिक पूरा करने के लिए अधिकारित तेज
का प्राप्तान बनाया जनिवाया है।

(घ) सूखना निम्नानुसित है।

(मात्रा मि० मी० टनों में)

वर्ष	प्राप्तिकर्ता तेज का प्राप्तान		
	निजा अक्र	सावजनिक अक्र	कल
1975-76	0 ५	1 1	1 ६ ६
1976-77	—	1 १ १	1 ४ १
1977-78	—	1 ३	1 ४ ४

(ग) बंद गावजनिक अक्र द्वारा इस प्रभो
वित तेज का प्राप्तान वा अनुभवित दो जा रही
है। अन हरिकर्मों तथा लिल्डे वर्गों व गोमा का
गैर-मरार्दी लेत में प्राप्तिकर्ता तेज का प्राप्तान इनमें
में प्राप्तिकर्ता दिया जाता रहा।

Advance Allocations of Raw Materials to Drug Firms

3282 PROF R K AMIN Will the
Minister of PETROLEUM CHEM-
ICALS AND FERTILIZERS be please-
d to state

(a) what is the criterion for issuing
advance allocations and stopping
normal allocations of raw materials to
drug units, in how many cases advance
allocations were made during
last three years with details of drugs,
names of firms etc, and reasons for
making advance allocations—provisions
of ITC policy and authority for
doing so, and

2180 LS-7

(b) when CPC is very sure of its
prices at economic prices, why im-
port are not allowed under Rep and
AU licences for canalised items
where there is no indigenous pro-
duction when such units are prepared to
import them at prices much cheaper
than CPC prices reasons for the
same?

THE MINISTER OF PETROLEUM
AND CHEMICALS AND FERTILIZERS
(SHRI H N BAHUGUNA).

(a) The position with regard to the
reasons and procedure adopted for
making advance allocations of canalised
raw materials to different drug
units by CPC and IDPL has already
been explained in reply to part 'c' of
Lok Sabha Unstarred Question No.
306 answered on 18-7-78. There is no
specific provision in import policy or
the guidelines issued by Deptt of C
and F for advance release of canalised
materials. However, CPC and

IDPL make such advance releases in exercise of their commercial judgement for expediting sales of their stocks so as to reduce inventories, after catering to the requirements of the Industry.

Details of advance allocations of canalised raw materials made by IDPL and CPC in the last three years are being collected and will be laid on the Table of the House.

(b) Free import of canalised bulk drugs against Actual User and REP import licences cannot be allowed as it would defeat the objectives which are subject to be achieved through canalisation. The objectives are:—

(i) To bulk the requirements of all manufacturing units to arrive at a sizeable demand which could be made use of as a bargaining counter in world markets to secure advantageous prices and concessional terms of supply;

(ii) To regulate the import introduction of newer sophisticated drugs in such a manner as not to disturb the indigenous production of drugs of similar therapeutic value;

(iii) To protect the indigenous production of drugs, especially when the production is inadequate to meet the internal demand;

(iv) To ensure the equitable supply of raw materials at uniform prices, eliminating the middle-man's profit so that the formulations, based on such raw materials are priced at a particular and uniform level; and

(v) To help the small scale (SSI) sector of the industry whose requirements are small, thereby rendering import by individual firms uneconomic and impracticable in some cases.

However, some imports of canalised bulk drugs are allowed against

REP licences to the extent and in the manner indicated in Appendix 17 of the Import Policy, 1978-79.

कोटा और रत्नाल में दीव चलने वाली रेतगांडियों का बन्द किया जाना

3283. जी अर्पण: क्या रेत मंत्री यह बताने की हुपा करेंगे कि :

(क) क्या कोटा और रत्नाल के दीव चलने वाली 129 डाउन और 130 प्रप ट्रैनों को बन्द कर दिया गया है;

(ब) यदि हां, तो इसके क्या कारण हैं,

(ग) ग्राहिकालय याकी गांडियों से इन्होंने की ग्राहित मध्यम में कमी करने के क्या कारण हैं, और

(घ) क्या मेला ने ग्राहित पर, वर्षा क्षेत्र में तथा यातां की स्थोन देने के लिए कोटा-रत्नाल, कोटा-मध्यग और देशगान एवं ब्रेस में दूसरी श्रेणी के इन्होंने की सम्भाल में दृढ़ि करने का प्रस्ताव है, यदि हां, तो कब तक?

रेत मंत्रालय में राज्य मंत्री (जी शिव नाथराम) : (क) और (ब) 129-130 कोटा-बांदिदारा पार्सेन याकी गांडों का स्टीम कोप की मांगमत उपलब्धता के कारण 6-5-78 से 8-5-78 तक की अवधि के दौरान बेबल 3 दिन तक रद्द करना पड़ा।

(ग) कई ग्राहित पर कोंचिंग ग्राहियों से पूरे समाजी इच्छे नहीं लगाये जा सके।

(घ) विवाहा, मेलों, योहारों आदि के भीमम के दौरान ग्राहित बोंगिया लगा कर और/या विशेष गांडिया चला कर यानायारों की मर्तिरक्षत भीड़-भाड़ा की निकासी की अवध्या की जाती है। गरमी के महीनों के दौरान बाहर सेन्ट्रल और नियमूहीन/जमीन तरी के बीच 50 विशेष गांडिया चलाई गयी थी। 9-4-78 से 20-4-78 और 17-7-78 से 25-7-78 तक की प्रवधि के दौरान ग्राहिकी बीच लगायी गई थी।

Retired Railway Officers above 60 Years of Age

3284. SHRI K. LAKKAPPA: Will the Minister of RAILWAYS be pleased to lay on the Table of the House a Statement showing:

(a) the names and designations of retired Railway Officers who have

attained age of 60 years and above and have been employed by RITES House, New Delhi;

(b) the posts held by these officers in the Railways and the posts held by them in the RITES their tenure and the pay and allowances drawn by them and their technical qualifications for these posts and

(c) whether no suitable serving officers could be available, if so, whether it is a fact that some of the officers re-employed in the RITES were working as Station Superintendents New Delhi and have made money by indulging in malpractices and are in possession of assets disproportionate to their known sources of income?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) to (c) The Rail India Technical & Economic Services Ltd (RITES) a public sector undertaking is currently conducting three transportation studies which are of short duration at a time bound. For such short duration assignments it is not always possible to obtain the services of serving railway personnel on the usual deputation terms. In order to ensure that such assignments are carried on according to the constituted schedules a few experienced personnel are therefore engaged by the Company on daily casual rate basis. Such personnel are however not engaged on a regular basis for any tenure or period. They are utilized off and on for short durations and for specific jobs only.

Shri G C Batra retired Station Superintendent Northern Railway is the only person over 60 years of age at present employed in the Company in the above manner. He had been selected in view of his wide experience in dealing with passenger and other traffic. His appointment is purely on daily casual rate basis and when the current studies referred to are completed he will not be retained in the Company.

While working as Station Superintendent on Northern Railway Shri Batra was involved in three vigilance enquiries. These were duly investigated by the competent authority and ultimately closed in consultation with the Central Vigilance Commission. None of the cases however related to the allegation that the employee was in possession of assets disproportionate to the known sources of his income.

There are no employees over 60 years of age in the regular employment of the Company.

Crisis in Oil Industry due to disruption in supply of Petroleum Products

3285 SHRI K A RAJAN Will the Minister of PETROLEUM CHEMICALS AND FERTILIZERS be pleased to state

(a) whether attention has been drawn to the report, appeared in Economic Times dated July 13 1978 regarding crisis in the Oil Industry because of serious disruption in supplies of petroleum products and

(b) if so the details and steps taken to resolve the situation?

THE MINISIER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) Yes Sir

(b) Hindustan Petroleum Corporation's Refinery at Bombay was planned to be shut-down for about three weeks during August 1978 for repairs to the Crude Distillation Unit. However the refinery had to be shut-down earlier on 8th July 1978 for emergent repairs. Besides there has been a reduction in the crude throughput of Indian Oil Corporation's Baruni Refinery due to continuing labour problems.

There has been no crisis in the Oil Industry following the Bombay Refinery shut-down and the loss in crude

throughput in Barauni Refinery. Crude throughputs in all the remaining refineries have been maintained at the maximum levels. Steps have also been taken for meeting the demand of petro-chemical products by additional import of products.

रेल दूर्घटनाये

(अ) 3236 ओर सुखेंद्र तिथि क्या रेल मरी यह बताने की हुपा करने कि

(ब) यह वर्ष 1977-78 में पहले वर्ष की न तना में अधिक रेल दूर्घटनाये हुयी

(क) वर्ष 1975-76 1976-77 तथा 1977-78 में किनतो रेल दूर्घटनाये हुयी और उनमें कितने अवैध ब्लाकहॉट हुए

(ग) हताहतों के परिवारों का कूल किनती घनता दो गई और उम का वर्ष वार दोहरा क्या है, और

(घ) पास दूर्घटनायों को रोकने के लिये क्या प्रशासी उपाय किया जारहे हैं?

रेल मतान्यमें राज्य मरी (ओ शिव नारायण) :

(क) जी नहीं।

(ब) 1975-76 1976-77 और 1977-78 के दोगने भारतीय वर्षोंमें रेल पर घटिए दूर्घटनायों से उत्तरन मरमारी की दूर्घटनायों तथा गाडियोंमें प्राण लगन वाले घोटियोंमें गानी दूर्घटनायोंका अन्यथा और उनमें हताहतों की संख्या नीचे दो गयो हैं—

वर्ष	की	दूर्घटनायों संख्या	हताहत मरे घायल
1975-76	964	213	846
1976-77	780	167	664
1977-78	866	300	744

(ग) इन दूर्घटनायों के घोटियों/उनके प्राणितों को भारतीय रेल अधिनियम, 1890 के अन्तर्गत 1975-76 1976-77 और 1977-78 के दौरान कमत 17 08 लाख व्यय, 30 04 लाख व्यय और 27 66 लाख व्यय का भुगतान किया गया।

इदूरी करते हुए इन गाड़ी दूर्घटनायों में से स्वास्थ्यिक रेल कर्मचारियों को लोकप्रिय भुगतान के सबूत में सूचना इकल की जा रही है और उभा-पटन पर रख दी जायेगी।

(घ) दूर्घटनायों के लिए जिम्मेदार सब से बड़ा एवं मात्र भारत मानवीय भूमि है। गाडियोंके बालक से सवार वर्षावार्योंके शीख सुरक्षा दें प्रति अधिक जलना उत्पन्न करने वाले यह सुनिश्चित करने के लिए कि वर्षावार्योंके लियों वा उल्लंघन के लिए आर लाइव विल्पना न बढ़ावाए, रेल पर नियन्त्रण व्यापार में गंगा संगठनोंको लैनात किया गया है। गाडियों वा जाति और भवारी और मात्र जिम्मा हितियोंमें आर रेल व्यय से समूचित भनुरक्षण पद विधाय ध्यान दिया जा रहा है। वर्षावार्योंपर इन संख्या का इमारतने का निया परिव्याप्ति धुरों, और पर्यावरण का निया पराय पर्याप्त दायर सुवृक (प्रस्तु-मानिक या चिकित्सा) रेल व्यय परिषद्यन, स्वन चेनावालोंप्रार्थामी आविजैरी विनेक परिषद्यन यकिन्या का निया व्यवहार में जाया जा रहा है।

Nationalisation of Multinational Drug Corporation

123 SHRIMAI PARVAIHI KRISHNAN

SHRI D N TIWARY

Will he Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state

(a) whether Government had a proposal to nationalise nine multinational Corporations in the field of drugs and pharmaceuticals,

(b) if so the names of those companies and other details, and

(c) whether this proposal has been given up, if so, the reasons therefor

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA) (a) No, Sir

(b) and (c) Does not arise

Use of Computer System to remove bottleneck in wagon movement

3288 SHRIMATI PARVATHI KRISHNAN Will the Minister of RAILWAYS be pleased to state

(a) whether Government have decided to use computer system in Railways to remove the bottleneck in the movement of goods wagons, and

(b) if so, the details and steps being taken in this direction?

THE MINISTER OF STATE IN THE MINISTRY OF RAI WAYS (SHRI SHEO NARAIN) (a) and (b) The feasibility of introducing computerised wagon control system on the Railways is under examination

Audit of receipts in respect of advertisement given by synthetics and Chemicals Limited

3289 SHRI SURENDRA BIKRAM Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) has the Government been able to audit all the Souvenirs receipts and other relevant details in respect of two advertisements, Rs 4,40,000/- and Rs 35 000/- given by Synthetics & Chemicals Limited to the All India Congress Committee in February/March, 1977;

(b) if all the details have not been made available for the checking of the CBI inspector placed at the Company, what steps the Government has taken against this irregularity, and

(c) have the amounts been paid by cheques or through cash also?

THE MINISTER OF LAW JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) to (c) M/s Synthetics and Chemicals Limited paid a sum of Rs 4,75,000/- to the All India Congress Committee by cheque. Advertisements aggregating to a sum of Rs 440 lakhs were published in 48 souvenirs which have been received

by the Company. In respect of the balance sum of Rs 35,000/- the souvenirs were not received by the company and the company is corresponding with the All India Congress Committee about this. The documents concerning the aforesaid payment made by the company and the 48 souvenirs referred to above were produced before and examined by the Investigating Officer of the CBI. No amount is reported to have been paid in cash in this connection

Short and long route new trains to be started from October, 1978

3290 SHRI SURENDRA BIKRAM Will the Minister of RAILWAYS be pleased to state

(a) which short route and long route new trains the Railways are likely to start from October 1 1978 on various routes, and

(b) how many of these would be air-conditioned trams and how many having only second class coaches?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) and (b) Two pairs of biweekly Express trains—one between Durg and Varanasi and the other between Howrah and Jammu Tawi will be introduced in October/78 time table. While the former tram will have first and second class accommodation, the latter will be classless having second class accommodation only. Details of introduction of other trains in October/78 time table are being worked out

Programmes under World Bank Loan

3291 SHRI S R DAMANI

SHRI M RAM GOPAL REDDY

Will the Minister of RAILWAYS be pleased to state

(a) the details of programmes to be undertaken against the recent

sanction of World Bank Loan of \$ 190 million to the Indian Railways;

(b) the terms and conditions attached to this loan;

(c) what is the time schedule for completion of the works; and

(d) the extra funds estimated as necessary over and above the World Bank loan and how it is proposed to raise them?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The details of the items included in the proposed credit and the amount of IDA assistance agreed therefor, are indicated below:—

Item	(Rs in million)
(i) Workshop Modernisation Project . . .	125
(ii) Wheels & Axles Plant . . .	38
(iii) Wheels, tyres & Axles . . .	15
(iv) Development support . . .	12
TOTAL . . .	190

(b) The Credit is repayable over a period of fifty years with moratorium on repayments for the first ten years. No interest is payable on the Credit and only a service charge of 3/4 per cent per annum on the principal amount withdrawn is payable.

(c) The estimated project completion date has been fixed as 31st March, 1984.

(d) The additional funds for the above projects over and above the IDA assistance are estimated at Rs. 230 crores. As usual, the total requirements of funds, including Rupee equi-

valent of the IDA assistance, would be provided through the annual budgets of the Railways.

Railway construction projects in foreign countries

3292. SHRI S. R. DAMANI: Will the Minister of RAILWAYS be pleased to state:

(a) the details of railway construction projects which the Indian railways have undertaken in foreign countries, both completed and under implementation; and

(b) whether there are any fresh agreements whose implementation is yet to commence and if so, their details?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Indian Railways have offered to share their technical know-how in the railway sector with other developing countries who are planning to develop their respective railway systems. Rail India Technical & Economic Services Ltd. (RITES) and the Indian Railway Construction Company Ltd. (IRCON), two public sector undertakings, have been set up under the Ministry of Railways, the former to provide consultancy services in various spheres of railway technology and management and the latter to undertake the construction of major railway projects abroad. Some of the developing countries, like Syria, Iran, Ghana, Hong Kong, Malaysia, Zaire, Philippines, Nigeria, Sri Lanka etc., have made use of these services and offers made to some other countries are pending consideration of the respective Governments.

No contract for laying new railway lines abroad has been secured, so far.

Alleged dismissal of workers of Glaxo Laboratories

3293. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it has been alleged that the management of Glaxo Laboratories, a multi-national Drug company of British, has dismissed a number of active workers and leaders of the Federation of Medical Representative Association of India, Glaxo Laboratories Unit;

(b) if so, on what grounds and details thereof; and

(c) what action, if any, taken by Government in this regard?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) Yes, Sir.

(b) and (c). The allegations were examined with reference to the reports called for from the Company. It appears that the termination of services of the affected Medical Representatives (who are not "workmen" as per the Industrial Disputes Act) by the Company was in consonance with their service conditions and after following the prescribed procedure. It is reported by the firm that the dismissed medical representatives instead of canvassing and promoting the sale of the Company's products, had been submitting reports that they had visited Doctors/or dealers/customers on specific dates when, in fact they had not visited such Doctors and/or Dealers/customers. The company report having investigated into these as a result of which they lost confidence in the integrity of the concerned staff. According to the company, their services were validly and legally terminated in terms of their contract of service. If there have been any violations of service conditions or of laws, the aggrieved employees could always have recourse to appropriate legal reliefs.

Pesticide industrial units in Eastern Region and West Bengal

3294. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many pesticide industrial units are there in the eastern region in general and West Bengal in particular;

(b) total capital investment in those units;

(c) total demand and available supply of pesticide in the eastern region from its own units;

(d) whether the West Bengal Government has proposed that the Public Sector Unit IDPL, or Hindustan Organic chemical shall set up a pesticide manufacturing unit in West Bengal; and

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

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) There are 40 units in the Eastern region making pesticides/pesticidal formulations out of which 16 are in West Bengal.

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

(c) Total demand for technical grade pesticides for 1978-79 indicated by the States/Union Territories in the Eastern region at the Plant Protection Conference held in February 1978 was 8,858 tonnes, the bulk of which is being met from the units in other States/imports, as the present production of basic pesticides in the Eastern region is small.

(d) The Government of West Bengal have suggested that Hindustan Insecticides Ltd., a public sector company may set up a Pesticide plant in the State.

(e) A decision will be taken in due course, keeping in view the feasibility of the scheme and all other relevant factors.

Kakinada unconnected with Howrah-Madras Main line

3295. SHRI KUSUMA KRISHNA MURTHY: Will the Minister of RAILWAYS be pleased to state

(a) how is it that Kakinada a thickly populated area with complete rural background has so far been left unconnected directly with the important main railway line of Howrah-Madras;

(b) whether the imperative need to connect Kakinada directly with the main railway line has been realised; and

(c) if so, whether any concrete proposal with regard to set up of a direct railway link have so far been initiated?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Survey carried out for connecting Kakinada with the main line revealed that the project will not be viable. In view of the difficult resources position, it will not be possible to take up this proposal at present.

Proposal to connect Hyderabad with trains bound for Tamil Nadu, Karnataka and Kerala

3296. SHRI KUSUMA KRISHNA MURTHY: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Government have realised the national significance of directly connecting the Gateway of South, namely Hyderabad, with all the trains bound for Tamil Nadu, Karnataka and Kerala; and

(b) if so, what are the practicable proposals worked out so far on this nationally significant issue?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Following services adequately serve the passengers from Hyderabad towards Tamil Nadu, Karnataka and Kerala:

Towards Tamil Nadu.

1. 53/54 Madras-Hyderabad Express.

2. Three through coaches (One 1st-cum-1Ind, one Second and one Second Luggage-cum-Brake Van) running daily between Hyderabad and Madras by 51/22 and 21/52 Expresses.

Towards Karnataka.

1. 97/98 (99/100 Link Express) Tirupati East/Bangalore-Secunderabad Venkatadri Express

2. 85/86 Secunderabad-Bangalore City Express.

Towards Kerala.

One 1Ind class 3-tier partial sleeper coach running daily between Coch:n and Hyderabad by 53/54 Madras-Hyderabad Express and connected trains.

Rise in selling price of Turpentine produced by Government Unit

3297. SHRI K. RAMAMURTHY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Government unit processing turpentine have jacked up the selling rates by about 70 per cent; and

(b) if so, the reasons for the same?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) M/s. Indian Turpentine & Rosin Co. Ltd, Bareilly, a U.P. State Government Undertaking borne on the list of

DGTD has reported that the prevailing price of Turpentine on 1-6-77 was Rs 1.90 per litre and on 1-6-78, Rs 2.55 per litre which represents an increase of 34 per cent. Price increases have also been reported by the units under the State Governments of J&K and Himachal Pradesh.

(b) The increase in prices has been reported to be mainly due to reduction in availability and increase in the cost of raw material other manufacturing costs like increase in salaries and wages, shortfall in production etc.

Train Operations closed on Economic Grounds

3298 SHRI K RAMAMURTHY Will the Minister of RAILWAYS be pleased to state

(a) how many train operations were closed on economic grounds and whether Tanjore-Mannargudi Metre Gauge section is one among them and

(b) whether the Government propose to re-open Traffics and if so when, particularly Tanjore-Mannargudi Metre-Gauge in Southern Railway,

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) 12 Sections including Nidamengolam-Mannargudi section and not Thanjavur-Mannargudi section, have been closed for passenger traffic on economic grounds

(b) No

Train Accidents on Railway Crossings

3299 DR VASANT KUMAR PANDIT Will the Minister of RAILWAYS be pleased to state

(a) whether it is a fact that Train accidents on railway crossings are on the increase, if so, the figures of such accidents during 1976, 1977 and 1978 (upto June),

(b) will the Government give figures of (i) automatically operated Rail-Road Crossings (ii) manually operated Railway Crossings (iii) Unmanned Railway Crossings in the country; and

(c) what steps do Government propose to take to bring improvement and modernization of the railway crossings and prevent loss of human beings and dangers to trains?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN) (a) The number of accidents at level crossings has marginally increased there being 87 90 and 57 such accidents during 1976, 1977 and 1978 (upto June) respectively on the Indian Railways

(b) (i) and (ii) The number of manned level crossings is 14 060 of which the number of automatically operated level crossings is 34 (iii) The number of unmanned level crossings is 22 300

(c) A statement is attached

Statement

Steps taken to prevent accidents on unmanned level crossings

There are more than 22 000 unmanned level crossings on the Indian Railways and the number of train accidents that have occurred at these level crossings during the last four years is as under—

1974-75	96
1975-76	78
1976-77	63
1977-78	63

It would be seen from the above that the incidence of accidents is on the decline. This was made possible due to certain preventive measures undertaken by the Railways such as provision of road danger signs, fixing of whistle boards on the railway line, warning the engine drivers to whistle and be cautious while approaching the level crossings, educational campaigns among road users through leaflets,

cinema slides, radio talks and so on. The State Governments have legislated under the Motor Vehicle Rules making it obligatory on the part of the Motor Vehicle Drivers to stop short of unmanned level crossings and to cross the railway track with the conductor walking ahead. Surprise checks are also conducted in coordination with the State Police Authorities to ensure strict compliance of these rules by the road users. The State Governments/Union Territory Administrations have also been asked by the Ministry of Shipping and Transport to provide speed breakers (bumps) on road approaches to all unmanned level crossings. With these measures, it is expected that road accidents at unmanned level crossings will decline still further.

Conducting census at level crossings

2. The Railways undertake periodical census of road and rail traffic at all unmanned level crossings to review the need for manning them. As a result of such reviews those unmanned level crossings where the traffic has increased and is heavy enough, are manned. The Railway Administration ensure that census is conducted regularly at each unmanned level crossings once in 5 years. Similarly, census-cum-job analysis is conducted at each manned level crossing, once in 5 years, to determine if there is need for upgradation of the level crossings. Action to upgrade the level crossing is taken where necessary.

Manning and up-gradation of level crossings.

3. As a result of the census/census-cum-job analysis as explained above, some of the unmanned level crossings are manned and manned level crossings up-graded to a higher class, as necessary, on a programmed basis.

Provision of lifting barrier gates, interlocking, Telephone warning bells, etc.

4. Lifting type barrier gates are provided at busy manned level crossings and on multiple lines where traffic is heavy to improve efficiency and

safety. Some of manned level crossings are gradually being provided with telephones/warning bells to forewarn the gateman regarding arrival of the train. Gates of busy level crossings are inter-locked with train signals to avoid collisions of trains/road vehicles.

Inspection and maintenance.

5. All the level crossings are regularly inspected by various officers and staff every year and proper maintenance thereof is ensured. The gatemen are tested in their knowledge of rules and their eyesight is also checked from time to time. Special attention is paid to visibility at the level crossing and prompt action taken to improve the same, if due to some reason it gets reduced.

Construction of Road over/under bridges.

6. Very busy level crossings are replaced by road over/under-bridges on a cost-sharing basis with the State Governments.

Assistance to State Governments.

7. As per extant rules, the State Governments have to bear part of cost of manning/upgradation of level crossings and construction of road over/under-bridges in replacement of level crossings. To help the State Governments meet their share of the cost, Railway Safety Works Fund has been constituted with effect from 1.4.1966. The cost to be borne by the State Government is reimbursable to them from their share of the Railway Safety Works Fund. Such of the unmanned level crossings as are potential hazards to the safety of the passengers, are now, to be upgraded to manned level crossings, in a phased manner, entirely at the cost of the Railways.

Reported Poisonous Gas from Wells in Kudinal Taluka, Amerali (Gujarat)

3300. DR. VASANT KUMAR PANDIT: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that Deputy Superintendent of Police, Amerali (Gujarat) reported to the Oil and Natural Gas Commission authorities the dangerous and poisonous gas emanating from the wells in Kudinal Taluka of Amerali District and also in Surendranagar district;

(b) whether it is a fact that more than 15 people have died in the area due to poisonous gas; and

(c) if so, has the ONGC (Gujarat) Unit investigated and analysed the gas coming from these wells and what steps have been taken to avoid pollution and deaths by this type of gas?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) ONGC was informed of the occurrence of some poisonous gas in an open dry well for water in the village Panadar of Kodinar Taluka in Amerali District by the police authorities on 27th June, 1978. An officer was deputed to investigate the gas.

In October, 1977, presence of some poisonous gas in an open dry well for water in Kharaghoda desert in Surendranagar Distt. was reported to ONGC by police authorities. An officer to investigate the gas was deputed by ONGC at that time also.

(b) Eight persons are reported to have died in the accident at Panadar village of Kodinar Taluka of Amerali District. Two persons were reported to have died in a well in the Kharaghoda desert of Surendranagar District.

(c) The ONGC investigated and analysed the gas in the well at Kodinar Taluka of Amerali District as well as Kharaghoda of Surendranagar Distt. These are not ONGC wells. The investigation officers have pointed out that the death of persons in these wells are from Asphyxia due to lack of oxygen in the confines of the wells. As such question of atmospheric pollution would not arise. In any case there is no contamination of atmosphere due to hydrocarbons and these wells are outside the purview of the ONGC.

Congestion of Passenger Traffic between Ahmedabad-Baroda

3301. SHRI F. P. GAEKWAD: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is not a fact that there is a great congestion of passenger traffic between Ahmedabad-Baroda, Baroda-Surat and Surat-Valsad route;

(b) whether in view of electrification of Sabarmati-Virar Section and to encourage regional spread of population, introduction of suburban trains over this route will not facilitate and cope up with commuter traffic on the route;

(c) if so, steps proposed to be taken; and

(d) if not, why not?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d). There is marginal over-crowding in some trains running on these sections. Introduction of additional trains on these sections is at present operationally not feasible due to strained line capacity on sections en route.

Inquiry into issue of Advertisement to Congress Souvenirs

3302. SHRI VAYALAR RAVI:

SHRI K. KUNHAMBU:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have completed the enquiry of the case of issuing advertisements to Congress Souvenirs;

(b) if so, enquiry against how many companies has been completed and the action proposed to take against these companies;

(c) whether any Ambassadors and Members of Union Cabinet are also involved in these cases; and

(d) steps taken against them?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) No Sir

(b) Does not arise

(c) This will be known only when investigations are complete

(d) Does not arise

Salaries and Perquisite drawn by Chairmen and Managing Directors of Companies of Thaper Group

3303 **SHRI VAYALAR RAVI** Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether it is a fact that Chairmen and Managing Directors of different companies of Thaper Group drawing heavy salaries and perquisites,

(b) if so the details of each company and

(c) how many times these remunerations have been revised in the last five years?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) to (c) Information is being collected and will be laid on the Table of the House

Entering into Fishing Industry by Greaves Cotton

3304 **SHRI VAYALAR RAVI** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether it is a fact that the Greaves Cotton has entered into the fishing industry

(b) whether it is not a violation of MRTP Act and

(c) if so, what are the steps taken against them?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN) (a) M/s Greaves Cotton and Company Limited obtained approval of the Central Government on 5.7.1973 under Section 23(4) of the Monopolies and Restrictive Trade Practices Act 1969 for acquisition of 55 per cent capital of M/s New India Fisheries Limited which is engaged in the fishing industry with the condition that the company should divest before 5.7.1976 their holding in the investee company sufficiently so as to make available the prescribed minimum capital to the general public in order to conform to the current listing guidelines. The company has so far acquired only about 35 per cent capital of M/s New India Fisheries Ltd

(b) and (c) Does not arise

Expenditure on Petrol and Diesel by Government

3305 **SHRI S S SOMANI** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state

(a) the extent to which Government expenditure on petrol and diesel has come down after the steep rise in prices thereof

(b) the present consumption of petrol and diesel in the country as compared to the consumption before the rise in prices thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA):

(a) and (b) The attention of Hon'ble Member is invited to the answer given to Starred Question No 485 on the 28th March, 1978.

Production of Odourless Alcohol used in Perfumery Industry

3306 SHRI K MALLANNA. Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state

(a) the quantity of odourless alcohol, which is used in perfumery industry produced in the country during each of the last three years, and

(b) the names of the units which produce this alcohol?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H N BAHUGUNA). (a) No separate statistics of the production odourless alcohol used in the perfumery industry are maintained by Government. Production follows the pattern of demand

(b) Odourless alcohol being a non-scheduled item the Government does not maintain a list of the units producing this commodity. Only a list of units engaged in the production of industrial and potable alcohol is maintained

पूर्वोत्तर रेलवे के रेल सुरक्षा बल के सदस्यों हारा की गई भूक्त हताह

3307 श्री रामानन्द तिवारी क्या रेल मर्दी वह बनाने वीर राजा बरेंद्र हैं?

(क) क्या पृथ्वी-रेलवे के ना सुरक्षा बल के सदस्यों ने दिनांक 1 अगस्त 1977 को साप्ताहिक विभाग की ओपनी मार्ग रस्ते में भूक्त हताह की थी और

(ख) यदि हाँ, तो 3-हे माप्ताहिक विभाग देने के बारे में क्या कायाकारी वीर गई है तथा यह प्रब उस्तु इस माप्ताहिक विभाग की ओपनी मार्ग रस्ते में भूक्त हताह की थी और यदि नहीं, तो इसके क्या कारण हैं?

रेल मर्दानय में राज्य मर्दी (श्री शिव नारायण) (क) जी नहीं। लेकिन पूर्वोत्तररेलवे के काल स्टेशन पर, जहाँ इस दल के सदस्यों हारा सहकारी आधार पर स्वयं आप्ताहनालय बचाये जाते हैं 15-12-1977 को भोजन करने वाले सदस्यों ने दिन के काल एक बार भोजन नहीं किया था।

(ख) यद्यपि रेलवे सुरक्षा बल के कम्बियरियों पर काम के बादों के विनियम लागू नहीं होते, फिर भी यह रेलवे साप्ताहिक विभाग की ओपनी देने के लिए सभी रेल स्टेशनों को अनुदेश जारी कर दिये गये हैं। तात्कालिक प्रबद्ध कम्बियरियों की सभी के अवधारणों को छोड़ कर पूर्वोत्तर रेलवे पर नियमानुसार 8 घण्टे प्रति दिन इयूटी ली जाती है।

जेलीय रेलवे सुरक्षा बल एसोसिएशनों के साथ जारी

3308 श्री रामा नन्द तिवारी क्या रेल मर्दी यह बनाने वीर कपा उत्तर फि

(क) मायना प्रान्त क्षेत्रीय रेलवे सुरक्षा बल एसोसिएशनों के साथ प्रायामन न ब्रह्म तक इतनी बार आर्हा हो और उन्हें न अनांदिया पर किन-किन मायना पर निर्णय लिये गय तथा कौन-कौन सी मायनों पर निर्णय नहीं हासका है और इन के क्या कारण हैं?

(ख) यद्यपि रेलवे सुरक्षा बल के सदस्यों द्वारा राजि मर्दा देने वा प्रत्येक मर्दाना के विचाराधीन है, यदि इस तो इन पर निर्णय दर्शने में विलम्ब है क्या कारण है और उन्हें निर्णय दर्शन में कौन-कौन सी रुकावाहन है या-

(ग) क्या गणराज्य वाचिकार इन मरमस्याओं का जात्र मरमाजा बनने वा है यदि तो तो क्या वह और यदि उन तारे इवाया तारे हैं?

रेल मर्दानय में राज्य मर्दी (श्री शिव नारायण) : (क) मायना प्रान्त क्षेत्रीय रेलवे एसोसिएशन के मायना सा दृष्टि मरमाजा नहीं होता है। लेकिन, एसोसिएशन दृष्टि, आर्या और अन्य देने के सुरक्षा प्रतिक्रिया के नीचे खाली प्रायामनी के हारा इन मरमस्याओं के नियन्त्रण में विनाशक/विचार नियम होता है।

(ख) रेलवे क्षादन के रूप गतिया के राज्य इयूटी भवन-सामने पर गणराज्य दर्शन कर देने के इन मरमाजा हारा मर्दाना रूप से नियार किया जा रहा है और प्रायामनी इन मरमाजों का वार्षिक तम रूप देने में दृष्टि आगरा दिया जा रहा है।

(ग) लम्बाराम दृष्टि मरमस्याओं का शीघ्रांतिशीघ्र हारा दृष्टि दृष्टि है। रेलवे गणराज्य दल एसोसिएशन दृष्टि दृष्टि, जो भवें गये मरमस्य पर नियार रूप से विचार नियम जा रहा है।

रेल सुरक्षा बल के लिये कल्याण नियम

3309 श्री रामानन्द तिवारी क्या रेल मर्दी यह बनाने वीर कूरा बरेंद्र हैं?

(क) क्या रेल सुरक्षा बल के सदस्यों तथा अधिकारियों के कल्याण के लिये इस ग्रंथालय के सदस्यों तथा अधिकारियों के अवधारण से कोई

कल्याण निधि बनाई गई है, यदि हाँ, तो सदस्यों तथा अधिकारियों के मानदान की बर बना है,

(क) इस कल्याण निधि की प्रबन्ध ममिति में सदस्यों के नाम तथा उनके रैक बना है और इस निधि में ईकावार किती मानदान की गई है, और

(ग) बना सदस्यों तथा अधिकारियों द्वारा दिये जाने वाले मानदान का लेका प्रयोग विवरण निम्नत रूप में उन्हें दिया जाना है?

रेख बतातात वे राज्य मंत्री (श्री शिव नारायण)
(क) जीहा। रेख मुरक्का दून व अधिकारियों और अवानों के कल्याण के लिए 1-4 1976 में रेख सुरक्षा कल्याण निधि के नाम पाक कल्याण निधि बनाई गयी है। उत्तर म सुरक्षा महानिराकाश/रेख मुरक्का दून तथा सभी अधिकारियों और जवानों को इस निधि में मानदान दरने के लिए कहा गया है। मूल

मानदान 120/- रुपये अवधार दीक्षारे बेतन आवोग वी लिफारियों के कार्यालय के परिवासकम देले मुरक्का दून के बेतनमानों को प्रतिम रूप देले के कारण बनाये गये दिल का 10 प्रतिशत, जो भी अधिक हो, निर्धारित किया गया था। मानदिक मानदान 2/- रुपये रखा गया है।

(क) प्रबन्ध ममिति में 24 सदस्य हैं। इनके नाम और पदनाम मलायन विवरण में दिये गये हैं। इस निधि में प्रदान जी गयी ईकावार मानदान से मन्दिर मन्दिर मन्दिर मन्दिर मन्दिर की जाए रही है और मन्दिर पट्टल पर रख दी जायेगी।

(ग) सदस्यों व मानदान जी पुस्तक मंसोरो लो बाद दो गयी हैं और मुरक्का अधिकारियों/मानदानों वी निर्देश दिये गये हैं कि वे मानदान की प्रविधिया करके मानदान पुस्तक प्रत्यक्ष मदस्य हो जाएं।

विवरण

क्रम सं	नाम	पता और मनदान	पदनाम
1	श्री गम नीरमित आडूपीलाम	महानीराकाश/२० म० द०	पदन अध्यक्ष रेख मुरक्का दून निधि
2	श्री बनजार मिह	२० एम०	सहायक मन्नाराकाश २०भ०द०
3	श्री आर० व० गुरबन्दा	उप महानीराकाश/२०म०द०/२० नव दृष्ट	पदेन काषायाल
4	श्री एन० गापालकृष्ण	मधुसूत दिव्यान् वित मन्नाराकाश परिवर्तन परिवर्तन नव दृष्ट	मदर
5	श्री आर० व० मिट	मुख्य मुरक्का आधिकारी उत्तर रेखे बडोदा हाडम तथा दिना	,
6	श्री ड० मुकुर्जी	मुरक्का आधिकारी पूर्व रेख हावडा	
7	श्री कवा व० जामा	मुरक्का आधिकारी उत्तर रेख नयो विल्ली	
8	श्री शश अनोम	मुख्य रेख मध्य रेख भुवन	
9	श्री आर० गम० हट्टपद	सहायक मुरक्का आधिकारी पर्वतम रेखे दिव्याई	
10	श्री बी० क० नरगिम्लन	सहायक मुरक्का आधिकारी, दक्षिण मध्य- रेख विजयवाडा ।	
11	श्री जी० सी० बृकरेती	निरीकाश/२० म०द० पूर्वोत्तर मीमा रेख, गवाहाटी	"
12	श्री आर० व० शैशव	निरीकाश/२० म०द०, उत्तर रेखे, मूरुरबन्दी	"
13	श्री आर० व० मुल	उप निरीकाश रेम० द० पूर्वोत्तर, रेख, गारखापुर	"
14	श्री ही० आर० मानालाल	उप निरीकाश/२० म०द०, दक्षिण पूर्व रेख, खडगापुर	"
15	श्री बुगी राम	सहायक उपनीरीकाश/२० म०द०, उत्तर रेखे, विल्ली मेन	"

क्रम संख्या	वाच	प्रसार और व्यवस्था	प्रबन्धन
16.	श्री दीक्षांत मिह	मुख्य राजक, उत्तर रेलवे, नवी दिल्ली ।	महस्य
17.	श्री दी० राधवन	सहायक उपनियोगिक/२० स०द०, दिल्ली-रेलवे महास	"
18.	श्री दी० एन० मिथ	मुख्य राजक, दिल्ली पूर्व रेलवे, बड़गापुर	,
19.	श्री देवेन्द्र मिह	मुख्य राजक रें०म० वि० द०, ८ बटालियन देवा बम्ही ।	,
20.	श्री मनमोहन परमाणिक	राजक, पूर्व रेलवे, मियानदह	"
21.	श्री एन०एस० सी० बोम	बारिठ राजक, दिल्ली मध्य रेलवे, मिवन्दरावाद	,
22.	श्री राम द्वारे	मुख्य राजकारी, मध्य रेलवे, मार्सी	,
23.	श्री रणजीत	मुख्य राजकारी दिल्ली रेलवे, उत्तर बगलूरु	,
24.	श्री के० एम०बी० देवनाथन	मुख्य राजक, दिल्ली रेलवे मध्यालय बम्ही	"

Sabotage in Gujarat State Fertilizer Factory at Koyali

3310 SHRI YADVENDRA DUTT: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether his attention has been drawn to a news-item of July 13 in the Baroda wherein it is alleged that Gujarat State Fertilizer Factory's factory at Koyali following widespread acts of sabotage has been brought to a halt; and

(b) if so, the reasons thereof and the steps taken by the Government to restart the factory and prevent sabotage?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):
 (a) and (b) The GSFC plants at Baroda were shut down following a strike from 12th July, 1978 by a section of officers in protest against disciplinary action taken against one of them. The strike was terminated and production resumed with effect from 16th July, 1978. A detailed report is awaited from State Government in regard to the alleged acts of sabotage and measures being taken to ensure the safety of the plants.

Cable thefts and misuse of Alarm Chains on Danapur Division

3311 SHRI YADVENDRA DUTT: Will the Minister of RAILWAYS be pleased to state

(a) whether cable thefts and misuse of alarm chains on the Danapur Division of the Eastern Railway has completely disorganized the railway traffic in the area specially between Patna and Gaya; and

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

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Does not arise

Stoppage of Trains due to cutting of Electric Wire at Mughalsarai

3312 SHRI YADVENDRA DUTT: Will the Minister of RAILWAYS be pleased to state:

(a) whether his attention has been drawn to the fact that on the night of 1st and 2nd July, 1978 at Mughalsarai near the Western Cabin a High tension electric wire was found cut

and broken whereby all the UP and DOWN trains including the goods trains were brought to a standstill;

(b) if so, total amount of loss incurred by the Railways; and

(c) steps taken to prevent such mischief?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No. On the night of 1st and 2nd July, 1978 there was no incidence of high-tension Overhead Electric wire-cutting at Mughalsarai near the Western Cabin.

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

चुने हुए प्रतिनिधियों को वापस बुलाने का अधिकार

3313. डा० रमजी सिंह : विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार ने चुने हुए प्रतिनिधियों को वापस बुलाने के अधिकार को सिद्धान्त रूप से स्वीकार कर लिया है;

(ख) क्या सरकार गुजरात तथा बिहार आनंदोलनों के दौरान चुने हुए प्रतिनिधियों को वापस बुलाने की मांग को अनुचित समझती है;

(ग) यदि नहीं, तो क्या इस को व्यावहारिक रूप देने के लिये सरकार न्यायविदों का एक आयोग गठित करने के प्रश्न पर विचार करेगी जैसा कि श्री जयप्रकाश नारायण तथा अन्य व्यक्तियों ने मांग की है; और

(घ) क्या चुने हुए प्रतिनिधियों को वापस बुलाने सम्बन्धी उपबन्ध अन्य देशों के संविधानों में हैं, यदि हां, तो उस प्रकार का उपबन्ध यहां पर करने में क्या कठिनाइयां हैं?

विधि, न्याय और कम्पनी कार्य मंत्री (श्री शान्ति शूण) : (क) से (घ). निर्वाचित प्रतिनिधियों को वापस बुलाने के अधिकार का विधिव्वारा उपबन्ध करने के प्रश्न पर निर्वाचित संबंधी मुद्धारों के लिए अन्य प्रस्तावों के साथ विचार किया जा रहा है। इस विषय पर गढ़न अध्ययन और सावधानी से विचार करने की आवश्यकता है। अतः इस विषय में निर्णय लेने में सरकार को कठ और समय लगेगा। निर्णय लेते समय वापस बुलाने संबंधी उन उपबन्धों को भी ध्यान में रखा जाएगा जो अन्य देशों के संविधानों में जिए हुए हैं।

Proposal to provide additional bogies in Kashmir Mail

3314. SHRI DURGA CHAND: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal for providing additional bogie upto Pathankot, in Kashmir Mail, Srinagar Express and Sealdah Express;

(b) whether it is also proposed to start an additional train from Delhi to Pathankot;

(c) whether the Railway Minister and Railway Board have received any representation recently in this regard;

(d) if so, what decision Government have taken or proposed to be taken in this regard;

(e) if not, what are the reasons therefor;

(f) whether Government have made any survey regarding the inconvenience caused by the commuters on Delhi-Pathankot line; and

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

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). No.

(c) Yes.

(d) to (g). One second class coach by 52Dn Express, one 3-tier sleeper and one second class coach by 60Dn Srinagar Express and one second class coach by 34Dn Mail are available at Pathankot for the convenience of passengers travelling to Delhi/New Delhi and Sealdah. These coaches are catering to the present needs of traffic. However, periodical census reveals overcrowding in these trains specially during summer/Vaishno Devi Fair. Introduction of any additional coach by these trains is operationally not feasible as a regular measure for want of room on these trains. Special

trains are run and additional coaches are attached during summer between Jammu Tawi and Delhi/New Delhi as per the traffic demands. Introduction of any additional train between Pathankot and Delhi/New Delhi as a regular measure is also not operationally feasible for want of spare line capacity enroute. However, a proposal for the introduction of a fast Express train between Jammu Tawi and Howrah has been finalised.

Stoppage of Express Train from Pathankot to Joginder Nagar at Panj-Rukhi and Biral

3315. SHRI DURGA CHAND: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the third Express train from Pathankot to Joginder Nagar does not stop at Panj-Rukhi and Biral;

(b) whether the Railway Minister and the Chairman Railway Board have received any representation in this regard:

(c) if so, what action is to be taken in this matter:

(d) if not what are the reasons therefor;

(e) whether the Railway Administration had made any survey into the difficulties faced by the commuters at these and other stations; and

(f) if so, what are the details therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Yes.

(c) to (f). Stoppage of 1PB/PB fast passenger is being provided at Panch-Rukhi and Biral Himachal halt with effect from 1-10-78.

2180 LS-8

Proposal to Amend M.R.T.P. Act to Deal with Irregularities of Large Business Houses

8318. SHRI DURGA CHAND: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is proposed to amend M.R.T.P. Act in order to strengthen the Company Department for expediting the cases of irregularities committed by the large houses; and

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

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) and (b). No, Sir. However, the Government is awaiting the recommendations of the Expert Committee, which is presently reviewing the provisions of the Companies Act and the M.R.T.P. Act. The report is expected to be available to the Government by the end of this month. Thereafter, the Government will examine them and take such action as may be deemed necessary.

दिल्ली-महामदाबाद बीटर लाइन को बड़ी लाइन में बदलना

3317. श्री सत्यनारायण चाहूँ :

श्री नानू तिह :

श्री बत्तल गुप्तर विद्वत :

श्री बत्तल तिह व० राजव :

क्या रेल मंत्री यह बताने की हुपा करेंगे कि :

(क) क्या यह सच है कि यत 18-20 वर्षों से दिल्ली-महामदाबाद बीटर लाइन, साराइ-माध्यपुर-जयपुर बीटर लाइन को बड़ी लाइन में बदलने तथा जोधपुर-मालवार के बीच बड़ी लाइन बिलाने के लिए प्रयास किये जा रहे हैं तथा सरकार इस बारे में समय-समय पर चोखा करती रही है;

(ब) क्या दिल्ली-ममदाबाद लाइन हरियाणा राजस्थान तथा गुजरात के बड़ी बाबासी बाले लोड से होकर गुजरती है और उक्त परिवर्तन से उन सभी को लाप्त होता ; और

(ग) यदि हाँ, तो इस बारे में घब तक कितनी प्रगति हुई है और इस बारे में पूरा व्याप क्या है?

रेल अंकाराव ने राष्ट्र संघी (वी तिव नारायण) :
(क) से : (ग) : विल्सी-ग्रहमदाकाव भीटर लाइन को बड़ी लाइन में बदलने की परियोजना की, जिस पर 108 करोड़ रुपये की लागत आयेगी, मंजूरी दे दी गयी है, परन्तु बहुत ही सीमित बादा में धन उपलब्ध होने के कारण 1978-79 में इस के लिए केवल मानकेतिक परिषय की व्यवस्था की गयी है। इस परियोजना के प्रारम्भ होने तक पूरा होने कोई निरिक्षण नहर आयी नहीं बताया जा सकता। सर्वाई-माइोपुर भीटर लाइन को बड़ी लाइन में बदलने के प्रस्तुत परिवर्तन-ग्रहमदाकाव भीटर लाइन का बड़ी लाइन में बदलाव हो जाने के बाद विचार किया जायेगा। धन की कमी के कारण जोधपुर से मारवाड तक कोई भीटर लाइन को बड़ी लाइन में बदलने का कोई प्रस्ताव विचाराधीन नहीं है।

Progress made regarding Oil Prospecting in Orissa, West Bengal, Assam and Tripura

3318. SHRI SAMAR GUHA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether satisfactory progress has been maintained regarding oil prospecting in the States of Orissa, West Bengal, Assam and Tripura;

(b) if so, facts thereabout; and

(c) whether any indication has been available regarding finding of new sources of Oil and gas in those States including off-shore exploration in regard to Orissa and West Bengal?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):
(a) Yes, Sir.

(b) In Orissa, gravity surveys were undertaken during the period 1958 to 1969. Reflection and refraction seismic surveys were also undertaken during the period 1970-1975. No deep drilling for exploration of oil and gas has so far been undertaken in Orissa by the ONGC. However, Oil India Limited are now taking action to conduct exploration for oil both on-shore and off-shore in the Mahanadi area in Orissa.

In West Bengal geological, gravity magnetic and seismic surveys are being continued. Besides the ONGC is currently drilling a deep well on the Diamond Harbour structure. Drilling of another well on the Radha structure is to be taken up shortly.

In Tripura geological surveys continue while seismic surveys have also been undertaken from 1977-78. Four rigs are currently deployed in the Baramura structure of Tripura and another deep drilling rig is scheduled to be deployed on the Gojalia structure. In Assam, the ONGC has been carrying out exploration since its inception and is already producing crude oil and natural gas from there. OIL are also producing oil and gas from their mining lease areas in Assam.

(c) In Orissa no indications have been found so far regarding sources of oil and gas. In West Bengal, oil and gas shows have been obtained in a number of wells drilled but commercial accumulation of hydrocarbons has not been found so far. Two wells in West Bengal off-shore have also been drilled without success.

In Tripura gas shows have been encountered in some of the wells drilled so far, however, their commercial significance has not yet been established. In the State of Assam the ONGC has already discovered oil and gas in commercial quantities. Here also the ONGC is prospecting in new areas.

In Orissa off-shore, OIL are planning to drill a few wells.

Production and Price of Soda-ash

3319. PROF. SAMAR GUHA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the price of soda-ash has gone up and it is being sold in black market;

(b) if so, facts thereabout;

(c) whether production of soda-ash is controlled almost exclusively by two big industrial houses and marginally by two other houses;

(d) if so, facts thereabout;

(e) whether these monopolies producers of soda-ash are artificially manipulating sale of soda-ash at higher prices and in black market as well;

(f) if so, facts thereabout;

(g) whether higher cost of soda-ash is affected small scale soda silicate manufacturers and in turn the small scale soap manufacturer, washing material manufacturers, washermen community and others and for that matter, common people;

(h) if so, steps taken or proposed by the Government for controlling sale of soda-ash at reasonable price;

(i) whether many reports have recently appeared in press regarding such racketeering in sale of soda-ash; and

(j) if so, facts thereabout?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). There is no statutory control over the prices and distribution of Soda Ash. However, it has come to the notice of this Ministry that selling prices of this commodity have shown an upward trend for some time past due to number of factors.

(c) and (d). Details of installed capacity/production of soda-ash are given below:—

Name of the Firm	Annual Production installed capacity (Tonnes)	during 1977 (Tonnes)
1. M/s. Tata Chemicals Ltd , Mithapur (Gujarat)	3,60,000	3,20,078
2. M/s. Saurashtra Chemicals, Porbandar (Gujarat)	1,68,000	1,77,756
3. M/s. Dhrangdhra Chemicals Works, Dhrangdhra (Gujarat)	65,000	54,142
4. M/s. New Central Jute Mills Co. Ltd , Varanasi (U.P.)	39,600	18,281
	6,32,600	5,70,257

(e) and (f). Reports of shortages of soda-ash from different parts of the country have been received by this Ministry since April, 1978 onwards. According to soda-ash manufacturers, the major bottleneck was the shortage of railway wagons for the transportation of raw materials (coal and salt) to the factory site and for the movement of finished products from the factory. Other factors responsible were reported to be (i) inadequate

availability of boiler feed water (in case of M/s. Tata Chemicals) and (ii) compressor breakdown (in the case of M/s. Saurashtra Chemicals).

(g) and (h). Soda-ash being in short supply, some soda-ash consuming industries including sodium silicate, soap and detergent powder in the small scale sector are reported to be unable to obtain their full requirement of this chemical.

To give immediate relief to the consumers of soda-ash, this Ministry, in consultation with the DGTD, has requested the State Chemicals and Pharmaceuticals Corporation of India Ltd. to make immediate arrangements for the import of 20,000 tonnes of soda-ash to supplement the indigenous production with a view to improve and regulate the supply and bring down prices of soda-ash. Customs duty has also been waived in respect of these imports with a view to keep the prices of the imported material roughly at par with the indigenous (manufacturers') prices

(1) and (j). Yes, Sir. Reports of shortages of Soda-ash and price hike have appeared recently in the Press.

Changes proposed by Law Commission to the Married women property Act 1874

3321 SHRI VASANT SATHE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Law Commission in its report suggested for reaching changes to the Married Women Property Act, 1874;

(b) if so, furnish details of the follow-up action taken by the Government in the matter so far in consultation with the State Government;

(c) what is the reaction of the State Governments Statewise to the changes proposed; and

(d) the final decision taken/proposed in the matter?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN). (a) Yes, Sir

(b) to (d). Copies of the Report were circulated to the Government of all States and Union territories and also to the concerned Ministries and Departments of the Government of India and certain professional and academic institutions. Comments from most of the State Governments and Union territory Administrations have been received. A gist of the comments so received are contained in the attached statement. Comments from other State Governments and Union territories are still awaited. Government will be able to take a final decision in the matter only after all the comments are received.

Statement

S No	Name of State/Union Territory	Comments
1	Government of Andhra Pradesh	The State Government is in general agreement with the recommendations of the Law Commission and the various important changes proposed by the Law Commission
2	Government of Gujarat	They are of the view that the comprehensive revision of the Married Women's Property Act, 1874, is necessary as suggested by the Law Commission and they endorse the Report of the Law Commission.
3	Government of Haryana	State Government agrees with the proposals contained in the Report of the Law Commission.

1	2	3
4 Government of Himachal Pradesh		They endorse the Report of the Commission.
5 Government of Kerala		Generally agree with the recommendation of the Law Commission
6 Government of Madhya Pradesh		The State Government has no comments to offer
7 Government of Maharashtra		The State Government supports the recommendations made by the Law Commission in the Report and approves the draft bill forwarded by the Law Commission and included in Appendix I in the Report
8 Government of Manipur		The State Government fully endorses the recommendation in the Report of the Law Commission. The proposed amendments are of absolutely necessity in view of the Women's Right to inheritance under the Hindu Succession Act 1956 and also of equality of right between men and women in all spheres of life and services as recognised by our constitution
9 Government of Mizoram		The Government of Mizoram agrees to the proposed legislation as recommended by the Law Commission subject to the condition that clause 8 of the Bill is retained without modification. It may be noted in this connection that the Married Women's Property Act 1873 is limited in its application to Lushai Hills (Now Mizoram) by notification under Assam Frontier Tracts Regulation 1870.
10 Government of Nagaland		In regard to the power of the State Government to pass exemption order under section 8 it is suggested "State Government" may be defined in the proposed Act (as has been done in several recent Acts) so as to mean, in relation to Union Territory, the Administrator of the Union Territory
11 Government of Orissa		According to a social usage and Naga Customary Law a Naga married women cannot hold property and she is not competent to dispose of any property and Section 1(2) may be amended inserting that it shall not extend to this State unless adopted by a resolution passed by the Legislative Assembly
12 Government of Punjab		State Government agrees with all the recommendations of the Law Commission.
13 Government of Tamil Nadu		The State Government supports the recommendation of the Law Commission
14 Government of West Bengal		The Government concurs with the recommendations contained in the Report
		The State Government agrees with some of the recommendations contained in the Report.

1	2	3
15. Andaman and Nicobar Administration	They agree generally with the recommendations of the commission	
16. Chandigarh Administration	The Administration has no comments to offer in the matter	
17. Dadra and Nagar Haveli Administration	They have no comments to offer on the Report of the Law Commission	
18. Delhi Administration	They have nothing substantial to add to the Report	
19. Lakshadweep Administration	No comments on the Report	
20. Government of Pondicherry	Since the Married Women's Property Act, 1874 has not been extended to Pondicherry, the question of furnishing comments on the Report, does not arise	

प्रश्नोचित तेल की वापत

3322 वी यावदत शर्त क्या ऐडोलियम रसायन और उर्वरक भंडी यह बताने की हुए करेंगे कि

(क) चाल वर्षे में देश में प्रश्नोचित तेल की किननी वापत होने वी समावना है

(ख) देश में प्रश्नोचित तेल के उत्पादन वी तुलना में इमको स्थिति यथा है,

(ग) क्या इनकी वापत और उत्पादन के बीच अन्तर को दूर बनने के लिए प्रश्नोचित तेल का आयान करने सकती कोई योजना है, और

(घ) यदि हात नो सरकारी और ईर-सरकारी जेत्रों को आयात हेतु किनने प्रतिशत लाइसेन्स लमता भवतुर विये जाने का प्रस्ताव है?

ऐडोलियम तथा रसायन और उर्वरक भंडी (वी हेमवती नवल बहुगुणा) (क) से (घ) वर्षे 1978-79 के लिए इस मध्ये वच्चे तेल के उत्पादन का अनुमान लगभग 12.14 मिली०टन है। इस वर्षाधी में अनुमान 15 मिली०टन का आयान करने का अनुमान है। यह पूरी तात्त्वा सार्वजनिक जेत्र के उपकरणों के माध्यम से आयान की जायेगी।

ऐडोल वर्ष लगाने और उर्वरक तथा रसायन कारखाने स्थानित वार्ताएं के लिए सहकारी समितियों, हस्तियों और आदिवासी लेल हैं लोगों को लाइसेन्स जारी किया जाना

3323. वी यावदत शर्त: क्या ऐडोलियम तथा रसायन और उर्वरक भंडी यह बताने की हुए करेंगे कि

(क) क्या सरकार का देश में पेट्रोल पम्प लगाने तथा उत्पादक घौषणी तथा आयन उत्पादन करने वाले कारखानों की स्थापना के लिये सारांसेह लेने के मामले में सहकारी समितियों, हस्तियों और आदिवासी लोग का नारजीह देने का है, और

(ख) यदि नहीं, तो इनके क्या बारण हैं?

ऐडोलियम तथा रसायन और उर्वरक भंडी (वी हेमवती नवल बहुगुणा) (व) और (ख) उर्वरक रसायनों और घौषणी के निर्माण के लिये कारखानों की स्थापना करने में सर्वाधिक नियंत्रण की साक्षरता प्रदत्ती है। इस गेसे कारखाने सामाने हेतु घौषणागिक लाइसेन्स के लिये आवेदन पत्र देने की किसी व्यक्ति विशेष में शाम और पर बहुत बड़म करता होती है।

जहात तक सभव हो पर्याप्त विस्तृय सासाधनों में भूक्त सहकारी समितियों को बरीमता दी जाती है।

जहात तक पेट्रोल पम्पों का सबधाई, सरकारी जेत्र की तेल कर्मनियों की भंडी प्रकार की ऐजेंसियों में से 25 प्रतिशत ऐजेंसियों को अनुदृचित जाति और अनुदृचित जमाति के लिये आरंभित किया जाता है और 2 प्रतिशत को जारीरिक रूप से अपने व्यक्तियों के लिये आरंभित किया जाता है। लेप 73 प्रतिशत ऐजेंसियों व्यक्तियिक आवार-एर भी जाती है जिस में आम वार्ते समान होने पर प्रयाणिक और पूर्ण सहकारी समितियों और एंडो इक्सट्रीज करपोरेशन को बर्दंदा दी जाती है।

रेलवे में कर्मचारियों के बाबत कर्मचारियों के संबंधी

3324. श्री बलदत्त शर्मा: यह रेल मंत्री यह बताने की हुपा करेंगे कि :

(क) रेलवे में ऐसे कितने कर्मचारी हैं जिनके नजदीकी सबूती अधिकारियों के पास पर कार्य कर रहे हैं, और

(ख) कुल कर्मचारियों की संख्या में ऐसे कर्मचारियों की प्रतिक्रिया कितनी है?

रेल मंत्रालय में राज्य मंत्री (श्री लिल नारायण):
(क) और (ख). रेलवे में काम कर रहे कर्मचारियों के नजदीकी के बारे में मे कोई सूचना नहीं रखी जाती है, किंतु कर्मचारियों के व्यक्तिगत रिकार्ड में इस प्रकार के संबंधों का उल्लेख करने की कोई व्यवस्था नहीं है।

Wagon allotment for Jaipur Udyog

3325. SHRI C. K. CHADRAPPAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the management of Jaipur Udyog is experiencing lot of difficulties in getting wagons for the despatch of cement;

(b) whether it is a fact that a huge stock has been piled up in the SILOS of the factory; and

(c) if so, what action has been taken to run the factory smoothly?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). No.

(c) Does not arise.

Proposal to Intercept Trains to check Ticketless Travel

3326. SHRI RAJENDRA KUMAR SHARMA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is proposed to intercept trains between two stations to check ticketless travel; and

(b) if so, the trains to be subjected to such checking?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b) Mid-section checks by stopping trains out of course are already being conducted from time to time, by deploying sufficient force. During the checks the ticket checking parties in sufficient force are taken to the place of check and the train is stopped for thorough checking. To make the checks effective, complete secrecy is maintained.

Diversion of Railway Traffic to Road Transport

3327. SHRI RAJENDRA KUMAR SHARMA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that there is a diversion of traffic from Railways to Road transport during the last two or three years; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes. There is some diversions of high value traffic from rail to road during the last few years.

(b) The main reason is increase in the number of National Permits, which are affecting the loading of high value goods for long distances. Road hauliers are private individuals who do not have to conform to the rules and procedures like the railways have to do and they can make overt and covert concessions on the spot for enticing away traffic. Besides, Road transport has certain inherent advantages i.e. smaller unit of operation, door to door service etc.

Licensed Porters

3328. SHRI RAJENDRA KUMAR SHARMA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of licensed porters working in Railways;

(b) the Railway-wise break up of such licensed porters; and

(c) the steps taken for their betterment after nationalisation of Railways?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) 38,828.

(b)

Railway	No. of licensed porters working
Central	4064
Eastern	7160
Northern	8745
North Eastern	3401
Northeast Frontier	2102
Southern	2930
South Central	2697
South Eastern	3632
Western	4115

(c) The licensed porters, who were previously supplied by contractors, are now licensed by the Railway Administration directly eliminating the middlemen as contractors.

The facilities generally available to licensed porters at stations are as under:—

(i) Free out-door treatment for self only at railway hospital/dispensary. Indoor medical treatment in a railway hospital in case a licensed porter sustains injuries while carrying passengers' luggage in the railway premises.

(ii) Such casual leave in a calendar year as may be allowed by the Station Master/Superintendent.

(iii) Free use of the Railway's light trolleys/hand barrows for carriage of passengers' luggage.

(iv) Facilities such as waiting halls, latrines, canteens etc. provided at the station for use of II Class bona fide passengers.

(v) Admission of their children in railway schools subject to the availability of seats.

(vi) Transference of the licence badge to a son or a near relative in the case of old age or physical unfitness or death.

(vii) Free use of rest shelters wherever provided.

Ludhiana-Chandigarh Railway Line

3329 DR BALDEV PRAKASH: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is a proposal to link Ludhiana with Chandigarh by a railway line;

(b) if so, whether any preliminary work has been done; and

(c) whether the project has been sanctioned; and if so, when it is going to be taken up?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). A final location (engineering) survey for the construction of Jagadhri-Chandigarh-Ludhiana rail link has been carried out during 1970. Due to severe constraint of resources and heavy commitments already made it has not been possible to undertake the construction of his rail link so far.

Price Approvals granted to M/s. Warner Hindustan Ltd.

3330. SHRI RAMJI LAL SUMAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(e) what are the details of proposals for which price approvals have

been granted to M/s. Warner Hindustan Ltd., during last three years, yearwise;

(b) details of industrial licences under which these products are covered;

(c) for how many new articles price approvals were not granted to this company during last three years and reasons for not granting the approvals; and

(d) what steps are being taken to withdraw price approvals wrongly accorded for Tederal C and whether opinion of Law Ministry was available on this; if so, details thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):
(a) M/s. Warner Hindustan Ltd., were granted price approval for only one new product, namely, Tederal C tablets on 15th October, 1976 during the last three years.

(b) The company were already manufacturing Tederal Tablets on the authority of the industrial licence obtained by them on 14th December, 1962 and it was considered that they could take up the manufacture of Tederal C tablets on the same authority.

(c) Price approvals for Coskin E and Waterbury Vapour Rub have been refused to this company during the last three years on the ground that these would be 'new articles' and would not be covered under the authority of industrial licence obtained by them in 1962. The company have, however, represented against the decision of the Government.

(d) The opinion of Ministry of Law, Justice & Company Affairs on the interpretation of the definition of new article as given in the Industries (Development & Regulation) Act, 1951 was received on 17th February, 1977 on a reference made in an another case. Since there were a number of cases in which the interpretation of the definition of 'new article' was involved, all such cases including the case of Tederal C tabs.

have been sent to the Ministry of Law for their further opinion.

Vacancies of Members of Law Commission

3331. SHRI G. M. BANATWALLA:

SHRI MUKHTIAR SINGH
MALIK:

SHRI SHYAM SUNDAR
GUPTA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number of vacancies of Members of Law Commission which have not been filled in so far;

(b) the time by which they are lying vacant; and

(c) by when these vacancies are likely to be filled?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): (a) No post of Member Law Commission, is vacant

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

Places for oil exploration

3332. SHRI G. M. BANATWALLA:

SHRI MUKHTIAR SINGH
MALIK:

SHRI SHYAM SUNDER
GUPTA:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of places where exploration of oil works has been going on;

(b) the number of wells drilled on each place;

(c) the number out of the wells drilled found to be oil/gas bearing; and

(d) expenditure incurred in each together with the quantity of oil/gas found?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) Oil exploration has been going on throughout the length and breadth of this country. However, to be specific, drilling activities have been taken up in the States of Gujarat, Assam, Arunachal Pradesh, West Bengal, Tripura, Nagaland, Meghalaya, Uttar Pradesh, Bihar, Punjab, Himachal Pradesh, Jammu & Kashmir, Tamil Nadu, Pondicherry, Andhra Pradesh and Rajasthan. It has also been extended in the offshore areas of the Arabian Sea and Bay of Bengal.

(b) Statewise break up is as follows:

Gujarat	.	1113
Assam	.	695
Arunachal Pradesh	.	3
Meghalaya	.	2
Nagaland	.	3
Tripura	.	3
West Bengal	.	4
Uttar Pradesh	.	3
Punjab & Himachal Pradesh	.	9
Bihar	.	2
Tamil Nadu & Pondicherry	.	18
Rajasthan	.	16
Jammu & Kashmir	.	3
Offshore	.	84
TOTAL	—	1960

(c) Out of 1960 wells drilled till 30th June, 1978, 1127 are oil and 127 gas bearing.

(d) As on 1-1-1977, ONGC has established initial recoverable reserves as under:

	Oil (Mn Tonnes)	Gas (Million cubic Metres)
Onland	136.21	34866.3
Offshore	175.51	148108.5

As on 1-1-1978, Oil India Ltd. has estimates of the proved and indicated reserves of 33.46 Million tonnes of crude oil and 53,982 Million standard cubic metres of natural gas.

Figures of expenditure well-wise are not available.

बेरठ में उत्तर न्यायालय की बैठक की स्थापना

3333. श्री बद्वाराम शास्त्र :

श्री नवाचार्य तिलू चौहान :

क्या जिलि, न्याय और कल्पनी कार्य मंत्री यह बनाने की इच्छा बरेगे कि

(क) क्या बेरठ जिले में उत्तर न्यायालय की एक बैठक स्थापित किये जाने का एक प्रस्ताव घनेक बर्दौं से मरकार के विचाराधीन है, और

(ब) यदि हाँ, तो क्या मरकार का राज्य सरकार को इस बैठक को बायां बर्दौं में बोलने के बारे में निर्देश देने का विचार है?

विजिल, न्याय और कल्पनी कार्य मंत्री (श्री ज्ञाति चौहान) : (क) श्रीर (ब) बेरठ में एक न्यायपीठ स्थापित करने के विषय में एक प्रस्ताव, तकालीन विजिल, न्याय और कल्पनी कार्य मंत्री हांगा उत्तर प्रदेश के नवाचारीन मुक्य मंत्री से विचार करने के पश्चात प्रारम्भ में उत्तर राज्य सरकार से दिवित्यार 1976 में प्राप्त हुआ था और भारत सरकार ने राज्य सरकार को एक यद विचार था। उत्तर समय भारत सरकार ने उस प्रस्ताव पर कोई निर्णय नहीं लिया। उत्तर प्रदेश की बहुमतन सरकार ने यार्ड 1978 में भारत सरकार को यह लिखा की उनकी राय, में उत्तर प्रदेश के परिवर्ती विलो के लिए उत्तर न्यायालय की न्यायपीठ स्थापित करने का अधिकारिता है। उत्तर प्रदेश में मुक्य मंत्री ने जल्दी, 1978 में भूलित किया है कि वे इस बारे में कि प्रस्तावित न्यायपीठ किस जगह स्थापित की जाए और उस की अधिकारिता में कौन कौन से विनें रहे जाए, राज्य सरकार के विचार समय से लेंगे गे। राज्य सरकार से लिवित प्रस्ताव प्राप्त होने पर इस विषय पर आगे विचार किया जाएगा।

Doubling of Sealdah-Bongaon Track

3334. SHRI CHITTA HASU: Will the Minister of RAILWAYS be pleased to state:

(a) whether the attention of the Government have been drawn to the

non-official resolution passed by the West Bengal Legislative Assembly demanding the doubling of the track between Sealdah and Bongaon of the Eastern Railway; and

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

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) It was reported that such a non-official resolution was passed but there is no official communication so far.

(b) It will be possible to take a decision when the question of making suitable financial arrangements for this unremunerative scheme, which is being actively pursued, is finalised.

Decision on Bonus

3335. SHRI CHITTA BASU:

SHRI DRONAM RAJU
SATYANARAYANA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have finally taken any decision on the issue of bonus to Railmen in the context of Bhoothalingam Study Panel Report, and

(b) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). The question of bonus concerns not only Railway employees but also employees of other Central Government Departments. The matter is under examination of the Government and a decision is yet to be taken

Proposal to make changes in rules of procedure of Supreme Court

3336. SHRI JANARDHANA POOJARY: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to make changes in the rules of

procedure of the Supreme Court to reduce delays in the disposal of cases; and

(b) if so, the details thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS: (SHRI SHANTI BHUSHAN): (a) and (b). Recently approval of the President under Article 145(1) of the Constitution was conveyed to the Supreme Court of India for amending the Supreme Court Rules, 1966. Necessary amendments to the Supreme Court Rules have been made and they have come into force on 18-3-1978. The purposes to be achieved by these amendments are given in the statement attached.

Very recently, the Supreme Court of India has proposed further amendment of the Supreme Court Rules, 1966. The approval of the President as required under Article 145(1) of the Constitution has been conveyed to the Supreme Court. By these amendments, some more powers are sought to be given to the Registrar or the Judge-in-Chambers to save the time of the Court.

Statement

Amendment of the Supreme Court Rules, 1966 purposes to be achieved.

1 To save the time of the Court, some additional powers have been given to the Registrar and the Judge-in-Chambers to dispose of some matters which were previously listed before the Court or Judge-in-Chambers.

2 While granting special leave, in all matters in which the Bench granting special leave is of the opinion that the matter can be disposed of within a short time, say, within an hour or two, it will indicate accordingly and the Registry of the Supreme

Court maintains a list of such matters for directions to be obtained from the Chief Justice of India to list short matters before a separate Bench so that they can be disposed of quickly.

3 The Review Petitions are now disposed of by circulation to the Judges instead of being listed before the Court. No Second Review Petition is now entertained.

4 If service of any notice order or document has not been completed within six months in any matter the same is listed before the Court after notice to the Advocate-on Record for the parties and the Court may thereupon dismiss the matter for non-prosecution or give such directions as it may deem fit

5 To curtail the time taken by the Counsel in the hearing of a matter, amendments have been made in the rules to the effect that at any time before or as soon after the commencement of arguments at the final hearing of a case as may be feasible the Court will ascertain from the Counsel of each party to be heard the time which the counsel's arguments on the matter are likely to take. After ascertaining the same the Court may fix the time for arguments of each party or each counsel and the counsel can supplement his oral arguments by written submissions.

एकाधिकार मूर्ति में नीकरी कर रहे सेवानिवृत्त सरकारी अधिकारी

3337 भी बृहत्येव भारतम् वाचम् क्या विद्यते, व्याख्या और कल्पना कार्य में भी यह वाचान की कृपा कहेंगे कि ऐसे सेवा निवृत् स्वरकारी धर्मिकानियों की सदाचारा वित्तिनां हैं और एकाकिरण व्याख्या में नीतियों का कर रहे हैं वे कब से उन की सेवा में हैं तथा कितने दार्शनीय व्यक्तित्व इन महान् दों सेवा में हैं तथा कब से हैं और उन्हें इस सेवा के बदले क्या दिया जा रहा है ?

सिद्धि, व्याप और वास्तवी कार्य लेनी (जी नाति भूम्प)। एकाधिकार एवं नियंत्रणकारी व्यापार प्रबा अधिनियम, 1969 के अन्वरण में, एकाधिकारी वारानों का कार्य उन "उपक्रमों" से लिया गया है जो अधिनियम की द्वारा 20(क) के उपलब्धों के

के संदर्भ में इसकी आरा 26 के अन्तर्गत पड़ी है। इन उपलब्धों के अन्तर्गत 1031 वीं संख्या तक कम्पनियों का पञ्चिकरण हुआ है।

कम्पनी अधिनियम १९५६ के उपलब्धों के अन्तर्गत, कम्पनियों के लिये बने यहां नीकरी कर रहे थे। यहां निवास सरकारी अधिकारियों की सम्मत उपलब्ध राजीतिक अधिकारियों की सम्मत बहुत अपेक्षित नहीं है। यह भी अप्पे नहीं है कि राजीतिक अधिकारियों के द्वारा अप्पे है। अत उपलब्ध देना सम्भव नहीं है।

ਮੈਂਹਿੰਦਿਆ ਅਲਿਆਂ ਹੋ ਜਾ ਹੋ ਵਾਡੀ ਅਲਿਆਂ ਹੀ ਜਾਣ

3338 श्री किरणी प्रसाद क्या रेल मद्री यह
बताने की कृपा करें कि

(क) पूर्वोत्तर राज्य मोरक्कपर म बाल वित्त वय के दौरान कितन व्यक्ति नैतिक अधिकारादि के रूप म भर्ती किय गये और उन म अनन्तर्भुक्त जनसंघों तथा अनन्तर्भुक्त जनसंघों के लाभों पर प्रतिनियत तथा उन की मददा वित्तीय है।

(ब) यह सच है कि इन में से कल्प व्यक्ति पहली भी वायर वर चुने हैं और यदि हां तो उनकी सक्षमा कितनी ही भीर

(ग) बलभान नैमित्तिक अभियान ए एसे अधिकारियों की सक्षमा प्राप्तग प्राप्तग वितरी है जिन्होंने समाद महस्यों तथा अधिकारियों की सिपाहीराजा पर भर्ती किया गया है।

रेल नियंत्रण में राष्ट्र मंत्री (धी रियानारायण)
(क) 19282 इन में धनसूचित आति
पौर धनसूचित जन जाति को सक्षम और प्रतिक्रिया के
सम्बन्ध में सचना इकट्ठी वी जा रही है और नवा
पटल पर रख दा जायेगी।

(ब) जी हा 17550

(ग) नियाजन सिस्टमों के आधार पर नहीं किया जाता। सामान्य व्यवस्था यह है कि कार्यभारी नियोजक इन अधिकारियों की भर्ती स्थानीय रूप से करें।

RE BUSINESS OF THE HOUSE

12 02 hrs

MR SPEAKER Before we proceed with the next item, I have an announcement to make

SHRI SAUGATA ROY (Barrackpore) What about the disclosures regarding the Boeing scandal? The hon. Minister should come forward with a statement. It is a serious scandal which has come about

MR SPEAKER There is a Motion for discussion between 6 to 8 PM for discussion today Due to unavoidable reasons that Motion could not be taken up today for discussion Some early time will be found for that discussion Both the hon Minister and the Mover have agreed to that If the House agrees, we can utilise that time for discussing the Constitution (Forty Fifth) Amendment Bill which is before the House This time may be utilised for that discussion Later on we can find some time for discussion of this item which was originally fixed for today from 6 to 8 PM

Is it the pleasure of the House to accept this'

SOML HON MEMBERS Yes

MR SPEAKER Yes This is accepted

SHRI SAUGATA ROY Sir are you going to allow any discussion on the Boeing disclosures? They have stated that they have paid some amounts for seven parties in India for selling their Aircrafts Now Sir it is a very serious matter for the Minister to note He has stated something outside the House (Interruptions) He should come to the House and make a statement here

MR SPEAKER I suppose you are by this time familiar with the rules Why dont you give a proper notice?

SHRI SAUGATA ROY I have given a proper notice

MR SPEAKER That is under my consideration

SHRI SAUGATA ROY I have given a proper notice It is not that I have not given it

SHRI JYOTIRMOY BOSU (Diamond Harbour) Under Rule 377 I rise on a point of order This is regarding the observations which you made just now

PROF P G MAVALANKAR (Gandhinagar) Will this discussion on Rail-way accidents on Mrs Parvathi Krishnan's Motion come up for discussion in this session?

MR SPEAKER Yes

SHRI JYOTIRMOY BOSU I have a point of order on the observation which you made just now I expect that you are aware of the fact that the Government of India should write to the United States Government Then and then only they will divulge the names I would like to know from the Government whether they are going to write to the United States of America to divulge the names of those persons

MR SPEAKER This is not a point of order This is a point of disorder This is not a Point of Order at all (Interruption)**

MR SPEAKER Dont record it

SHRI SAUGATA ROY The Minister should be given some Parliamentary training

MR SPEAKER Many of us require that

SHRI DINEN BHATTACHARYA (Serampore) I would appeal to the hon Member who raised the issue to follow the maxim which says Doctor heal thyself Otherwise the cat will be out of the bag!

MR SPEAKER Order please Now Papers to be laid on the Table
Shri Shanti Bhushan

12.04 hrs

PAPERS LAID ON THE TABLE
STATEMENT RE MANAGING DIRECTOR OF
SOUTH INDIA VISCOSE

THE MINISTER OF LAW JUSTICE
AND COMPANY AFFAIRS (SHRI

**Not recorded

SHANTI BHUSHAN): Sir, I beg to lay on the Table a statement under Direction 19 of the Directions by the Speaker, in reply to Half-an-Hour discussion raised by Shri Jyotirmoy Bosu on the 31st July, 1978 regarding charges against the Managing Director of South India Viscose [Placed in library See No LT-2583/78]

ओह इसमें देख नारायण बालक : (मध्यमी)
प्रधान मंहादेव, मेरा अवधार का प्रबन्ध है।

मैंने नियम 222 के संतानिक विज्ञेयाधिकार का प्रस्ताव जनपुर अवधार के विलापक भाग के यहाँ दाखिल किया था, जिस पर भाषपत्र काई नियंत्रण नहीं हुआ है।

MR SPEAKER I am sorry I am not able to fully express myself in Hindi. I have sent word to you. I would like to meet you in my chamber and discuss the matter with you. You have not the kindness to meet me. I have sent word to you. Please come and meet me. We can discuss it.

ओह अवीराम बालक (भवर) अध्यक्ष मंहादेव विज्ञेयाधिकार के सवाल पर अवधार मेरे मिसन का कौनसा सवाल है, यह किसी एक अवधार का सवाल नहीं है, यह मदन का अवधार है, मदन के मध्यमे मार्गी बात आती चाहिए। अवधार मेरे यही कहार था जाये, वह किसी अवधार की मानहानि हो या मदन की मानहानि हो, तो मद आपके अवधार मेरे यह अवधार मास्टर थीर विज्ञार्थी का सवाल थाए हो तो कि अवधार मेरे आवार बहुत बीख से। यह मदन की कार्यवाही है। विज्ञेयाधिकार का अवधार मदन मेरा आवाहन। काई दिनों से अवधार को अवधार की इकलूक को पढ़ाने के लिए उल्टा-कुट बदान था गह है। अगर काई मर्यादा का नवाच यहाँ रखे तो आप कहने हैं कि अवधार मेरा था जाये। अवधार यही बात देख के मामने हैं आयेंगी। इसके सामने तो मदन की बात आयेगी।

SHRI JYOTIRMOY BOSU (Diamond Harbour) Sir, I have written to you that I want to ask some clarifications on this.

MR SPEAKER You should give notice for that.

SHRI JYOTIRMOY BOSU Let him read out the statement and then we will know how hollow the statement is.

MR. SPEAKER He will not read out the statement.

SHRI JYOTIRMOY BOSU Sir, he has laid it on the Table of the House. May I ask the hon. Minister to read out the statement? Let him read out the statement. It is a very important statement because it concerns one of the largest groups of companies—South India Viscose and the Madras Aluminim Co—and they have been run by thugs and rogues. I would like to ask a few questions.

MR SPEAKER It is not permissible under Direction 19. I cannot help it.

SHRI B RACHAIAH (Chamara-nagar) Why don't you have a Half-an-Hour discussion on this? (Interruptions)

SHRI JYOTIRMOY BOSU Sir, what happened on that day was that the Chair had adjourned the House suddenly and in an abrupt manner thereby depriving the House of asking questions arising out of the statement that the Minister is expected to make. Now, he has chosen to make a statement today in a very ambiguous manner. Why is Mr. Shanti Bhushan so kind to them? I do not understand this. I know the reason. I know who is the lawyer who is working for South India Viscose and what he was doing in Sarkaria Commission. I want to ask him questions. I want clarifications. (Interruptions)

MR SPEAKER I will read out Direction 19 pertaining to Half-an-hour discussion.

"19 When half-an-hour discussion under sub rule (1) of rule 53 is interrupted for want of quorum or when there is no time for the Minister to give a full reply to the debate, he may, with the permission of the Speaker, lay a statement on the Table of the House"

SHRI JYOTIRMOY BOSU: Would you kindly read out my notice? I seek some clarification on this point.

MR. SPEAKER: I am sorry I cannot do that. No clarification is permissible.

SHRI JYOTIRMOY BOSU: Because Government is shielding this group, the Managing Director and Mr. Venkataswamy Naidu are given protection. (Interruptions). Because the Chair had suddenly and abruptly adjourned the House thereby depriving the House to discuss further on that subject....(Interruptions)

MR. SPEAKER: That cannot be gone into now.

SHRI JYOTIRMOY BOSU: Why, Sir? Why should we suffer for that?

SHRI K. LAKKAPPA: (Tumkur): Sir, I have a point of order.

MR. SPEAKER: What is your point of order?

SHRI K. LAKKAPPA: Sir, whenever I raise a point of order, you ask me: what is the point of order and under what rule? Under half-an-hour discussion, I had given my name for taking a ballot and my name was chosen. I was given an opportunity to put a question on that subject. When I had put a question to the hon. Minister, by that time the House was abruptly adjourned. We also brought it to your kind notice. Therefore, I request you to allow me to put a question now. Unless and until my question is gone on record, the discussion is not complete. (Interruptions) Therefore, Sir, any statement making even under your direction by the hon. Minister, would be incomplete unless my question is gone on record. He does not know what question I want to put. Therefore I want, under the provisions, under the rule and in conformity with the rules when my question was admitted, the Minister should make a statement under your direction, on

the basis of my question. Therefore, I am entitled to put a question.

MR. SPEAKER: If I remember correctly, the other day you asked for my permission to send a written question to the Law Minister and I consented to that, so that he may also reply to that question in the statement, but I do not think, you have sent any question.

SHRI K. LAKKAPPA: The question is on record.

SHRI JYOTIRMOY BOSU: Sir, you read the statement...***

MR. SPEAKER: Do not record.

I am dealing with Shri Lakkappa's objection. If you, Mr. Lakkappa, had sent the question, he would have clarified the position. I do not know whether you have sent the question.

SHRI K. LAKKAPPA: I was to put a question on that day; my name had come in the ballot. I thought, he would make a statement under your direction and on that day, I wanted your permission...

MR. SPEAKER: The record will bear out both of us; you said that you would send a written question and I permitted you to do that.

SHRI K. LAKKAPPA: I seek your permission to put a question now.

MR. SPEAKER: That is not permissible under the rules.

SHRI JYOTIRMOY BOSU: Sir, have you got a copy of the statement before you? Is he not taking the House for a ride? Kindly take a little pain.

MR. SPEAKER: You are a very very senior member of the House.

SHRI JYOTIRMOY BOSU: One of the Members.

MR. SPEAKER: You have to set an example to others; the rules and directions have to be obeyed; may be

[Mr. Speaker]

wrong or right. If you want, you can change them. I do not think it applies to others and not to you. You are in the Rules Committee and have been taking active part in its deliberations. The rules provide that when there is no time or for any other reason, the House is adjourned, only a written statement is to be laid on the Table of the House.

SHRI JYOTIRMOY BOSU: This is a very unusual type of statement...

MR SPEAKER: May be usual or unusual. I have not heard any usual statement from you; it is always unusual. Fortunately, for two days you were not here, the work was going on smoothly.

RAILWAYS RED TARIFF (FIFTH AMENDMENT) RULES, 1978

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): I beg to lay on the Table a copy of the Railways Red Tariff (Fifth Amendment) Rules, 1978 (Hindi and English versions) published in Notification No. G.S.R. 913 in Gazette of India dated the 15th July, 1978, issued under section 47 of the Indian Railways Act, 1890. [Placed in Library. See No. LT-2584/78]

NOTIFICATIONS UNDER INCOME-TAX ACT, 1961, WEALTH TAX (AMENDMENT) RULES, 1978, ETC.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH): I beg to lay on the Table:—

(1) A copy each of the following Notifications (Hindi and English versions) under section 296 of the Income-tax Act, 1961:—

(i) The Income-tax (Third Amendment) Rules, 1978, published in Notification No. S.O. 222(E) in Gazette of India dated the 31st March, 1978.

(ii) The Income-tax (Fourth Amendment) Rules, 1978, published in Notification No. S.O. 351(E)

in Gazette of India dated the 24th May, 1978.

(iii) The Income-tax (Fifth Amendment) Rules, 1978, published in Notification No. S.O. 355(E) in Gazette of India dated the 25th May, 1978.

(iv) The Income-tax (Sixth Amendment) Rules, 1978, published in Notification No. S.O. 363(E) in Gazette of India dated the 29th May, 1978.

(v) The Income-tax (Seventh Amendment) Rules, 1978, published in Notification No. S.O. 433(E) in Gazette of India dated the 7th July, 1978.

(vi) The Income-tax (Eighth Amendment) Rules, 1978 published in Notification No. S.O. 464(E) in Gazette of India dated the 24th July, 1978 [Placed in Library. See No. LT-2585/78]

(2) A copy of the Wealth-tax (Amendment) Rules, 1978 (Hindi and English versions) published in Notification No. S.O. 434(E) in Gazette of India dated the 7th July, 1978 under sub-section (4) of

section 46 of the Wealth-tax Act, 1957. [Placed in Library. See No. LT-2586/78.]

(3) A copy of the Gift-tax (Amendment) Rules, 1978 (Hindi and English versions) published in Notification No. S.O. 435(E) in Gazette of India dated the 7th July, 1978, under sub-section (4) of section 46 of the Gift-tax Act, 1958. [Placed in Library. See No. LT-2587/78.]

(4) A copy of the Companies (Profits) Surtax (Amendment) Rules, 1978 (Hindi and English versions) published in Notification No. S.O. 436(E) in Gazette of India dated the 7th July, 1978, under sub-section (3) of section 25 of the Companies (Profits) Surtax Act, 1964. [Placed in Library. See No. LT-2588/78.]

(5) A copy of the Interest-tax (Amendment) Rules, 1978 (Hindi

and English versions) published in Notification No. S.O. 497(E) In Gazette of India dated the 7th July, 1978, under sub-section (4) of section 27 of the Interest-tax Act, 1974. [Placed in Library. See No. LT-2589/78]

(6) A copy each of Notifications Nos. U S R. 390(E) and 391(E) (Hindi and English versions) published in Gazette of India dated the 31st July, 1978, together with an explanatory memorandum, rescinding the provisions of Notifications Nos. 13-Customs and 14-Customs dated the 7th January, 1978, under section 159 of the Customs Act, 1962. [Placed in Library. See No. LT-2590/78]

बी हुक्म वेद नारायण यादव (मधुवर्णी) भारत सरकार यादव, मैं आप से यह निवेदन करता हूँ कि यह लोग जो गांधी जी की वाले लोग हैं, किसान लोग, यह जब से इस सरकार में किसी वाले को रखते हैं जो उस का इतना महत्व नहीं दिया जाता है। हम जो एक साधारण वाले समझने लाले लोग हैं। धार्य-कर, धार्य-कर, सम्पर्क के ऊपर प्रतिकर, कम्पनी (साम) प्रतिकर, धार्य-कर और लोग जूलक के प्रधानियम इन सारे करों के नियमों से सरकार इतने संसोधन करती है। लेकिन इन नियमों में इतने सारे संसोधनों के बाबजूद जो हिन्दुस्तान के बड़े-बड़े पृष्ठीयतिह हैं उन के ऊपर लगभग 25 करों द्वारा लगभग 25 करों का बकाया है, काले जन का जो बाकी होग वह तो अलग होगा। मैं समझता हूँ कि उन करों से संसोधन नियमों में जो सरकार संसोधन करती रही है और इन बड़े बड़े उद्योगपतियों के ऊपर जो कीमत बैठाती रही है उन पर लगभग एक करों द्वारा सरकार का बर्बाद हो गया। लेकिन जब सरकार उन बड़े बड़े उद्योगपतियों और धार्यापतियों में बकाया कर की बम्ली करते हैं तबकम है तो इन नियमों में संसोधन करने और उन संसोधनों को को नवापाठन पर रखने का क्या महत्व है? हम तब तब नहीं मानेंगे कि सरकार का संसोधन सही है या सरकार सही संसोधन कर रही है जब तक यह 25 करों का बकाया जो उन के ऊपर बकाया है उनकी बम्ली के लिए उच्च नहीं दिया जायगा। यह सारे संसोधन विकल्प वेकार हैं और गांधी के हित में, जनना के लिए इन संसोधनों का कोई महत्व नहीं है। धार्य संसोधन कर के तभा पटल पर रखते रहिए लेकिन जनता के लिए उसका कोई महत्व नहीं है। इसलिए मैं आपात उठा रहा हूँ। कानून की नवर में यह लही हो, नियमों की नवर में यह लही हो या नहीं लेकिन यांच के दूसरे वाले लोग यह जानना चाहते हैं कि जो बकाया है उसको बदल करने में रक्षार जावी ज्यों नहीं करना चाहती है।

12.15 hrs.

MESSAGE FROM RAJYA SABHA

SECRETARY: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:-

"In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha I am directed to enclose a copy of the Coast Guard Bill, 1978, which has been passed by the Rajya Sabha at its sitting held on the 2nd August, 1978."

12.15 hrs.

COAST GUARD BILL

AS PASSED BY RAJYA SABHA

SECRETARY: Sir, I lay on the Table of the House the Coast Guard Bill, 1978, as passed by Rajya Sabha.

12.16 hrs

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

THREAT TO LIVES AND PROPERTIES OF HARIJANS IN KANJHAWALA VILLAGE, NEAR DELHI

SHRI V M SUDHEERAN (Alleppey): 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:

"The reported situation prevailing in Kanjhawala village, near Delhi, directly threatening the lives and properties of Harijans."

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): Sir, one hundred and twenty families of Harijans and other landless persons were allotted land in village Kanjhawala, Nangloi Block in the Union

[Shri Dhanik Lal Mandal]

Territory of Delhi in 1970. This led to litigations at the instance of the other land owners on the ground that the land allotted was earmarked as grazing ground for cattle. Fullest protection and assistance has, however, been provided to the allottees to cultivate their lands and to remain undisturbed in their possessions. In November, 1977, police protection was provided to the Harijans to cultivate their land. In July, 1978 also similar police arrangements were made and tractors were provided to enable all allottees to plough their land. It is, however, a matter of deep regret that an incident occurred on 7th July in which six Harijans and two non-Harijans sustained injuries. Twenty-three non-Harijans were arrested in two cases FIR No 578 under sections 147, 128, 149, 427, 323 IPC and FIR No 579 under sections 147, 148, 149, 552, 323 IPC registered at Police Station Nangloi in this connection. The ploughing operations have since been completed by the allottees. There have been no further instances of any breach of peace. Adequate police arrangements have been made to maintain peace and order. Efforts are also being made to find an amicable solution by discussion with representative groups. While Government are determined to ensure that no allottee is dispossessed or otherwise harassed by use of any force and that peace is maintained in the village, Government also realise that such village disputes can find lasting solution only on the basis of goodwill and understanding. It is towards this end that Delhi Administration is making necessary efforts.

SHRI V M SUDHEERAN: I have carefully gone through the statement made by the Minister. But I am sorry to say that it is nothing but a routine statement. Nothing has been spelt out regarding the steps to be taken by the Government to diffuse the tense atmosphere there and to settle the issue permanently. In Kanjehwala, a very serious situation is prevailing. There is a dangerous threat to the lives and properties of Harijans. And tension is being mounted up, day by

day. The poor landless Harijans and poor people have been persecuted by the rich landlords by every means. The repressive attitude of the landlords and the caste-Hindus of the village is mainly responsible for the unwanted tension there. The landlords have been openly fighting against the allotment of 120 acres of Gaon Sabha land to some Harijans and landless families. In 1970, the Delhi Administration had allotted an acre each to 120 landless families, out of which 36 are Harijan families, under the "Land for the Landless" scheme. Ever since the landlords of the village started claiming that the allotment of the Gaon Sabha land has deprived them of the grazing fields for their cattle. Their claim is totally baseless.

The village had over 1800 bighas of grazing land of which only 600 bighas was allotted to the landless in the village. Even in this a mere 160 bighas were allotted to the Harijans and the rest to the landless and other castes. However the vested interest did not like even this small concession to the Harijans and were bent on robbing them of their land. The landlords' attempt was to prevent the allotment of land to the landless.

Much of the blame for the current crisis lies with the authorities. The shortsightedness of the Delhi Administration and many loopholes in its Land Reforms Act is mainly responsible for the present crisis.

The allotment had been made on a five year basis so that once the five year period is expired, the landlords could put pressure on them and take back their land. Now the Harijans are in possession of the land. They had to cultivate their land in the presence of police. They are not over demanding anything. They demand what they legally and morally deserve to get. The surplus land also should be distributed to the landless Harijans.

Now the situation is getting worst. The landlords have collected a lot of money because they are rich people,

[Shri Dhanki Lal Mandal]
 they can accumulate money themselves. They are keeping a large number of goondas with them; they are taking goondas from the neighbouring places, from the borders of Rajasthan, Haryana and other places. Even the landlords did not allow the Harijans to draw water from their wells. On July 7, the landlords had brutally beaten up Harijans resulting in serious injuries to them including two women. The landlords have imposed a social boycott against the Harijans and their children are beaten up in the schools. How inhuman is their treatment. Their children go to the primary schools and they are beaten up there for small excuses. The Harijans are finding themselves in an awkward situation. They have stopped sending their children to the schools.

Though the Delhi Administration posed themselves as the protectors of the Harijans, the prominent leaders of the ruling Janata Party are strongly supporting the landlords. In this regard, I have to mention that Mr. Rohthas Singh, a Member of the Metropolitan Council and a prominent Janata Party leader and two Haryana Janata MLAs attended the meeting of the landlords.

Sir, the Janata Party is not sincere is tackling the problem of Harijans; they are not sincere in safeguarding the interests of the poor Harijans. It is evidently convinced from their attitude from the Belchi incident to Kanjhawala. The Kanjhawala incident is nothing but a part of the nationwide atrocities on Harijans.

The rich landlords have their powerful lobby in the Janata Party and this lobby is practically controlling the Home Department. Even now, after the exit of Mr. Charan Singh, the Home Department and the Delhi Administration is under the grip of the powerful landlords' lobby.

MR. SPEAKER: This is not a speech.

SHRI V. M. SUDHEERAN: In this regard, I would like to request the hon. Prime Minister through you, I want to know whether the Government are considering to send a parliamentary committee to have on the spot study of the situation and report. The main issue must be settled permanently so that the land allotted to the Harijans must be given to them permanently. I want to know the steps taken to ensure that surplus lands are allotted to them permanently, including steps to amend the Land Reforms Act. I should like to know from the hon. Minister the steps that have been taken regarding protection of land and properties of Harijans. Finally I should like to know from the hon. Minister what action had been taken against the culprits involved in the atrocities on Harijans?

जी वसी राम बालदी (मधुरा) १ अम्बेडकर
 महोदय, यात्रा एव्हाइट आफ लेटरिकलब्लू,
 मैं यह जानना चाहता हूं कि इस्तोने आपने जपने
 भावण के द्वारा जीवरी चरण सिंह का नाम..

MR. SPEAKER: You can only raise a point of order. This is not allowed under the rules.

PROF SAMAR GUHA (Contd): His name has been mentioned by an hon. friend! you may allow him

MR. SPEAKER: His name was not mentioned by him.

SHRI DHANIK LAL MANDAL:
 All protection had been provided to the allottees there; they are both Harijans and non-Harijans. All police, protection had been given to plough their land, sow their land and reap. Except for one unfortunate incident for which I have regretted, the hon. Member has not pointed out any other incident; that is except for the incident of July 7, 1978, the hon. Member has not pointed out a

[Shri Dhank Lal Mandal]

single instance to show that there has been any lapse on the part of the police and the Delhi Administration. Therefore, I say that all protection has been provided to the allottees; the lands are in full possession of the allottees; they are ploughing the land, sowing and they are reaping the harvest. Therefore there is no justification to say that the administration has not taken care. As regards defusing the situation, all steps have been taken at the level of the CEC, Lt. Governor and at other levels. All steps have been taken by them separately and jointly. With both parties of the village, Harijans as well as non-Harijans, land owners, so many dialogue have been held; so many discussions have been held; in the last day there was a dialogue between both the parties and the Chief Secretary of Delhi Administration I can assure the hon. Member there is no need for apprehension on this ground. The law and order situation is fully under control. We think that it will be settled amicably. We want to see that it is settled amicably. If there is a dispute in the village between different parties, we are trying that both parties should come together and settle that dispute peacefully and amicably. The Delhi Administration is taking steps in this direction.

SHRI V. M SUDHEERAN: He has not answered the question whether they are considering amendment of the Land Reforms Act.

MR. SPEAKER: That requires examination; they cannot say just now.

PROF. SAMAR GUHA: I must really congratulate the hon. Minister if he really succeeds and brings about an amicable settlement of the dispute. I want now to draw the attention of the Prime Minister who happens to be the Home Minister now. The situation as it appears developing at Kanjhawala village is fraught with serious threat, particularly in the background of happenings all over

the country. What is happening in Bihar? What is happening in Marathwada and other areas. This is apparently a class conflict between the landless and the land owners. It is taking the shape of caste conflict—conflict between the Harijans and non-Harijans. I have a fear that it will lead to a conflict between the two communities. Predominating community is that of the landowners. They have already arranged themselves and they are in a militant mood. You might have noted that very recently there had been a big panchayat or gathering of the big landowners. Panchayat assembled at Kanjhawala. Land owners from distant places came there and it was a big rally of the landowners. They have taken almost a militant posture against the landless people. These Harijans, who are absolutely helpless poor people, they are very few and have very few sources to defend their interests. They had also their Panchayat. But I do not know what their Panchayat will mean.

I will draw the attention of the respected Prime Minister that this is a test case for the Janata Government and the Janata Party about their willingness, about their determination to see that the interests of the landless people are defended by all means. Why I say that it is a test case because it is just under the nose of the Central Government. It is just a few miles from Delhi.

There have been two big rallies, very big rallies of thousands and thousands of people who had assembled from different places. The situation has become very delicate. The incident that took place may lead to certain kind of explosion as happened in Bihar and some other places. For that reason I earnestly appeal to the Government to take very careful and cogent steps to keep vigilance upon the developments there.

In this background I want a few things:

1. You have said that land was distributed among 125 families. What is the quantum of land that was distributed in total?

MR. SPEAKER: He mentioned—120 acres.

PROF. SAMAR GUHA: At the time of distribution, had there been any dispute about this land and the grazing lands?

Are there still any surplus lands and if so, will the surplus land be distributed to these landless Harijans?

You have said that they will be given protection in regard to ploughing and sowing. Will you provide necessary protection to the cultivated crops? Landowners can destroy the crops which have been cultivated with the help of mischief mongers. Please see that the lands which have been cultivated will be protected. What steps will you take at that time of harvesting? Trouble can take place at the time of harvesting.

You have said that you are trying for an amicable settlement. What type of amicable settlement you are trying to arrive at? Frankly speaking I have not so much faith in Bureaucracy. Bureaucracy is dominated by class conscious people. They are interested in the dominating class of landowners which is a powerful community. It makes the situation very bad. Therefore, leaving the matter to the Lt. Governor or the District Authorities will no do. I will appeal to you to see that the leaders of all the Opposition parties and MPs are requested to go to that place for discussion with the people there and to see that this situation which is developing there may not explode into an ugly affair as it has happened in other parts of the country. I will request the Prime Minister to intervene.

THE PRIME MINISTER (SHRI MORARJI DESAI): I can very well understand the anxiety of the hon. member, but I do not know what the Members of Parliament will do by going there. They might even aggravate the whole thing without understanding it. But I do not prevent them from going there; if they want to go, I will give police escort if they are afraid. If they can do it voluntarily then I can understand it. Government are deeply conscious of the strife there and the inimical attitude of the land-owners and are giving full protection to these people and will continue to do so, until the other party gets reconciled to the whole situation and does not afterwards create any trouble. Until then full protection will be given. It is the bureaucracy which is doing it. Please do not go on abusing the bureaucracy all the while.

SHRI P. K. KODIYAN (Adoor): Sir, I fully agree with Prof. Samar Guha that a very tense situation prevails there and it may worsen further if adequate protective measures are not taken. Kanjhawala is not an isolated incident. Throughout the country for the last one year and more, there has been a fierce offensive by the landed class, the landlords, to deprive the Harijans and other sections of landless people forcibly of the land allotted to them not only for cultivation but even for house sites. We are reminded of the horrible incident that happened sometime ago in Kannodia village in Ratlam district in M.P. where four Harijans were killed on the spot in their field when the landlords attacked them with deadly weapons. Similarly, we are reminded of the incident at Chinnaogirala village in Andhra Pradesh where a landless Harijan cultivator, Subbarao, was speared to death and several others injured. Such things have happened in Bihar and several parts of U.P. and elsewhere in the country. You will be surprised to know that in one of the villages in M.P. cattle were led by the landlords to the standing crop of the

[Shri P. K. Kodiyam]

Harijans to the accompaniment of band and music. Can you imagine it? When the cattle started destroying the fruits of the Harijans' labour, the landlords and their boys were dancing and singing. What is happening in Kanjhawala is part of the offensive that the landlords have launched against the Harijans and the rural poor. The Minister said that sufficient steps have been taken to maintain law and order and provide protection to the Harijans and after the July 7th incident, no untoward happening has taken place in that village. But I would like to draw the attention of the Minister and the Prime Minister that on 30th July there was an assembly of the landlords in that village, after which a tense situation has arisen. A highly provocative leaflet was distributed at that meeting. Highly inflammatory speeches were made. The Minister says, the Government is anxious and is taking steps to find an amicable settlement to the dispute. But I fail to understand what is the dispute at all. The Harijans are justified, legally and morally, in demanding full protection, and also full facilities for carrying on their cultivation and their lawful activity.

The landlords say that nobody has the authority to distribute the gaon sabha lands. They went to the court and the court rejected their demand. Then, the landlords said that by allotting this land to the Harijans, they had been deprived of grazing land for their cattle. It is absolutely untrue, because 1400 acres of pasture land are still with the landlords to be used for grazing purposes.

The hon. Minister says that they are trying their best to find a settlement. I do not know how he can easily find a settlement when powerful elements in his own party are behind this. The Kisan Sangharsha Samiti, the so-called samiti of the landlords, has decided to wage a war against the Harijans, to take away

the lawful land from them. The Secretary of that samiti is an RSS activist.

MR. SPEAKER: Calling attention should not be converted into a debate.

SHRI P. K. KODIYAN: I am concluding

Another member who participated in the kisan assembly was a Metropolitan Councillor. He is a BLD man. With these powerful elements in the ruling party behind the landlords, I do not know the hon. Minister can easily find a solution.

In view of this developing situation, I would like to ask the hon. Minister whether he would be prepared not only to give protection to the Harijans to cultivate their land, but also to give this land, which has been given now on a five year lease basis, on a permanent basis so that the landlords cannot raise any dispute.

Secondly, may I know whether Government would be prepared to take away from the landlords the gaon sabha land which is under their illegal possession? Hundreds of acres are still under the illegal possession of the landlords?

Thirdly, may I know whether the Government would provide full financial and other assistance to the landless Harijans and other sections of the landless people to carry on their cultivation?

SHRI DHANIK LAL MANDAL: Government is aware of the facts to which the hon. Member has drawn attention. All these rallies are going on, on the side of the landowners and also the Harijans. Government is aware of it, but as regards permanent tenancy rights, the allottees can take action according to the law and get them. There is the Delhi Land Reforms Act. Under that Act certain things have to be done. These allottees can take action according to the law and get them. There is the Delhi

Land Reforms Act. Under that Act certain things have to be done. These allottees can take those steps and get the permanent bhumidari rights according to the Act.

As regards the gram sabha lands, as the hon. Member has pointed out, there are 1800 bighas not acres, of which 600 bighas were allotted to these 120 families, and still 1200 bighas are left, and according to the Delhi Land Reforms Law, only the gram sabha has the right to allot the land.

As regards financial help, the Prime Minister has assured the House that till the situation is reconciled or an amicable settlement is reached Government will provide all protection to the Harijans

भी राज विभाग वास्तविक (आजीपर) अवल महोदय एक बार पूरे देश के विभिन्न भागों में हरिजनों के क्षेत्र बासाधार होने के समाचार आये लाये हैं बाहर बाहर नहीं है। कानूनों के संबंध में आज आकर्षण प्रस्ताव पर भी भोजन, ने जो बाबत दिया है, उसी की ओर ये उनका व्याप आकृष्ण करता चाहता है।

तब से पहली बात जो इन्होंने कही है कि भस्त्रियों की बलीय पर भूमिकाही छूट हो गई थी कि आवादित भूमि चरागाह के रूप में आवादित की गई थी, मैं समझता हूँ कि यही महोदय से पारी स्थाय ओ कहा है, उनसे बह दिया है कि यह चरागाह की अभी नहीं है बल्कि वीरी अभी नहीं है जिस पर पहले भी भीती होती थी। इसलिए यह कहता है कि यह अभी नहीं है, मैं भी भीता हूँ, मैं भी भीता हूँ कि यह भी है।

दूसरी बात, यहीन को 1970 में आवादित किया गया। उसके बाद ऐसी क्या परिवर्तन आ गये कि 1977 में उस पर विचार बढ़ा हो गया? यह विचार बढ़ा दीया गया या या देवदारी करी थी, तीन और कार्य होते थे, तो 1970, 1971, 1972 में कुछ नहीं हुआ, मैंकिं 7 सालों के बाद एक एक पक्ष के द्वारा ने हरिजनों के ऊपर बासाधार या भूमि करने के लिये एक संगठित पिरोह कायद कराया तो समझता है कि इसमें भी एक रक्षण है।

जैसा कि हमारे लोगों ने कहा और यही भोजन ने जवाब दिया, यहीन के भासिकाना इक के सम्बन्ध में बहार तक हमको भासित है, या तो दिली में दिली को भासिकाना हक नहीं है, यही भासिकाना हक भी दिया जाना चाहिए और 3 साल में विकासना चाहिए। बब लारा बासका बहार इसके प्रकार संरक्षित रियोह के रूप में चल रहा है, हरिजनों के लिये भी भासिक प्रकार का इकायिक है, उसके बासाधार पर 2, 3 लोगोंके बासाधार है। बहार के हरिजनों लोगों ने कहा है कि भारी भी हमको कुंपे पर बहने की इचाजत नहीं

है और बहार की बासाधार है, वह बहात दूर स्थित नहीं है।

मैं भी महोदय का ज्ञान आकृष्ण करते हुए कहना चाहता हूँ कि 19 जूनाई, को उसीने राज्य-सभा में कहा था कि इसके सम्बन्ध में उल्लेख इस ० बी ० ओलिव दिया है और सुदूराका की कार्यवाही हेतु कहा है। मैं जानना चाहता हूँ कि लैंडलैट बबार के बहार से प्राप्त की पास कोई बबार भासन नहीं नहीं? लैंडलैट बबार में बबा जिका १ एक तरफ कहते हैं कि स्वित तनावपूर्ण है और दूसरी तरफ बहार योगों ने दोनों तरफ के लोगों को इजाजत होने की इचाजत दी गई। बहार स्वित जब तनावपूर्ण है तो किसी भी समय विस्कोट बटन बट दसकता है। मैं जानना चाहता हूँ कि ऐसी स्वित में दोनों तरफ के लोगों को आम-भासा करने की इचाजत की है पिछ रही है?

इसी बड़ी बटना दिली के बगल में हो रही है। मैं यह भी जानता हूँ कि विरोधी पक्ष के कुछ लोग इसको बल रूप में देख करने के लिये भी तीव्र है, बहु बहार आये हैं, हासाकि उनको बहा कोई लैंडपैठ नहीं है, मैंकिं फिरी विरोधी बल के समय बहा आकर हारिजनों के साथ गले बगले जाकर मिलने की कोशिश करते हैं उन के साथ याना आते हैं, उनको भड़काने और उसको भी कोशिश करते हैं। ऐसी परिस्थित में मैं भी महोदय से भूलना चाहता हूँ कि यह आपको यह दूरी से बटन बल रही है, जबकि दूरी नहीं है कि इन्हें दिली से बटन बल रही है, मामने स्वयं बहा आकर लिंगांकों को जानने और काढ़ करने की स्वयं कोशिश की? आप इस विभाग में दो राज्य नहीं हैं, बबा किसी ने भी जाने की कोशिश की?

भी भासिक साल बंदबोल : कानूनों ने केवल हारिजनों को ही जानने नहीं दिली है, उस में नान-हारिजन भी है। 120 परिवारों में 67 हारिजन हैं और 53 नान-हारिजन हैं। इसलिये यह भूमि-हीनों का सदाचल है, हारिजनों का भी है।

भूमिहीनों को जानने मिली है। सामनीय सदस्य में कहा गया कि 3 साल के बाद उनको भूमिहीनों विज्ञप्ति जाने चाहिये थे। एक प्रस्तुति के उत्तर में मैं भी भीती भासी बदाया जिसका ने मनुसार उन के भासिकानों या भासामियों के भासिकार होते हैं, भूमिहीनों भासिकार ग्रामा करने से लिये जानी चाहिए, उनको बहा जाना चाहिए जहांसे भासिकार मिलेंगे। यह जानते भी हैं।

बहा तक यह सबात है कि जमा होने वाले सभा करने की बबो इचाजत दी जा रही है जब कि बहा इसी तनावपूर्ण दिली है, इस पर मैं विचार से बहाता हूँ कि सामनीय सदस्य में भी भूमि-हीनों के उत्तर को हम विचार में स्थाने।

भी राज विभाग वास्तविक : भूमि का आकृष्ण दो 1970 में हुआ था, और किरण साल के बार 1977 में यह बटना लैसी रही।

भी भासिक साल बंदबोल : 1977 में बहाना ऐसी बटी कि ..

MR. SPEAKER. No question is allowed

(Interruptions)

MR. SPEAKER Don't record

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भी राम विजय यात्राकाम - अष्टव्य- महोदय, भंगी महोदय यात्राकाम दें रहे थे, भाषप ने उन्हें शोक दिया । उन्हें भपाना यात्राकाम पराकरने वीक्षित ।

अध्ययन महोदय : उन्होंने जबाब दे दिया है। अब हम ने इस 372 को ले लिया है।

बी डी० बी० गवाही . (बुलडाना) . अभी मंसुरी महोश्य का जवाब पुरा नहीं हमारा है ।

12 51 hrs

MATTERS UNDER RULE 377

(1) REPORTED IRREGULARITIES AT SHAH-JEHANPUR ORDNANCE FACTORY

बी और ल विकल (साहबहापुर) प्रब्लेम महोदय, में नियम 377 से अधीन एक अविलम्बीय लोक महत्व के विषय की ओर इस सदन और सदकार का व्याप विलाप आया है।

बस्त भाष्यक निर्माणी का हजाहापुर, में भव्यकर बटा थे, राजा उत्तावन में भव्यकर भाष्यकनिर्माणी और जुए भाष्यक से विद्वान् की स्वित्त उत्तम हो गई है। बस्त भाष्यक निर्माणी का हजाहापुर में भव्यकर का बहुत बड़ा ध्वनि बन गया है तथा जोरीपूर्वक भाष्यक बन हो गया है इन भाष्यक निर्माणी में पूर्ण कर से भरा बटा का राय ही और सुरक्षा समाप्त हो गई है। भव्यकर बस्तुएँ पाये जिन वायर की जा रही हैं और उन जोरीपूर्वक को हल्का करने हेतु लूटी भी जाय भी न जार्ह गई जिसमें कही लाल लाल गये नुस्कान हुए। इन हैट्टरें में हवाई बेता की भाष्यकनिर्माणी के कपड़ तथा जिसे भाष्यक बनाये हैं। इसके उत्तावन में भव्यकर गतिगोपी पैदा हो गया है जिस का भव्यकर हमारी सुरक्षा पर पहुँच करता है जहाँ कुछ कम्बाकरी जगा लेते हुए कभी भी देखा जाता है। इस भाष्यक निर्माणी के क्षमत्व में जनता भव्यकर को रोध और भव्यकर व्यापार करती है। यदि तो किला उत्तम स्तर पर जांच कर के भाष्यकनिर्माणी पर न की गई, तो इमान भव्यकर हमारी सुरक्षा पर हो सकता है। इसलिए हम जाननीय रूप से भव्यकर का नामकरण हस्तलेप तथा भाष्यकनिर्माणी की जाग लाना चाहते हैं।

(ii) NEED TO MODERNISE JAMALPUR
RAILWAY WORKSHOP

बी लक्षण लाल कपूर (प्रभिया) अव्यक्त
महोदय, ये नियम १७७ के असारवेत हैं इन्हें लेवें के
जमालपुर कारबाहो की व्यवस्था की ओर लटकार
और सदन का व्यापार घास्ट करना चाहता है।

विहार राज्याभिरत सन् 1962 में स्थापित जमालपुर का रेलवे कारखाना, दिल्ली-पूर्व एक्सिसा में स्थापित था ताकि एक उच्च कार्गिं व सबसे बड़ा बालीय उत्पादन का कारखाना, अपनी कार्गिं शक्ति एवं उत्पादन के कारण रेलवे प्रणित रहा। इसके स्थापना एवं उत्पादन के कारण रेलवे प्रणित रहा।

देश की बड़ी ही भारतीयों के कारण बेटारी की समर्पण के निशान हुए जमालपुर का कारखाना लगाकरी प्रतिक्रिया के रूप में प्रधानमंत्रित एवं नारीविहार का एक साधन है। परन्तु यह के साथ कहुना पाया है कि वराहा ये के बारे यथा शोधित प्रतिक्रियाएँ को बेचते हुए बाजा इस कारखाने के मजदूरों की सभ्यता इस सभ्यता कम में कम 45 हजार हीनी बाजिंग औ बरो मध्यतंत्र कार्यरत मजदूरों को संकेत माल 97 करते हैं। 1935-36 में जमालपुर कारखाने की मजदूर संख्या 22 हजार भी।

इस के लिए ये डग वे कामों को ना कर इस का विकास दिया जाना चाहिए था । लेकिन इसे साध सदा उपरेक्षण की भीति बढ़ाती रही है । यामास्त्रकाल के राज्यान्वयन मात्र यामास्त्रकाल व्यवस्था से पहुँच गया है । जो काम यहाँ यामास्त्र से विभिन्न आ सकता था, उसकी स्वापना यहीं न हो कर राजनीतिक व्यवस्था के कारण व्याप जगह ही ही बढ़ी गई । इसके कारण यहाँ याम ब्रह्मणि

(क) वायर इंजनों के लिए वायलर बनाने का काम तय हुआ लेकिन राजनीतिक दबाव के कारण वितरण तंत्र में ले जाया गया।

(क) हील और एकमल का निर्माण कार्य अमालपुर में करने का निर्णय लिया गया था, लेकिन बाद में वहाँ न हो कर बड़लीर चला गया ।

(ग) भाव देव को दबे थे और कोव की आवश्यकता है। जलालपुर में सब मूर्तियां उपलब्ध हैं। परन्तु कोई भवनस्ती का काम वहाँ नहीं है कि कर भवनेश्वर में दिया जा रहा है। इसलाई ही इसकी विशेषता भवनस्ती से जलालपुर विभागीय है।

में बल रहे हैं उसे भी बल कर दिया और उस के स्वाम पर लगभग 1140 उपकरण निकी आवायियों और गोलोंसाथी बराबरी का रहे हैं।

आरतीय रेलों की एकमात्र रोलिंग लिंग इस जमालपुर कारखाने में है जिस की उत्पादन जमाता 1000 टन प्रति माह है। यहां पासी के भाव में नीतायम होने वाले पुराने एक टायर एवं अस्त्र सामानों के बाया माल तैयार किया जाता रहा है। यह इस रोलिंग लिंग को भी बल करने का बदलाव आरती हो रहा है और इस से निर्माण होने वाले कारखण्डों को निकी लिंग के बदलाव आरती हो रहा है। जमालपुर कारखाने के बजूदों की कार्यव्यवस्था से प्रबाधित हो कर तत्कालीन रेल वर्गी की हुनर्मतिया ने इक फिटिंग उत्पादन के लिए सन् 1971 में एक भोटी छवतारणी प्राविदिती की ओर परन्तु प्रशासनाधिकारियों ने बाद में उसे भी तात्पात्र कर दिया।

पूरे देश के रेलवे कारखाने के जीवोंधार एवं विकास के लिए विवर के काले प्रशासन में हाल में 121 करोड़ रुपये का बजूण लिया है जिसमें से कचडपाड़ा, बड़ागढ़, वित्तजन, परेल और मादुगा कारखाने को 25 करोड़ रुपये और जमालपुर कारखानों को 57 करोड़ रुपये, भुवनेश्वर में कोइ मरम्मत के लिए 9 करोड़ रुपये, बगलौर में बहुत तथा एकलंग निर्माण के लिए 34 करोड़ रुपये और जमालपुर रेलवे कारखाने को माल 1 करोड़ रुपये का भवधान लिया गया है। क्या यह प्रभावात नहीं है? इही तरह जब गिरफ्तर बंध विवर वैन की दीम रेलवे कारखाने के निरीकण के लिए पार्टी की हो उस में भी जमालपुर कारखाने की उल्लेख कर दी गई। क्या इस से यह जाहिर नहीं होता है कि रेलवे बोर्ड जमालपुर कारखाने को समाप्त कर देने का कृतित उद्यम कर रहा है?

जमालपुर कारखाने के बजूदों की वर्तमान संक्षया 22 हजार से लिए कर मात्र 9 हजार रह गई है और 1981 तक करीब करीब 6500 बजूदूर अधिकारी प्राप्त करने वाले हैं जिसकी प्रभावी पूर्ति करने की कोई योजना नहीं है। इस तरह जमालपुर कारखाने के लिए प्रति लाख रुपये एवं बेकारी को उत्पादन निश्चित के लिए कर मात्र आवायम बजूदों और जमाता में भवकर असंतोष आया है। कल समय इस के प्रतिकार में जुलूस, प्रबोधन, सभापाल, बाजार बच्चा, भूष छहतारण हो रहा है और जाति अवस्था को बहातर उत्पन्न होने की आशका है।

अतः मैं इस मदन के मध्यम से यह मांग करता हूँ कि वित्तार के पिछेपन, बेकारी और गरीबी को बचते हुए जमालपुर कारखाने का आधुनीकरण तथा उस की कार्यसमता को बढ़ाने के लिए अविलम्ब कदम उठाया जाय।

(iii) REPORTED NON-FUNCTIONING OF RADARS INSTALLED AT CALCUTTA AIRPORT

SHRI KRISHNA CHANDRA HALDER (Durgapur): Mr. Speaker, Sir,

I want to raise a very serious and important matter under Rule 377. The Minister is here. A news item has appeared in Amrita Bazar Patrika. It reads:

"For the last five months the Air Traffic Controllers of Calcutta Airport have not been getting the services of two highly sophisticated radars. One of them is the Canadian made Aerodrome Surveillance Radar and the other a West German precision Approach Radar.

According to the Air Traffic Controllers of Calcutta Airport, the two radars were working very smoothly for one year but in March last the Aerodrome Surveillance Radar went out of order. Some small spare parts were required to be imported from Canada for its repair. But till today this was not done. The Precision Approach Radar was correlated with the Canadian radar.."

MR. SPEAKER: Mr. Halder, you are going out of your statement. No.

SHRI KRISHNA CHANDRA HALDER: No, No. I have written in my statement about this. The news item further reads:

"...According to the Air Traffic experts the Canadian radar was essential to regulate the aircraft within 60 miles radius of Calcutta Airport. The German radar functions for an approach within the radius of 10 miles.

At present the Air Traffic Controllers are passing a hard time to maintain the safety of the take-off and landing of aircrafts without the help of these two valuable machines."

You know that if one goes to Calcutta, his life is in danger. Every day, thousands of passengers go from Calcutta to other places and abroad and thousands of passengers go to Calcutta from other places. Many

[Shri Krishna Chandra Halder]

foreign airlines are operating from the Calcutta Airport and they are taking interest to operate from there for the good performance of the left front government of West Bengal.

12.00 hrs.

Sir, through you, I want to know from the hon. Minister, Mr. Kaushik, who is sitting here, why this step-motherly treatment is being meted out to the Calcutta Airport and West Bengal. I would request him to make a statement on the floor of the House and assure us that, as early as possible, this will be done.

MR. SPEAKER: Is it the pleasure of the House to sit for 5 minutes more to enable the two more hon. Members to make their statements under rule 377?

SOME HON. MEMBERS: Yes.

(iv) REPORTED DECISION TO DO AWAY WITH TEN PER CENT PRICE PREFERENCE TO PUBLIC SECTOR IN THE MATTER OF PURCHASES

SHRI BEDABRATA BARUA (Kaliabur): Mr Speaker, Sir, under rule 377, I beg to raise the matter of the extraordinarily reactionary decision of the Government to dispense with the 10 per cent price preference to the public sector in the matter of Government purchases. This matter was more or less in the air since the Janata Government took over but the decision has now been very clearly stated in Parliament, last Friday, by the Finance Minister, Shri H. M. Patel, in reply to an Unstarred Question.

The Minister stated that the Government has decided to do away with the price preferences so long enjoyed by the public sector and that the decision would be implemented. It is only a half truth to say, as the Minister has said, that the price preference was given to the public sector to enable full utilisation of capacity.

Even assuming that this was the only aim, in 1971, the Government would be totally wrong to assume that there has been full capacity utilisation in the public sector today. In fact, most of the public sector units are suffering from unutilised capacity more than ever before. All these are the direct outcome of Government policies in various spheres aimed at creating unutilised capacity in the public sector. The Government's declared decision to import Super Thermal Plants for various projects is one such example. This decision has caused extraordinary crisis to the Bharat Heavy Electricals Limited in which huge public investments have been made since its order books are going to be all but empty.....

MR. SPEAKER: Mr. Barua, you are also not confining yourself to the statement given. The rule is that you must confine yourself to the statement.

SHRI BEDABRATA BARUA: I am not adding; there are only some minor changes here and there.

The Government itself has contributed to a major way towards the on-coming crises of the public sector.

The public sector has failed to compete even with the price preferences not because of the lesser efficiency but primarily because when it comes to Government purchases, few Departments would do so unless some under-the-table payments are made. Now that even this insufficient protection has been removed, the public sector is likely to be completely starved of Government orders. This act of dispensing with the price preferences is one of the various measures of the overall multi-pronged attacks on the public sector by a collusion of the Janata Government with the bureaucrats and big business and must be resisted with full force before the Government succeed in dismantling the public

sector built up with so much effort by the nation under the leadership of late Shri Jawaharlal Nehru.

(v) REPORTED FUNCTIONING OF TEXTILE EXPORT PROMOTION COUNCIL

SHRI K. LAKKAPPA (Tumkur): Mr. Speaker, Sir, I am glad, that the hon. Minister, Shri Mohan Dharia, is present in the House. I am raising a very important issue, with your permission.

The Textile Export Promotion Council with its unhelpful attitude is leading to the devastation of the whole garment industry in India. It is a well known fact that a large part of the garment industry is coming under the small scale sector while, unfortunately, a few of them are in the grip of the monopoly houses, like, Binnys, Shaw Wallace, etc.

To look at the prospects of garments exports from India to other parts of the world, one has to go the very root of the raw material, viz. various types of fabrics used by the garment industry. Major items are prepared from the fabrics manufactured from the handloom sector and we may even say that the 'Bleeding Madras' variety has given way to crepe and other Madras checks. The export of garments as such naturally leads to the prosperity of the handloom sector, more so, in the way of giving employment to innumerable people.

The Textile Export Promotion Council which has been assigned the role of looking into the welfare of the small sector has turned into a profit making body; one of the leading papers published some time back an article on the misuse of Texprocil, buying the properties on the market value and selling them to their own people at the book value. Perhaps no 'action whatsoever' has been taken on this malpractice.

Many unhealthy practices adopted by the Texprocil have come to light through the ready-made garment manufacturers/exporters when the misuse of quota was brought to the notice of the authorities concerned. The quota has been cornered by the big business exporters with the result those people who had orders were unable to execute. This lead to losing the image of some of the well known manufacturers/exporters of ready-made garments. The mere announcement by the Commerce Minister that an enquiry will take place into these dealing led to the resignation of the two top officials of the Texprocil and the Government has not taken any step to enquire into the matter. In one of the letters written to the Editor of Economic Times dated May 28, 1977 it has been pointed out that the Indian shippers have been unethical in sending the garments under false declaration as handloom. If proper care was taken by Texprocil and the inspecting authorities to check the origin of the fabrics before necessary certificates were issued, such a pitiable state of affairs would have been avoided. Texprocil naturally failed to play its role by not giving proper definitions with regard to the fabrics/garments to be exported.

Adding to the above, one is much annoyed with the further developments that have taken place. The Indo-U.S. Agreement accorded a special status to handloom fabrics. But once again the misinterpretation of the Agreement's provisions by the Texprocil has led to the piling of stocks in U.S. As stated in the Economic Times of July 24, 1978, "The U.S. Customs impounded the 14 million yards shipments on the ground that India had already exhausted its quota limit in the first five months of this year." It is indeed a serious lapse on the part of the Texprocil to have given such misinterpretations which led to the decrease in export; since the time of "impounding" no further

[**Shri K. Lakkappa**]

orders could have been booked. It is high time that this bureaucratic attitude of Texprocil should be stopped and unless and until the Government frames rules and regulations with the main intention of increasing the exports, India may have to face a serious situation when its textile exports themselves will come to a complete halt. Further, to infuse confidence in the heart of small scale industries, viz., the garment manufacturing units who were a pawn in the chess board of Texprocil, the Government should immediately appoint a Committee to investigate into the acts of Texprocil and take action against those officials, even if they resign, if they are found guilty. This is the only way in which the Export Promotion Councils could be made to play a constructive role. The act of Texprocil has led to the closure of quite a lot of garment manufacturing units, thereby leading to the unemployment problem.

The history of Texprocil may be taken as the history of ruining the small-scale industries in India pertaining to the ready-made garments and it is indeed surprising that no action, whatsoever, has been taken by the Government to go into these details and to punish the guilty.

I would request the hon. Minister, Shri Mohan Dharia, who is for taking up socialist programmes and policies should come out with a bold statement to do the needful in this regard.

MR. SPEAKER: The House stands adjourned for lunch to meet again at 2.05 P.M.

13.08 hrs.

The Lok Sabha adjourned for Lunch till Five Minutes past Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at Seven Minutes past Fourteen of the Clock.

[**Mr. DEPUTY-SPEAKER in the Chair**]

CONSTITUTION (FORTY-FIFTH AMENDMENT) BILL—contd.

MR. DEPUTY-SPEAKER: Now, we take up further consideration of the Constitution (Forty-fifth Amendment) Bill. Prof. Mavalankar. You have already taken 13 minutes.

SHRI P. K. DEO (Kalahandi): The time should be extended.

MR. DEPUTY-SPEAKER: We had allotted ten hours for the General Discussion.

श्री उपरेतन (वेलिया) आप समय नियत कर दीजिए कि प्रति व्यक्ति को इतना समय दिलेगा।

उपाध्यक्ष महोदय आप जरा जान हो जाए, अपनी ही बात कहने में मस्त न हो, मैं बता रहा हूँ। इस पर विस्कान के लिए 10 बटे दिए गए वे । 4 बटे 45 मिनट हो चुके हैं और अभी 5 बटे 15 मिनट बाकी है। ऐरा सुनाय यह है कि—रूपकि आप जो जाप को विस्कान होना या 6 बजे से 8 बजे तक, वह पोर्टलैन हो रहा है—हम लोग वह टाइम इस कास्टीट्यून (एमेंबरेंट) बिल पर से में, तो वो बटे और यिल जाते हैं। .. (प्रबलान)

श्री यमुना प्रभार जास्ती (रीवा) ऐरा कहना है कि पहले समय आप बढ़ा रहे हैं, इस समय को और अधिक बढ़ावा जाए क्योंकि यह सविधान (संसो-दान) बिल का भास्तव्य है और इस पर बहुत से लोग बोलता चाहते हैं और अपनी राय देना चाहते हैं। 10 बटे का जो समय है, इसको काफी अधिक बढ़ाया जाए।

उपाध्यक्ष महोदय इसीलिए तो 12 बटे हो रहे हैं।

SHRI KANWAR LAL GUPTA (Delhi Sadar): So, the total will be twelve hours?

MR. DEPUTY-SPEAKER: It will be just twelve hours because we had allotted ten hours. Now we will be

taking two hours more, i.e., from 6.00 to 8.00 p.m. Taking that into consideration, it will be twelve hours. This is including the time already taken. So, we will be left with 7 hours 15 minutes.

AN HON. MEMBER: Excluding the Minister's time?

MR. DEPUTY-SPEAKER: No; including the Minister's time.

I propose that the Minister start his reply tomorrow and let the Members finish the discussion today. Voting will take place soon after the Minister's reply tomorrow.

Now, we start.

SHRI KANWAR LAL GUPTA: Total 12 hours plus the reply of the Minister.

MR DEPUTY SPEAKER: No, no. It will include the Minister's reply

SHRI PABITRA MOHAN PRA-DHAN (Deogarh) You please limit the time for a speaker so that more members can be accommodated.

MR. DEPUTY-SPEAKER: We will not give more than 15 minutes to each speaker.

SHRI N. K. SHEJWALKAR (Gwalior): In that case we may have to sit till 9.30.

MR. DEPUTY-SPEAKER: The Minister's reply will be tomorrow.

SHRI N. K. SHEJWALKAR: How long are we going to sit today?

MR. DEPUTY-SPEAKER: Till Eight.

Now, Mr. Mavalankar.

PROF. P. G. MAVALANKAR (Ahmedabad): While congratulating the Law Minister again for piloting this important Bill so as to nurture and strengthen the democratic institutions in the country and also to establish on a sure and secure basis the Rule of Law throughout the land so

as to ensure that all citizens high or low and, no matter how highest he or she may be, are equal in the eyes of law, may I say this by way of concluding observations on a few of the remaining aspects of this important Bill?

First, about preventive detention, I welcomed yesterday the new stringent provisions making it very difficult for any government to arrest and detain people for long and without trial. May I say, further, that ideally and really speaking, preventive detention must be abandoned altogether and we all—governments, Members of Parliament, political parties and the citizens in general—must go ahead in that direction quickly, concretely, honestly and fully because preventive detention, in my judgment, both in principle and practice, is a negation of freedom, rights and the civil liberties.

About referendum, my continued opposition to referendum remains. I opposed it at the introduction stage and I oppose it even now. In fact my opposition has been further strengthened after what I read the Law Minister's remarks about it in the course of his speech in the meeting of the Consultative Committee of his Ministry.

The Law Minister says, referendum i.e. a reference to people is a duty. Who denied that? Nobody says that we must not refer to the people. But do we want the people to be referred to all the time? The question is whether referendum is a right means to do it. Referendum is impracticable, difficult and very expensive. His own statement says that it will be Rs. 30 crores at any one time—Rs. 7 crores plus Rs. 23 crores. But apart from being expensive—and if it is valuable. I will even go in for that—the whole point is that referendum is something which is not necessary because, here is the Parliament and it is elected every five years and if the Parliament does something very wrong, people

[Prof. P. G. Mavalankar]

may elect a new Parliament and the new Parliament may undo that wrong thing. How can the people understand complicated and intricate political and constitutional issues? A referendum can be thought of for deciding a political issue. But it cannot be made permanent for seeking a constitutional amendment. The point is that referendum is only found in Switzerland, Australia and America, and it is compulsory for constitutional amendments in Switzerland and Australia. So, by and large, no country in the democratic world excluding Switzerland and Australia has got referendum for the purposes of Constitutional Amendments. That is No 1. Secondly, about referendum, I have an important word to say. If something is basic—Sir, I do not want to take the time of the House by repeating—and we have said that four things are basic things in the Constitution, why then do you make these things amendable? Because if 51 per cent of the people may say, 'Fundamental rights may go' and 49 per cent of the people say 'No', will you amend them by this means of referendum? I would say, Sir, even if 99 per cent of the people say, 'Fundamental rights may go', you cannot do it. I for one will say that these are basic things and they must be kept unamendable. That is my point.

The Law Minister was talking about trusting and respecting the people. Let him not be clever. Let him be correct also. We have never said that we do not trust the people. All that we say is that referendum is not the right method.

Then, Sir, a word about the right to private property. I am glad it is being taken away from the fundamental rights chapter and now it is going to be a legal and constitutional right. All the more because of the fact that we want socio-economic legislation to go ahead and the property right not to come in the way of our social and economic progress and in our effort

to make the society egalitarian and socialist, we want this right to go completely out of the fundamental rights chapter.

Lastly, provisions regarding President's rule in States have been made more accurate and right. That I welcome.

The philosophy of our Constitution, the practice of our Constitution and the purpose of our Constitution have to be respected in such a way that emergency or no emergency, no part of the Constitution can be deformed, defiled and defaced. We must all go in the direction of making our Constitution and the Government workable and satisfactory to the people, because the Constitution is after all an instrument, a means, not an end. The end is the welfare of the people. If this is done, we will eliminate the exploitation of the people in this country and earn their respect.

PROF DILIP CHAKRAVARTY (Calcutta South) Mr Deputy-Speaker, Sir, I congratulate the Law Minister. . .

SHRI SOMNATH CHATTERJEE (Jadavpur). And the people of this country

PROF DILIP CHAKRAVARTY. People have to be congratulated perpetually

I congratulate the Law Minister for bringing for the consideration of this House, though belatedly, this Constitution (Amendment) Bill. We expected as a matter of fact, that this Bill would be brought long before. Possibly he was taking time, and rightly so, for having consultations with the friends opposite. I also have a word of appreciation for the major opposition parties and groups for agreeing to the provisions of this amending Bill.

The Janata Party by bringing forward this Bill is trying to restore the testament of faith that the founding fathers of our Constitution bequeathed to the people. Insecurity would be no more. We owe it to the people who sent us here to see that there should be no further erosion, no further attempt in future to scuttle the fundamental rights. This Parliament has already restored the judiciary to its former glory. There are certain other provisions in this Bill itself whereby the judiciary will be restored to its pristine glory, and the rule of law for all intents and purposes would be restored. But I would like to utter a word of caution. Merely legal provisions for securing equality before the eyes of law are not enough, as long as seventy per cent of our population are permitted to languish below the poverty line and they are denied the opportunity to take advantage of the legal system. This also should be borne in mind not merely by the Law Minister, but by the Government as a whole.

I also congratulate the Law Minister for redeeming the pledge given in our election manifesto, namely to delete the property rights from the Fundamental Rights....

SHRI P. K. DEO: And to substitute this with the right to work

PROF. DILIP CHAKRAVARTY: Yes. . .

MR. DEPUTY-SPEAKER: Do not get deflected by your neighbours, because you have only fifteen minutes time. They would derail you from your arguments.

PROF. DILIP CHAKRAVARTY: Sir, I congratulate the Law Minister for redeeming the pledge given to the people at the time of elections. I also congratulate the Minister for deleting the obnoxious Article 329A, which was being popularly called 'Save Indira clause' in our mutilated

Constitution. By Article 329A, benefit was sought to be given retrospectively to Shrimati Indira Gandhi. Let us give a go-by to the things of the past.

Further, by an amendment of Article 74, the status of the President is sought to be improved. This is the first time that the President of the Indian Republic would be having the right to ask for a reconsideration of a matter by the Council of Ministers, though ultimately if the Council of Ministers reiterated its former position, the President has to accept. That is a welcome provision. Possibly, if such provisions had been there, earlier, the late lamented President Fakhruddin Ali Ahmad would have thought for a second time, to pass it on to the Cabinet or to insist on a reconsideration before signing papers declaring emergency. Of course, according to the then provisions, he could have insisted. He did not. However, I need not dilate on it.

Last year, Parliament itself restored the popularly known provisions of the Feroze Gandhi Act. This was one of the first acts undertaken by the present Government. In the present Constitution (Amendment) Bill, Article 361-A is being inserted, whereby protection is sought to be given to those who publish parliamentary proceedings. This is a step in the right direction. If we keep the people of the country continuously involved in the parliamentary proceedings, that is a surer guarantee for preserving democracy in the body politic of the country.

In the election manifesto of the Janata Party, we insisted that there should be a very cautious use of the powers for having President's rule in the States, because the States' autonomy was made nugatory, particularly during the period of Emergency. But I have a feeling that even in our election manifesto, it is said that conditions should be clearly laid down with regard to the President's

[Shri Dilip Chakravarty]

rule in the States. It is for the consideration of the hon. Minister of Law. Otherwise there are dangers, there shall always be the danger, of subjective reports being sent by Governors of States, and decisions being arrived at on the basis of those subjective reports. If we have to preserve the quality of the Indian polity, we possibly expect that in future, different parties will be ruling in different States of India, whereas another party will be ruling at the Centre. So, these guarantees are necessary in maintaining the balance in the body politic of the Indian Republic. And even in matters of appointments of Governors, the ruling party in the State should also be involved. Their opinions should also be given due weight. These are the provisions which may form the subject matter of another Constitution Amendment Bill.

This is the first time since 1950 that the Government of India tried to rule the country without any Preventive Detention Act. And this fact should be applauded; but at the same time, one would feel it to be a matter of shame that the enabling provisions in our Constitution continue to remain, which give power to the States and also to Parliament, to enact for preventive detention. If we are really intent on restoring democratic norms in the country we should give for all times to come, a go-by to the provisions which enable the State Governments and the Parliament to enact in future, any preventive detention legislation.

I would also draw the attention of the Law Minister to another provision in our manifesto—page 9 of that manifesto—which declares, "We would guarantee the recall of errant legislators." We should not forget our own commitments. I am aware that our attempts are to translate all our commitments one after the other; but

let us not lose sight of many important commitments which remain yet to be fulfilled.

I should also like to draw the attention of the hon. Law Minister to our manifesto, page 9, item 18 which relates to right to work. There should be some provision in our constitution itself for this; I should personally prefer to put the right to work as one of our fundamental rights; we have removed property rights from the chapter on fundamental rights but we should substitute the right to work by incorporating it in the fundamental rights, as also the right to social security.

I was listening with rapt attention to the speech delivered by my friend Prof. Mavalankar who is no longer here in the House. He came forward with some arguments. He is a democrat. Reading the proceedings of Parliament during the emergency would show that in Parliament he was fighting against the amendments to the Constitution, against emergency provisions. How many, I would ask him, got up to support him in his opposition to the emergency provisions? Now he talks eloquently about the sovereignty of Parliament. I do not deny it; I belong to this Parliament. But which one should be given precedence—sovereignty of the people or sovereignty of Parliament elected by the people? Like any India scholar depending for his knowledge only on western publications, in his eloquent language he asks; how can the people of this country understand complicated issues? With the same eloquence he cited the instance of Switzerland and many other foreign countries which have cent per cent literacy and suggested—that those were methods which we could not accept. Prof. Mavalankar is a professor and an expert on constitutional law and political philosophy. I am not. But as a person with some little pragmatic sense and as a person who has faith in our people and in the crea-

tive ideas of the Indian people, I would ask him: what happened in the 1977 elections? Could anybody have imagined that with the press and publicity organs stifled, with fundamental rights not restored, with courts being crippled under a mutilated constitution, with many candidates in the elections languishing inside jails with no organisation worth the name, without the necessary financial power to go and reach the people, how did the people react? It does not today lie in anybody's mouth to caution on this by quoting from western experts. It is time we laid emphasis, we put our faith in our people. I am aware as anybody else that 70 per cent of our population are devoid of the three Rs; not only that, more than 60 per cent of our population live below the hunger line. Even then they knew how to react when they were called upon to react against an authoritarian regime. With these words, I would beseech everybody including hon. friends in the Opposition, the Leader of the Opposition Mr. Stephen and others to agree to the provision on referendum. This will be something new; we can show the way to the rest of the world. It is my plea to Prof. Mavalankar along with others who sit on the opposite who are still hesitant to agree to this provision on referendum. That is the surest way of guaranteeing freedom to the people at large to which we are all committed.

MR. DEPUTY-SPEAKER: You kept exactly within the time allotted.

PROF. DILIP CHAKRAVARTY: I will never exceed the limit.

SHRI M. N. GOVINDAN NAIR (Trivandrum): Sir, I welcome this amending Bill. I also congratulate the Minister on holding prior consultations with all the parties. I specially support clause 45 to amend article 368, where he has defined the basic structure of the Constitution and made it clear that without a referendum, this basic structure cannot be changed. I

welcome it. We had to learn from bitter experience. In a country where the fate of the State is decided by waves, in one wave you may get a sweeping majority and in another wave, it may be something else. I feel that this provision for a referendum is a must in these circumstances. For another reason also I welcome it. It is helping all of us to re-educate ourselves as to what the basic structure of our Constitution is, especially at a time when the rights which you want to preserve are being trampled under the foot with impunity by certain sections of the people all over the country.

I need not remind you that article 15 under the chapter on fundamental rights clearly states that there shall be no discrimination. But what is happening in the country now? I do not want to go into all those details. It is a very good thing that you remind us through this very provision that these are the basic structures—secularism, democracy, adult franchise and fundamental rights. I am glad that the right to property has been taken away from among the fundamental rights. All the Members of Parliament and State Legislatures including Ministers have to take oath of allegiance to the Constitution. Let us forget the people outside. So far as taking oath in the name of God is concerned, now I have realised that most of us do not believe in God. Otherwise, the fear of God would have helped them to fight against the trend and beliefs working against the democratic rights provided in the Constitution. The political system we are having is embedded in the Constitution. Unfortunately, we have inherited an undemocratic social structure. Unless we are prepared to fight against this undemocratic social structure, we will not be able to have secular and political democracy. Therefore, reminding the

[Shri M N Govindan Nair]

Members of Parliament and the people that without secularism, without democracy, our nation as a nation cannot survive is necessary and this must be brought home to everybody. That is why I lay so much stress on supporting this.

With all good intentions, you have brought in certain amendments in regard to the emergency I am not questioning your intentions. After all, you are a youngster you are lacking political experience. Therefore I want you to learn from past experience where the Constitution was circumvented to bring down the Government. It started with Kera'a in 1959 when the Government enjoyed a majority in the name of the masses having gone against the Government all joined together to pull down the Government. The only person who had a feeling of agony was the then President Dr Rajendra Prasad who had to sign the dismissal order. Everyone else combined to pull down the Ministry. What was the result? This became the method of pulling down any Ministry if the Centre did not like it.

SHRI P K DEO It has become a routine.

SHRI M N GOVINDAN NAIR It has become a routine. You can count how many Ministries have been brought down.

According to the present amendment emergency can be imposed if there is an armed rebellion. If you are going to include this, I am sure there will be infighting inside the various parties and groups and you will be unleashing armed action all over the country. I have no doubt about it. Therefore, as far as the emergency is concerned, excepting when there is external aggression there should be no provision to impose it.

Coming to President's rule, you have made certain changes but that

is not enough. Why should there be President's rule for six months or one year? There also, look into the past and see how many times President's rule was introduced, how it was prolonged and prolonged. Therefore, within two months re-election should be conducted. There shall be no President's rule. Therefore, what I would suggest is that you have to make necessary amendments to your Bill to take away this imposition of President's rule. How are you managing it here at the Centre? There is no provision for President's rule here. You have to call for elections immediately. If this country of 600 million people have to take part in an election when there is a breakdown here what is the difficulty in conducting an election if there is a constitutional breakdown in one of the States? Your talking about rains and climate and all that is all wrong. Within two months in a State you can conduct elections. Therefore I am not questioning the spirit in which you have brought these amendments but I am trying to improve upon it so that this may be a real amendment of the Constitution.

In clause 44 you have spoken about "Republic", "Secular" and "Socialist" in bold letters.

AN HON MEMBER What else you want? Everything is there?

SHRI M N GOVINDAN NAIR What I want is we should be politically honest. If you do not want socialism, do not say that you are for a Socialist State. If you really mean that you are for a Socialist State, then there should be necessary amendments in this whereby you lead the country to socialism. Otherwise, there is no point in using these words. Whom are you fooling? You think you are fooling the people you are only deceiving yourselves. Nobody is going to be fooled by such a statement. Suppose you write in a paper "sugar". Will it be sweet? So, if

you do not believe in it, do not put it. But if you mean it, then strengthen it by necessary changes.

There are certain minor amendments which, I think, we will not find it difficult to accept, about which we will give our views at the time of the clause by clause consideration.

बी कंबर लाल गुप्त : (दिल्ली सदर) उपाध्यक्ष मह दय, बी गोविंदन नायर का मार्ग सुनने के बाद मैं समझा ...

SHRI M. N. GOVINDAN NAIR:
Please speak in English.

SHRI KANWAR LAL GUPTA:
After listening to the speech of Shri Govindan Nair, I was pleased to learn that they have become wiser now, of course very late

एक माननीय महात्मा दिल्ली म।

बी कंबर लाल गुप्त मार्ग प्रिय मत
दरिये ।

Similarly, I heard the speech of a Congress Member, a former Minister. He has also achieved realisation after the dark period of 19 months. He has become wiser. I heard also Shri Stephen. He tried to defend the emergency in a half-hearted way. He has also become wiser. I may say now they have all become wiser. Had they been wise enough before, then this dark period would not have been there in this country and we would not have been in jail for 19 months.

मैंने एक ही बात कही है कि माननीय मंत्री महादेव ने जो विदेयक रखा है वह एक निम्नोदिक इविष्ट है भारत 'इतिहास में और मैं उसके लिए उनको बधाई देना चाहता हूँ। मैं कहना चाहता हूँ कि 19 महीने की जो काली रात थी वह इस बिल के द्वारा दक्षा ही नहीं और एक बार पुनः प्रजातम का उदय हुआ है जिसको प्रयोगी में री-बर्थ कहते हैं, वह दोबार हुआ है और जनता पार्टी ने देश के सामने चुनाव में जो वायदा किया था, मार्ग हम कह सकते हैं कि जब यह विदेयक पास हो जायेगा, हम उस वायदे का एक बहुत बड़ा भग्न पूरा कर देंगे।

We made a commitment and I must say we have fulfilled that because our commitment was total.

और उसमें भी हटने की कोई बात नहीं है। यह जो विदेयक है वह एक बात साफ़ बताता है कि जनता पार्टी जो वायदा करती है उसको वह पूरा करती है। हमने एक हिस्से को पूरा कर दिया है।

जो रोटी की बात है, मैं जनता से पूछता कि थोड़ा मा दैर्घ्य रखे, उसको भी हम पूरा करेंगे। इसके लिए हमें थोड़ा समय दीजिए। (अव्याधान) आपको तो यह भी पसंद नहीं है लेकिन आपकी प्रतिवारी से या नाप्रतिवारी से कुछ होने वाला नहीं है। हम वायदा बनाते हैं जनता के सामने कि जब वायदा हमने इसको पूरा किया है तो उसको भी पूरा बनाते हैं लेकिन उसका पूरा करने में हम थोड़ा मा समय लेना चाहते हैं। उसका पूरा करने का समय हम मार्गते हैं। हम यही कहे रहे कि थोड़ा दैर्घ्य रखिए और जो कठा प्रोप्रोडा हमारे विनाश किया जा रहा है उस पर विचार मत करेंगिए।

ध्यायक महादेव, हमने इस विदेयक के जरिए से डेमोक्रेटिक वेलिंग परम्परन प्रीडम, छव्वेटिटी विकार ला, फोटोम माफ़ जुटीरी, रेम्पवट हृ पारियां-मंट इन गार्ड बाला ना बनात निया है। हम ने इसान इमार वांच बद नहीं दिया। वाहे दिनना ही बड़ा यान्मा हा या या विनान हो दाटा आइमी हा, गानून गा साधन रख बरगार हाँ। इस विदेयक ने जरिए से हम ने गब का एक लालू में खड़ा किया है। इस के लिए मैं मंत्री महादेव और जनता पार्टी की सरकार ना वर्षार्द देना चाहता है।

It is an eye-opener to you and to all those who say that the Janata Government has done nothing. I think this is the biggest thing that the Janata Government has done. I can remain hungry, I can remain thirsty, but if I am not allowed to move freely, if I am not allowed to express freely, if I am not allowed to think freely, I am as bad as an animal.

SHRIMATI PARVATHI KRISHNAN (Coimbatore): And to die freely of hunger and starvation.

SHRI KANWAR LAL GUPTA: I am prepared to die of hunger and starvation. But I would like to be a free man and human. I do not like that. That may be your philosophy, but it is not our philosophy. We want both. But you don't undermine

[Shri Kanwar Lal Gupta]

that, It is in your way of thinking that it may be possible but not in the way of thinking of the Janata Party.

उपायकर महोदय, हमने इस विधेयक के जरिए से यह कहा है कि संविधान का जो वेसिक स्टूचर है, वह जनता ही बदलेगी। वह वेसिक स्टूचर क्या है, उसके बारे में इसमें कुछ कहा गया है।

उपायकर महोदय, आपको मारूम है कि सुप्रीम कोर्ट ने इन कीसों के ऊपर अपने अपलग अपलग निर्णय दिये हैं। कीसी वह एक निर्णय लेती रही है, कभी वह दूसरा निर्णय लेती रही है तो सीसरा निर्णय लेती रही है। जब वह अपने निर्णय इस तरीके से बदलती रही है तो आगे वह यथा करेगी, यह कहना मूल्यवान है। एमजेन्टी के दिनों में सुप्रीम कोर्ट ने जो एटीचूड रहा है, वह एक बदलूमा दाम है, हमारे देश के माध्यम पर एक धन्दा है। इसलिए हम ग्रुप्रीम कोर्ट के ऊपर विविधन नहीं कर सकते। वेसिक स्टूचर क्या है, वेसिक फीचर्स क्या हैं, इनके बारे में हमारे लंबी महोदय ने मोटी मोटी बीजे से कर कहा है कि इनको बदलने का अधिकार परिवायमेंट को नहीं होगा। इसके लिए, यह इनको बदलने के लिए होगा। इस परिवायमेंट से ऊपर भी एक परिवायमेंट होगी और इस से बही वह जनता की पारिवायमेंट होगी।

मैंने मान्यता द्या जब श्री स्टीफन ने यह कहा कि पांच साल के लिए आप कुछ भी कर सकते हैं। पांच सालों में आपने जो कुछ किया वह भी मूल्यवान को मारूम है। जब आप कि पांच सालों में वही करना चाहते हों तो जनता पार्टी वह आपको करने नहीं देती। वास्तव में जनता पार्टी पावर लोडना चाहती है और आप पावर लोडने का तरीका जो कि हमको और आपको एक दूसरे से अपलग करता है। हम नहीं चाहते कि हम पांच सालों तक कुछ भी करें। बारारे जो भीनिक विविधार हैं, जो कि संविधान का वेसिक स्टूचर है, उसको बदलने का अधिकार हम नहीं प्रसन्न हैं। हम नहीं इतना चाहते। आ ना कि यह पारिवायमेंट सुमीम है लेकिन क्या वह जनता से भी सुमीम है और पांच साल तक वह जो चाहे वह करे? यह नहीं हो सकता। कांस्टीट्यूशन में परमेंट करने के लिए तरीके हैं—एक सिम्पल डेजोरिटी, दूसरा ट्रॉई डेजोरिटी, गीसरा रेटिफिकेशन वाई डेजोरिटी आफ स्टैट्स। हमने खोदा तरीका कांस्टीट्यूशन में परमेंट करने का अपनाया है। संविधान के जो वेसिक फीचर्स हैं, वेसिक स्टूचर है, वह जनता ही बदल सकती है। इस के बारे में आपने यह कहा उसके बाबत ही वेसिक स्टूचर है—वह जनता ही बदल सकती है।

मेरा कहना यह है कि 51 परसेंट वत हक में एवं साहिएं। वह नहीं होता जाती है कि कुल 51 परसेंट वत परसेंट भी उसके 51 परसेंट वत हक में पहुँचे। यह हमारी मान्यता बाज की नहीं है। यह मान्यता देश को परसेंटों के साथ सम्बन्धित है। यह हमारे देश की संस्कृति का हिस्सा है। यह बहलत है या ठीक आप बहलते हैं। एक बादमी के कहने पर मान्यता राम ने अपनी प्यारी सीता को छोड़ दिया। लेकिन दूसरी तरफ बांधी की आप देखें। डाई लाल मांसों को अन्दर करके अपने एक बिले वह उत्तीर्ण महाने तक काले कानून की बनाए। रखती रही और आप सब लोग चुप रहे। यह जो ईसो-पेसी है यह हमारे देश की जिन्दगी का एक हिस्सा है। मैं बाईं देना चाहता हूँ कि जिस तरह से सुप्रीम कोर्ट ने किया और जिस तरह से पिछली सलाहा भी करती रही है वह अक्षर नहीं हो और इसको हमारी मान्यता लीक कर रही है ताकि आगे कोई गेसा न कर सके।

संविधान को कभी भी बदला जा सकता है। यह पावर पालियामेंट को ईलीगेंट हुई है। हमने अपने संविधान में राइट आफ रिकाल नहीं रखा है। पांच साल के लिए जो प्रा सदा उम्मीद रिकाल नहीं किया जा सकता है। मैं इसका मनवंत भी नहीं करता हूँ। लेकिन मैं यह जब जनता हूँ कि जो वेसिक स्टूचर है इसको बदलने का जनया को ही अधिकार होना चाहिए। आपने ऐसा प्रावधान कर दिया है इसके लिए मैं आपको बधाई देना चाहता हूँ। मैं समझता हूँ कि इसका विरोध वही मोत करेंगे जो जनता के विरोधी लोग हैं, जिन के मन में डाउट है, क्या है और जो आहों हैं कि उनको किसी तरह से मोता मिल जाए और जो जी ही भोजा निये वे किसी भी तरह से दूसरा चुनाव नहीं होने देंगे, एक बार जो आए तो फिर दूसरा चुनाव होने नहीं देंगे। एक बार उन्होंने बड़ी भारी गलती कर दी है। ऐसे लोगों को हम एक्सेप्यूज करता चाहते हैं।

हमें इस में एक बीज और एह करती चाहिए। जो ड्राइट रिवायासिविलिटी है डीविनेट की, विद प्राइवेसी मिनिस्टर एक है, वह भी एक बेसिक फीचर है। आपको यह होगा कि डीविनेट टाइप आप गर्नरमेंट बनाने की कोशिश भीनी है। दिरा बांधी ने की थी। उसका एक ड्राप भी सर्कुलेट किया गया था। मैं यादे के साथ वह सकता हूँ और मैं इसको साबित भी कर सकता हूँ कि बहुत नों जो अटिटूट से उन्होंने बात भी की थी इस सम्बन्ध में भी उनकी राम जानती चाही भी और पूछा था कि तुमने क्या इस पर रिएक्शन किया होता था तो उन्होंने जबाब दिया था कि इसका अक्षर नहीं होता। आप इक जाएं। यह करता लीक नहीं है। कल वो बनारे पर पावर में आ जाते हैं तो फिर से उत्तीर्ण तरह का डांच बनाने की कोशिश कर सकते हैं—

जो समस्त लाडे (स्कोलो) संसदर बन गहन्त है। अरिस्ट का नाम बता दो। आपी बता दी हाव कलन को आरती क्या। कौन है वर्त्तने वाले अरिस्ट?

जो संबंध आल गुल मैं बैलेज देना हूँ और मैं श्री स्टीफन को बत बताता हूँ जो आपकी पार्टी के लीबर है और मैं उनको नाम बताकरगा।

SHRI VASANT SATHE: I am asking you to say openly the name of that jurist.

SHRI KANWAR LAL GUPTA. I challenge him, Sir Let Mr Stephen, belonging to Songress (I), a leader of his own Party, be the judge. I will produce that man with whom she had a talk (Interruptions)

SHRI VASANT SATHE: Let the House decide.

SHRI KANWAR LAL GUPTA. Let Mr Stephen decide. I am prepared to accept Mr. Stephen's verdict

मैं समझता हूँ कि आठे साहब मानेंगे कि इंडीशन प्रीटीशन का तरीका आपकी पार्टी के प्रधान मंत्री के लिए बलग रखा गया था और हम गरीबों के लिए बलग। ऐसा क्यों किया गया था? एक कानून और आने वाला था और वह आया थी कि प्रधान मंत्री के ऊपर कार्ड मुक्तमा बलाया नहीं जा सकता है। मैं पूछना चाहता हूँ कि क्या यह दीक है। मैं उसे पूछना चाहता हूँ कि इंडीशन में ये दीक है? एक सेवक आफ पालियामेंट और दूसरे सेवक आफ पालियामेंट में जैव दीक? यह आपिके कफननिंग का जो नरीका है

That shows the tendency of fascism, of dictatorship. And this mentality should be curbed and curbed with all force. This was the way of your functioning, the functioning of the Congress Government. Now, what is our way of functioning? Sir, here is another Prime Minister who says, 'I am an ordinary M.P., I do not want any special privilege. Let me also be included in the Lokpal Bill.' Is it not a fact, Sir?

आपने जोक पाल बिल में प्रधान मंत्री को जामिन नहीं दिया। वब कि हमारे प्रधान मंत्री स्वयं कहते हैं कि प्रधान मंत्री के लियाक इन्डीशन प्रीटीशन का बही तरीका होना चाहिए और आप्य सरकार के लियाक आपनाया जाता है। इसलिए कानून की नियम में छोटा और बड़ा एक है। वह को ज्यादा सजा मिलनी चाहिए सोटे को नो बोका माफ भी दिया जा सकता है।

इन्टर्नल इमरजेंसी के बारे में मझे कहना है, मानीय गंगविन नायर चले गये, उन्होंने कहा कि इन्टर्नल इमरजेंसी नहीं होनी चाहिए, केवल एक्सट्रीम इमरजेंसी रहनी चाहिए। हमारे मानीय जेटबलानी ने कहा कि यह इस आक ला के लियाक बात है प्रधार यहा चिरेशन होता है, प्रिवेटिंग चिरेशन होता है। हमारे मानीय जेटबलानी ने कहा कि प्रधार एक प्राप कार्यार्थ कर दी या एक आव गोला छोड़ दिया गया और इस बहाने से इमरजेंसी लगा दी और पकड़ कर लगो को असदर कर दिया इम आधार पर इन्टर्नल इमरजेंसी लगा हो सकती है। हाँ लगता है। लेकिन यह कौन करेगा? यह भी कले के लिए दियाग चाहिए। ऐसे नहीं कि हाईकोर्ट ने फैसला दिया कि राजनायिक जी को इन्टर्नल पर भूत्युक्त प्रधान मंत्री का चुनाव रह तो कहा गया कि 'देश में कानून हो रही है, देश में गडबड हो रही है और वायनेस हो रही है इन्सलिए इन्टर्नल लगा दी। जनता पार्टी के काम करने और सोचने का तरीका बलव तैयार है। 19 महीने बाद, यह जनते हुए भी कि देश में 30 माल में कम से कम हमारी जैनरेशन में जो बर्ट किमिन ल है या हाव उसको प्रभी तक सजा दे पाये हैं? आज भी वह आराम के लाय, सान के माल घूम रही है, कोई उत्तरी उठाने वाला नहीं है। जब यह उनको सजा नहीं दे पाये तो मतवार यह है कि हमारा इतरावा इमरजेंसी को मिस्ट्रीज करने का नहीं है। क्या यहापर ऐसे केसों नहीं हैं, लैन्कोटिंग्स नहीं हैं, इनफिल्ट्रेशन नहीं हैं? देश इतना बड़ा है, ताहु ताहु से सोचने वाले लाग हैं, किसी की पोलिटिकल फिलतान बायबाल करते हैं और उसे बोकली बायबाल करते हैं क्या उनका इन्टर्नल इमरजेंसी के नाम पर बद्द नहीं किया जा सकता है? इसलिए इन्टर्नल इमरजेंसी हांगी चाहिए, मैं इसका समर्थन करता हूँ?

दूसरी बात यह है कि इमरजेंसी के ऊपर कई लगता चाहिए, पूरा और मैं उसके लिए लिखि मंत्री को बाही देना चाहता हूँ कि उन्होंने कभी लगाये हैं जिनको सम्बादाता के कारण जिन्दाना नहीं चाहता। मैं सोचता हूँ कि जिन्दे कभी हमने लगाये हैं उन्हें जिसी ने नहीं लगाये हुए। आप पहले भीसा पड़िए। मैं उसमे एक और जोड़ना चाहता हूँ कि ज्यादा से ज्यादा किसी आदमी को 6 महीने से ज्यादा बिटेन न कीजिए।

That should be the maximum. And secondly, grounds for detention must be given to the detenu.

[श्री कंवर लाल गुप्त]

यह और उसमें कास्टीट्यूशन का पार्ट होना चाहिए।

15.00 hrs.

इन्हिं मैं उन लोगों में से नहीं हूं कि इस आफ ला का मतलब यह समझें कि आप प्रिवेटिव डिटेंशन एक तरफ विलुप्त नहीं रखना चाहते। इस आफ ला का मतलब होरेक देश में अलग अलग है, होरेक जूरिस्ट ने इसका अलग-अलग गतिविधि लगाया है। सिस्कोरिटी आफ दी स्टेट इज सुप्रीम। अगर देश की सिस्कोरिटी नहीं है तो उसको ध्यान में रखें हुए, इतना बड़ा देश है, जहाँ डाइवर्जेंट एलिमेंट है, हम केवल एक फिलामिकल तरीके से चीजों को तथा नहीं कर सकते हैं। हमें देश में एडमिनिस्ट्रेशन करना है। इन्हिं मैं प्रिवेटिव डिटेंशन एक वा भी समर्थन करता हूं।

मुझे एक्जेक्शन के बारे में भी एक बात कहती है। आपने इसको ट्रांस्फर सवैकेंट में डाल दिया है। मैं इसके तक में नहीं हूं। एक्जेक्शन ही एक ऐसी चीज़ है जिससे देश में बदल आ सकती है। चारदर निर्माण हो सकता है। यह कान्करैट लिस्ट में जैसे पहले था, उसी में होना चाहिए। अपील हमारे कई दोस्त सेंटर और स्टेट की बात कहते हैं कि आप हमारे प्रधिकारों पर आक्रमण करना चाहते हैं। क्या इसके जरिये साठे साहब, आपने यह नहीं कह दिया कि सेंटर की फौसं बरीर स्टेट की मर्जी के वहां पर नहीं आयेगी जब तक कि वह नहीं बुलायेगी? क्या आपने यह नहीं किया था 42वें अमेंडमेंट में। वह गलत था कि नहीं था?

हम बाहर स्टेट की मर्जी के कोई सेंटर कोसे वहां पर भेजने वाले नहीं हैं। इसका मतलब यह है कि हमारी नियत साफ है कि जहाँ तक सेंटर और स्टेट का सम्बन्ध है, कोई पार्टी वहां राज्य करे, उनके साथ हम अच्छे सम्बन्ध रखना चाहते हैं और जो चीज़ आप डिक्टेट करना चाहते थे और उसके जरिये से सारे स्टेट्स पर आपना रोब दबदबा जमाना चाहते थे, उसको जनता पार्टी ने खत्म कर दिया।

मुझे प्रापर्टी के बारे में भी एक बात कहती है। जहाँ तक सौशल-इकनामिक गोल का सबाल है, उसके लिए किसी हद तक प्रापर्टी के फॉडामेंट राइट को कम करना व जरूरी है, क्योंकि जब तक आप पूरा कम्पनेसेशन देंगे, शायद कोई काम जनता के हित में नहीं हो सकता। जहाँ तक आर्टिकल 31 का सवाल है, मैं आपके साथ सहमत हूं वह जाना चाहिए लेकिन 19 (1)

एक में 7 फीडम दी हुई है, अगर आपने उसमें से 6 कर दी तो क्या एक दूसरे पर निर्भर नहीं है।

श्री शान्ति भूषण जी लायर रहे हैं, फीडम आफ थाटह, फीडम आफ स्पीच है, अगर आपकी लायब्रेरी छीन ली जाये तो क्या आप फीडम आफ थाट करते। क्यर वैसा ही नहीं है, फीडम आफ मुद्रमेंट है तो कुछ भी नहीं है। अगर आप के कापड़े उतार लिये जायें, तो आप कहाँ जायें? यहाँ से बाहर भी शर्मी के मारे नहीं जा सकते।

मैं चाहूंगा कि धारा 31 को हटाईये जो प्रतिक इण्ट्रेट में है, उसको द्वारा दीजिए लेकिन 19 (1) एक के बारे में सोचिए उसको आप बाहड बेस बता दीजिए। प्रतिक इण्ट्रेट में जो कम्पनेसेशन देने की धारा है, उसके सम्बन्ध में सरकार यदि कुछ करे तो ठीक है, परन्तु 19 (1) एक को गमाप्त करने से एक ऐसा आधात होगा जिसकी पूर्ति करना कठिन होगा। इसके अन्तर्भूत कापी राइट भी जायेगा और हर तरह के राइट भी जायेगे। आप अपनी गवर्नरमेंट के बारे में ही मत सोचिए, आज आप हैं, कल को और दूसरी देढ़ी-मेढ़ी गवर्नरमेंट भी आ सकती है और अगर वह मड़कों पर खड़ा कर देंगे तो वह तो मारने से भी ज्यादा खतरनाक होगा।

आखिर मैं इतना ही कह कर खत्म करना चाहूंगा कि यह बहुत सुदर प्रयास है, उसके लिए तो बधाई देता हूं हूं लेकिन आज आपने यह विधान बनाया है, कल को दूसरे भी आकर बदल सकते हैं। सबसे ज्यादा जरूरी है कि प्रतिक ओपीनियर को मोविलाइज करना चाहिए, एलट होना चाहिये जब तक एलट और प्रतिक कार्सेंस नहीं रहेगी तब तक यह नहीं हो सकेगा। इसके साथ मैं पूरे दिल से इसका समर्थन करता हूं और मंत्री महोदय को बधाई देता हूं।

SHRI R. VENKATARAMAN (Madras South): Mr. Deputy Speaker, Sir: It is a trite saying that the politician looks to the next election, and the statesmen looks to the next generation. Therefore, we should, on this occasion, cease to be politicians and try to be statesmen and hammer out a solution for our problems that will endure, not only to the next generation, but to posterity.

It is a very happy augury that the Government had consultations with the Opposition parties in respect of

the Constitution (Amendment) Bill, and tried to arrive at a consensus. In fact, the speeches made on this side have shown that there is a large measure of agreement with regard to the Bill before the House. It seems to have upset some people who wanted some kind of a confrontation and did not find it. I shall deal with the subject in the descending order of priority, so that if I lose time, I will lose only the smaller points.

The first submission that I will make to the House is regarding Clause 45, dealing with amendment to the Constitution. The legislative history of amendment to the Constitution has been something like a pendulum, swinging from one side to the other. From Shankari Prasad case to Golak Nath case, it has swung from one end to the other. The Supreme Court held that Parliament had absolute right to amend in 1950; and in 1967, it held that it had no power to amend the fundamental rights. Fortunately, I think the pendulum has achieved perpendicularity in the Keshavanand-Bharati case. It has set down the limits of the powers of Parliament to amend the Constitution. It has said that in all matters which are not of a basic structure, Parliament has the power to amend the Constitution. What are these basic structures, or essential features of the Constitution, has not been spelt out. But some indications have been given, scattered throughout the voluminous judgement. Federalism is one, secularism is one, the separation of powers and independence of judiciary is one, and so on.

As a result of the Bill which is now before us, we will be in a strange position. One: under the Keshavanand-Bharati case, certain Articles of the Constitution are unamendable. Two: certain Articles of the Constitution can be amended in accordance with the procedure laid down in the Constitution. And three: certain

items mentioned in Clause 45, i.e. those seeking to impair the secular or democratic character, etc., taking away the right of citizens or abridging them, impeding free and fair elections, compromising the independence of judiciary, etc. Those items, if they are passed by Parliament in accordance with article 368(1) and approved in a referendum by the people, will become valid. I want to ask the Law Minister this question. If according to the Supreme Court, independence of judiciary and the separation of powers are not amendable at all, it is one of the basic structure of the Constitution, how is your law saying that anything which compromises the independence of the judiciary can be amended if it is approved by a referendum? It looks as if this Bill takes away what the Supreme Court has given as fundamental and basic rights which under no circumstances can be taken away from the people. I do not know if any of those items mentioned, namely, impairing secular and democratic character of the Constitution, abridging or taking away the right of citizens under part III, prejudicing or impeding free and fair elections to the House of the People or compromising the independence of the judiciary, if any law is passed in respect of that, according to the existing decision in the Keshavanand-Bharati case, it is my submission that it will be unamendable and should not be allowed to be amended at all. On the other hand, you say that any law affecting these things can become valid if it is approved by a referendum. Far from protecting the rights of the citizens you appear to be giving away the rights of the citizens already secured in the Keshavanand-Bharati case. I want the hon. Law Minister to very carefully consider this aspect because of the new element of providing for amendment to the Constitution in respect of matters which according to me are not amendable, which according to the judgement in Keshavanand-Bharati case are not amendable, they could be amended by virtue of the fact that there will be a referendum.

[Shri R Venkataraman]

and approval by referendum I am only saying that this is the effect of this, we are not accepting this amendment

My second point is thus The concept of referendum is new It is not in the Constitution It may be that the very concept of referendum itself will be an alteration in the basic structure of the Constitution of India The amendment which the Law Minister has brought before the House stands in danger of being thrown out by the Supreme Court in accordance with the decision, now given because this concept of referendum itself is not one of the concepts in the Constitution of India and being something which is in the nature of a fundamental principle it is new

The court can come to a conclusion that this itself is not valid amendment I say this because political theories and political scientists have not accepted the principle of referendum in all case In fact there are two theories in respect of representation One is direct democracy and the other is representative democracy through elected members Certain Constitutions have accepted the principle of direct democracy The Swiss Constitution for instance has accepted it But the British democracy has not accepted the principle of direct democracy It has accepted what is called representative democracy Therefore if you want to change the very basis of our Constitution from a representative democracy to a direct democracy then you will be running counter to the original concept of the founding fathers and framers of the Constitution Therefore, it is quite possible to argue and it will be argued that this is a fundamental change which is not contemplated and will not, therefore come within the powers of article 368

I come to the practical aspect If you look at the countries of the world,

you will find very few which have direct democracy In fact, it is only in small countries like Switzerland or countries with a small population that this referendum can work In a country like India, which has more than 300 million people who will vote, it would be almost impossible to have a referendum The practical aspect of it should not be ignored

Referendum is usually in the form of an yes or no How can you put forward a Constitution amendment in the form of yes or no' Generally what is referred in other countries is a specific question The latest referendum in Switzerland was whether a women should be allowed to vote or not This is a simple question If you say that a Constitution amendment containing so many complicated issues could be put forward in the form of yes or no, it will create so many problems and so many difficulties. It will not be possible to get a clear verdict from the people in respect of this Even today people are voting by symbol's—either the hand or the bull or something When you put forward a Constitutional amendment to a referendum what is the symbol you will give' If you give the party symbol it means that it is a party election If you give different symbols say cats and rats the argument that will go on in the country will be cats drink away the children's milk so don't vote for cats The other argument will be 'Rodents eat away our grains so don't vote for rats' The other argument will be Rodents eat away our grains, so don't vote for rats'

Under the provisions of this clause, 51 per cent of the people must vote before any amendment can be said to have been accepted In a general election where candidates contest, it is in their self-interest to get as many of their supporters as possible to go to the polls I may carry 30 per cent of the voters to the polls and my rival maybe able to carry 40 per cent The result is that 70 per cent of the

people vote. But in the case of a referendum who will be interested in mobilising all voters and taking them to the polling booths? I am afraid in most of the cases, this 51 per cent will never vote

Again, even if 51 per cent of the people go and vote, can 26 per cent of the people decide the fate of the country, because majority of 51 per cent is 26 per cent? Can 26 per cent of the people say that the independence of the judiciary can be gone away with or the electoral laws can be changed prejudicially or that the fundamental rights can be taken away? Therefore, it appears to me that the whole scheme is ill-conceived and it requires very deep consideration. In fact, there must have been a public debate on this issue before we came forward with such a major change in our Constitution. It should have been put to the people, it should have been debated in various places the views of the State Assemblies should have been taken, bodies like the Bar Associations should have been asked to give their opinion. Instead we have not even referred this Bill to a Select Committee, we are in such a great hurry that we want to get it through. I now come to the last point

MR DEPUTY-SPEAKER Kindly conclude

SHRI R VENKATARAMAN. Will it be possible for me to take some time from my other colleague?

MR DEPUTY-SPEAKER That .. possible

SHRI VASANT SATHE How much is the total time of our party?

MR DEPUTY-SPEAKER Twenty seven minutes, out of which he has already taken 22

SHRI VASANT SATHE How can it be? Our party got one hour and 45 minutes.

MR DEPUTY-SPEAKER: Mr Stephen has taken.

SHRI VASANT SATHE Thirty minutes, that is all. You see the record

SHRI R VENKATARAMAN This debate can continue afterwards

SHRI VASANT SATHE Now that you are extending it by two hours, proportionate time should be given to us

MR DEPUTY-SPEAKER It is not extended for that purpose, but to accommodate more Members.

SHRI VASANT SATHE Anyway, let him have five minutes

SHRI R VENKATARAMAN Thank you Mr Sathe for giving me five minutes

The next point I would like to mention is that the cost of such an election will be prohibitive. In the Financial Memorandum which the Minister circulated the other day he has assumed that the referendum will take place along with a general election. If it takes place with another general election then the cost would be less, but you cannot wait for a referendum to be put to the people till the next general election. If that is so, the purpose would be defeated. Therefore, I submit that the whole question must be gone into more deeply than has been done

I would sum up the position so far as this is concerned. We have reached a fair measure of stability regarding the interpretation of article 368 and the limits of the amending power of Parliament in the Keshavanand-Bharati case as well as the election case

Now clause 45, as it is put forward, will only create further confusion and uncertainty in this regard. Sir, I have done

SHRI DAJIBA DESAI (Kolhapur): Mr Deputy-Speaker, Sir, I rise to make my observations before the

[Shri Dajiba Desai]

House. First of all, I would like to welcome certain measures which the Law Minister has brought forward in the Constitution Amendment Bill.

I will start with the right to property. The Janata Government have deleted the right to property from the Constitution. In that way they have fulfilled their proclamation in the election manifesto, that the right to property will go. But, along with that, they have made a promise of right to work. The right to property is going but the right to work for an adequate livelihood has not come.

We do not amend the Constitution very often. In fact, we should not. It is after full deliberation of one year that the Janata Party and the Janata Government have brought forward this Bill. So, we were expecting something comprehensive, something which will enable the Government to undertake socio-economic reforms in the country. But there is not even a single proposal here which will enable the Government to undertake any socio-economic reform. Only the right to property is going. At the same time, they are amending article 31-C, which the previous Government had inserted, giving precedence to Directive Principles of State Policy. The present Government is curtailing that provision also. Article 31-C was brought forward by the previous regime to create an illusion in the minds of the people that the Emergency will be helpful to the people, it will help the socio-economic development of the country. But what actually happened during the period of the Emergency? Even under the 20-Point Economic Programme they have not brought forward any socio-economic measure, even though the Janata Party assured the people at the election time that they will undertake socio-economic measures to have Samaj Parivarthan. Actually, there is no scope in the present Constitution Amendment Bill for any socio-economic measures and whatever scope was there in Article 31-C has been either withdrawn or narrowed down.

Another aspect of this Bill which I welcome is the removal of restraints and restrictions on democratic rights. There were a number of restraints—I do not want to dwell on them,—on the independence of the judiciary, the implementation of fundamental rights and so on and they have now been removed. It is welcome. But democracy will not survive only on freedom of speech or fundamental rights. Democracy will survive when the socio-economic reforms are taken into consideration or brought forward. We want democracy. But we want bread and democracy together and not democracy alone.

Another thing that I want to welcome in this Bill is the restoration of the independence of the Judiciary. At the same time, they have abolished the Tribunals and other things. It is also a welcome step. So, when you want to protect democracy, you have to protect the people. In a class society, democracy will not survive and if democracy is to survive, it must be helpful to the classes which are down-trodden, oppressed and exploited. We must take social, economic and political measures which would help the down-trodden. There is a complete lack of that measure in the Bill.

Then coming to referendum, it is, of course, a new phenomenon; a new principle is being put forward. There are difficulties in that, but we are prepared to give a trial for that. At the same time a new trend is coming into Indian polity and that is to do away with the federal principles of the Constitution. There are trends that the Union Government should be unitary form of Government, the Centre should be powerful, but the Centre will not be powerful at the cost of the States and, therefore, I propose that the federal structure should be made a basic feature of the Constitution.

Then there are again some changes in the State List. Education is being taken into the Concurrent List. I want to oppose that. Even some of the Chief Ministers who assembled some time back, have advocated that Education should be in the State List. These are the points on which I wanted to express my opinion. I have given certain amendments and I would like to speak on them when they are taken up. With these words I conclude.

भी यमुना प्रसाद सास्की (रीवा) उत्तरायण महोदय १८८८ के ४५वें समोदयन विदेयक को एह-१ राजी विदेयन मानता है। अमन, जिस समय सविधान मना यहा बैठी भीत्र स्वतंत्र भारत के गविन्यान का नियम होने लगा तभी समय जब भौतिक प्रधिकार में समान् एवं आधिकार नियम यहा वह दिन लोकतंत्र के लिए एक बातक दिन था, भीत्र उस सविधान मना में भी थोड़े से लगे दूरदर्शी थे, जो समवन लोकतंत्र को नियमान् नहीं बनाना चाहते थे, बल्कि सर्वोक्तु बनाना चाहते थे उन्होंने भपाना आवाज यहा बुनन्द की थी। आज मैं उन लोगों से मैं सामाजीक दार्शनिक इतिहास में उठने का बाह्य दृष्टि करता हूँ। सामाजिक समाज में उठने कहा जा कि यह सम्पन्न का प्रधिकार जो आप दे रहे हैं भौतिक प्रधिकार के रूप में It will be a Magna Carta in the hands of the Indian Capitalists यह सामाजीक और आर्थिक दोनों प्रधिकारों को प्रदान करेगा। उन्होंने कहा था यह इस प्रधिकार को भौतिक प्रधिकारों में कठीन समिन्द्रित नहीं किया जाना चाहिए। मैं कहता चाहता हूँ कि सम्पादन का प्रधिकार कठीन भी जमानात प्रधिकार नहीं ही सकता, जो मिनिट प्रधिकार नहीं ही सकता किंतु भी देश में समृद्धि का। सम्पत्ति प्रधिकार की नहीं होती। सम्पन्न सवाज की होती है। सम्पत्ति पर प्रधिकार पूरे सवाज वा है। वह केवल आप का विकार नहीं है। आरनायर्थ में प्रनालिकान् में वहाँ के भौतिकों के सम्पत्ति को समावृत्त के प्रधिकार में माना जा, भौतिक के प्रधिकार में नहीं माना जा। "सम्पत्ति सबहि दृष्टपति की" इतना ही नहीं भीमद् आमतः मैं कहा हूँ। भीमद् आमतः मैं एक लोक हूँ—

यावद् वियेत उत्तरम्, तावत् स्वन्वयं हि देहिना।
जितैर्वै देष्य आदमी का पेट भरता है, कैवल उन्मे पर ही उसका प्रधिकार है। सम्पत्ति के सवाज का प्रधिकार किसी को बही है। आज सविधान के ४५वें समोदय में इस सम्पन्न के भौतिक प्रधिकार को निकाल कर आपने सबमुक्त लोकतंत्र को प्राप्त

प्राप्त किया है, भारतीय लोकतंत्र को जीवन प्रदान किया है। इस पर मैं जनता पार्टी की सरकार को बहार्ह देना चाहता हूँ।

सिर्के इतना ही नहीं, सम्पत्ति के भौतिक प्रधिकार को तो आपने समाप्त हिया, लेकिन उसमें दु वा इस बात का है कि इसकी सोविधान के प्राप्तिकार के रूप में रखा है।

कृष्ण मार्गनीय सदस्य यही दृष्टि है।

धौर यमुना प्रसाद शास्त्री भौतिक प्रधिकार से आपने इसे निकाला, इस दिये आप बधाई के पात्र हैं, जिनमें भी प्रतिनिधी कानून बनाये गये, उन सब को सम्पत्ति के भौतिक प्रधिकार के प्राप्तिकार पर ही चुनौती दी गई, इसे आधार पर वैक राष्ट्रीयकरण, भूमि सीमा के अनून भी और प्रोप्रिपेस के कानून को चुनौती दी गई।

सम्पत्ति का प्रधिकार भौतिक प्रधिकार से निकाला गया, भूर इस देश में एक सामाजिक कानून का मार्ग सम्प्रसाद हो गया, इसमें दृष्टि सदृश नहीं है। इसके अने नामान्वित और प्रायिक शब्दिन वा भासा वा प्रश्ना "एगा" है, उनके मार्ग की वापा समाप्त होनी है लेकिन सामाजिक के प्रधिकार के इस पर भी आपने के प्रधिकार जो वाहिनी हाथाहिं, उसे भी नामाको समाप्त करना चाहते हैं।

जहा तक कानूनी प्रधिकार की बात है, सम्पत्ति के लिये तो बहुत बानूनी प्रधिकार है इस देश में, बहुराष्ट्रीय का कानून है, लेकिन रेसेंस कोड है। इस देश के डेंगे प्रायिकों ने, सम्पत्तियों के भौतिक वहे उत्तोग्नानीयों ने भपाने प्रतिनिधित्व कराना अनेक कानून सम्पर्क की देखा के लिया, बना रखे हैं। प्रधिकार वा उनको लगाने की काही आनंदयवना नहीं है। इत्तिवासीनान्वित प्रधिकार एवं कर्म में जो इसे रखा गया है, मैं उनका विरोध करता हूँ।

दूसरी बात मैं यह कहता चाहता हूँ कि सम्पत्ति का प्रधिकार प्रदान करने के नाम साथ काम वा प्रधिकार अवश्य ने प्रदान करना चाहिए। जनता दार्शी न आपने वायापान्-वा ये स्टेट एवं लियाहे ही वा जनता दार्शी will take away the 118th to property and replace it by the 118th to work साफ-माफ एवं दो वा दृष्टि में यह लिया है। मैं आपनी सम्पत्ति प्रधिकार से कह रहा हूँ, यह गहरा मेरे पांग नहीं है लेकिन आप बहा गया वहा गया वा कि सम्पत्ति के प्रधिकार जो इस तिकालेग और उसे राइट दू बके मैं रिक्लेम करेंगे।

राइट दू बके आपने नहीं रखा, इत्तिवासीन भौतिक प्रधिकार वा निकालना जनता महत्व नहीं रखा आप जितना महत्व इसे मिलना चाहिये था।

[बी वयुना प्रसाद शास्त्री]

भगवर शास्त्री इसमें राइट न बर्क भी लिख दिया हैता, उसका भी प्रावधान कर दिया गया हैता औ आज हिन्दूस्तान की यह परिवारेट हमेशा हमेशा के लिए भगवर हो गई होती। आज का विष हिन्दूस्तान के इतिहास में स्वतंत्रता से लेका गया हैता। आगे आगे वाली पीढ़ीदार आज के संवर्द्धनवालों को सर्वेव भगवर हृष्ट दृष्टि से स्वाम देती है कि ऐसी भी एक समृद्ध भी जिसमें सम्पत्ति के नीतिक अधिकार को हटाकर हमेशो काम का अधिकार प्रदान किया है।

बी राम विलास पासवान ना-मनिस्टर द्वारा आवाया था दर्शक करने।

बी वयुना प्रसाद शास्त्री : मर्दी समृद्ध वा याद करते। सौकृतक ये एक अविन का कोई बहुत बड़ा स्थान नहीं होता है।

बी राम विलास पासवान वही ना बिला है।

बी वयुना प्रसाद शास्त्री : एक दूसरी बात पर जूसे बहुत बड़ी प्रापति है और वह है निरोधक नवरात्री के प्रावधान पर। इसमें प्रार्टिकल 22 ये दूसरी भी लिखा गया है कि 2 महीने तक किसी भी अविन को नवरात्री किया जा सकता है। 2 महीने में एक बोर्ड बैठेंगे ताकि कोई के जागा दो जो कि नियम करना कि आधार पर्याप्त है या नहीं। लेकिन 2 महीने तक नो बिना मुकदमा बताये उसका जेल में बन्द किया जा सकता है। यहले के प्रावधान में 3 महीने था, यह आपने उसे 2 महीने कर दिया यह कोनसी बड़ी बात है। यह विलुप्त गति बतात है। जहा तक मेरे जैसे प्रावधान का सावल है, मुझे इसमें बहुत बड़ी प्रापति है और इतना ही नहीं, ये एक पक्ष में भवतिकान कर सकता है, इसमें यह भी मुझे सबैह है। इसलोग इसको पूर्णतया निकालना चाहिये। 2 महीने नहीं, 2 पक्षबाटे नहीं, 2 मन्दाना नहीं, बिना मुकदमा बताये, बिना किसी जर्म के किसी अविन को गांव नियन भी जेल में नहीं रखा जाना चाहिये। यह अक्षम्य प्रयराण है नाकृत की हृष्या है, नाकृतिक अधिकारों का यह मनका है और बिना बकहमा बताये किसी वा एक दिन भी नहीं रखें।

इमर्जेंसी की आवधा के सम्बन्ध में भी मूले हुए कहना है। भरकार ने ऐसा प्रावधान कर के एक बहुत प्रकार का आवधा है कि यह आन्तरिक इमर्जेंसी सहसा उस तरह से लागू नहीं की जा सकती, जिस तरह अधिनी इमिर्दा वाली ने लागू की थी। भरकार ने इमर्जेंसी की आवधा के लिए 'इनटर्न विलोवें' की जाग 'आर्म्ड रेवेलियन' को आधार के इप में स्वीकार किया है—आन्तरिक उपराह के स्वाम पर समस्त बिलोह को रखा है। लेकिन इस देश में आवधा पार्टी की ही भरकार दृष्टिका नहीं रखेगी। अभी मानवीय समस्त, जो करव आज भूमि, ने कहा कि जनता पार्टी इस का

बुझपोश नहीं करेगी, जनता पार्टी के काम करने का तरीका भूमिरा है। लेकिन ये मानवीय भी मूल से बहुमा के लिए जनता पार्टी की सरकार के लिए नहीं है, जब जनता पार्टी की सरकार नहीं रहेगी, यह सवित्रान तो तब भी रहेगा।

एक मानवीय समस्त जनता पार्टी की सरकार सदा रहेगी।

बी वयुना प्रसाद शास्त्री सदा रहेगी' ऐसा तो हम चुन भी नहीं चाहते। सौकृतक तभी जीवित रहता है, जब एक पार्टी हमेशा हमेशा के लिए सामन में न रहे। बीच बीच में तब्दीली होनी ही चाहिए।

आगर कभी कोई इन तरह की पार्टी जानने में आ गई, जिस ने इस का दुखपोश किया, तब क्या इमर्जेंसी ? क्या हम इस बात को भूल सकते हैं कि अधिनी इनिदरा वाली ने इमर्जेंसी की ओवरान बदल हुए यही कहा था कि इस देश में आर्म्ड रेवेलियन होने वाला था, और जयप्रकाश नारायण आधार को बिलोह करने में लिए काल दे रहे थे। आज मेरे एक रहन्य का उद्घाटन करता आहात है। प्राईंसी एफ० ई० य०—इन्टर्नेशनल कारेंडरेल काल वो दो देश यूनियन—जो जनरल मेंट्रेटरी, जेनी नियासी अधीनियम, यहा पाये थे। उन के साथ जातीती के द्वारा अधिनी इमिर्दा वाली ने एक बड़ी बात कह दी थी कि यी जय प्रकाश नारायण का आधार को कूल जेनेरल के साथ सम्पर्क कराये हो चुका था और वे उन का साथ देने के लिए तैयार थे। इस तरह की बड़ी बात वह वह उन्होंने देश में इमर्जेंसी लागू की थी।

ये समझता है कि धरवर "आर्म्ड रेवेलियन" का बदल भी रखा जायेगा, ही उसका भी दुखपोश किया जा सकता है। धरवर कहा आर्म्ड रेवेलियन होता है, तो उस का सामना करने के लिए सामाजिक कानून कर्ती है। नाकृती ने आर्म्ड रेवेलियन हुए, तो क्या वहा आन्तरिक इमर्जेंसी की ओवरान करती वही थी ? विजराम म आर्म्ड रेवेलियन हुआ था, तो यहा वही आन्तरिक इमर्जेंसी नाम करने की जाकृतिक, वही भी ऐसे तो इस देश में समस्त बिलोह होता, नहीं है, लोकन धरवर ही थी, तो उस का सामना बिना इमर्जेंसी लागू किए हुए, बिना लोकों के अधिक अधिकारों का हुनर किए हुए किया जा सकता है। इसलिए आन्तरिक इमर्जेंसी के इस प्रावधान को हमेशा के लिए समाप्त किया जाना चाहिए।

कल वहाँ पर आवध देते हुए पुराने ला विलिस्टर, शा० सेवद शोभन्दान ने कहा कि इस संवित्रान-नीतीयमें एक बड़ा गति काम कर दिया गया है—इस में वर्तमानेषेकां प्रीर तमाज़-वाह की परिवारा कर दी गई है। इस में ज्ञान भूरा हुआ ? कौन सी परिवारा यह चाहते हैं ?

हम समझते हैं कि वह बहुत मजबूत काम किया गया है। शासकीय इविंग यांची ने लेवल एक विषय कप में शीरण्यात में समाजवाद और जननीयताका के जब्तो को जागिर कर दिया था। ऐसका हम ने उसको मूर्त रूप किया है। हम ने जननीयताकी की वह परिवापाका की है कि सब यांची के प्राप्त समान आवार रखा जायेगा और यह, जनवर, के आवार पर इसी व्यक्तिके साथ किसी तरह का भेजाना नहीं होगा। इससे वह कर और यही बात क्या हो रही है? समाजवाद की भी परिवापाका हम ने कर दी है कि श्वासावाद का जोषण व्यक्तिके द्वारा नहीं किया जायेगा। हम ने समाजवाद को लेकर निर्णय कप में नहीं रखा है, परिवाप जननीयताका नेहक और शीरण्याती इन्द्राजीता यांची की तरह हम ने लेवल समाजवाद की जान ही नहीं की है। हम न समाजवाद को मूर्त कप देने की जोशित की है और लेवल समाजवाद की परिवापायी ही नहीं की है, किंतु यह कहा कि कोई व्यक्तिके सामाजिक धार्यक और राजनीतिक शोषण नहीं कर सकता। कोई शिरी का जोषण न कर पाय इस को और समाज कप प्रदान करने के लिया हम ने गम्भीर के अधिकार को शीरण्यात धार्यकरों से निकाल दिया है। इससे प्राप्ति और कप, जिता? इसमें अधिक जो होना चाहिए या और जो नहीं किया जाया है उस का उत्तेजना में जरूर दिया है। इस में राहट दूर कर्की शीरण्याती की जागिर का जाना चाहिए था। समाजवाद, जार्याद व्यवस्था और गामाजिर स्वतंत्रता को जारीकरने के लिये इन दूर और यही करन उठाने चाहिए थ।

बहुत पर बार बार यह बहा गया है कि कानकरेट लिटर स जिला का स्टेट लिस्ट में लाया जा रहा है, यह गलत है। मेरा मानना है कि यह गलत है। कानकरेट लिस्ट में जिला का भी कानकरेट लिस्ट में होना चाहिए। शासी तब कसी ने यह बात नहीं कही। कांग्रेस का कानकरेट लिस्ट में नहीं रखें तो इन देश में भी सुधार करी होने ही नहीं। इन देश में भीषण अप्राप्ति को घग्गर धाय यह अधिकार देंगे कि वह अपने मन वा भूमि सीमा वा कानून अपने वहां बनाए तो कसी भी इन देश से 7 करोड़ भूमिहोनों को जमीन नहीं भिजने लायी है। यह उन स लोगों को और और कलीबाजार बाह, इन तरह के कांग्रेस राज इस देश में होने। प्रति दिन हमें यह लेकर और सुनते से आता है कि कूमिहोनों की हत्या की जा रही है, उन को जमीन नहीं भिज रही है और वह बहुत कठीन भी जाती है वह उन स लोगों की जाती है। एक तरफ इन लोगों के पास हजार हजार एकड़ जमीन और और दूसरी तरफ 7 करोड़ लोगों के पास कोई जमीन नहीं। इस का कानून तब तक नहीं बन सकेगा और सारे देश में एक-कलापा तब तक नहीं मापाएगी जब तक हाये की समस्ती लोगों में नहीं खोड़ें। इसी तरह सिचाई का भी समर्थन सूची में हायीकरण किया जाना चाहिए जनन्या इसी तरह के विवाद रोज जाए

होते रहें, कभी कालेंटी का विवाद, कभी दोनों का कभी कूल्या का विवाद बात रहेगा, इन लेवादों का कभी यह नहीं होगा और इस देश की बालों एक ऐसे बैद पानी के लिए तरसती रहेगी। राज्य सरकारे आसन में शासकी रही और केंद्रीय समाजार एवं युवा वर्षांक की तरफ देखती रही। वह काहिंगी कि देश में सिचाई होना चाहिए लेवान सिचाई की व्यवस्था हो नहीं सकती। इनलिए कूली और सिचाई को भी कानकरेट लिस्ट में रखना चाहिए। कोई कहे कि इस से हम रे फेडरल स्टेट्स बल होत है तो यह बात गलत है। पेट्रल स्टेट्स को गवर्नर के लिए हम न तो इतनी दूर तक कर दिया है वे जिना राज्य सरकार जी राज्य के हम ही कोई मजबूत व्यवस्था परिवर्तन नहीं भी रखेंगे इन्हने बदला काम हम न किया है। हम इस पेट्रल स्टेट्स को जायम करने के लिए हमने गवर्नर के जमीन के मामले में और जिला प्रांगांशी के मामले में एकलालीय भी नहीं रखा जाएगा और देश के नव नामांगनों को समान अवधार की समान सुविधा प्रदान करनी चाहिए। इस लाए यह भावणक है कि जिनका हाथ और मिलाए हुए को समवत् यही जो म रखा जाये।

एक बात और बहना चाहना है, वह जीवी सी लहकी बात तो जहर होनी लेकिन कह देना चाहना है। कल माननीय स्टीफेन साहब ने इस बात पर बड़ा सतोष प्रकट किया कि बदालीत्वे सशाधन की 23 धाराओं को जाप ने ज्यों कि त्यो रखा है इस से बड़ा सतोष उन को भिन यहा और उनमें माना कि उन्होंने बहुत बड़ा काम किया जो 23 सांखोखन उन के रह गए, 59 में से 23 धाराएँ इस सविधान में भी रह गईं। जीवन् एक मरंबा भक्तवत् ने बोरबल से पूछा कि जिस जब्त में वर लग जाता है वह बहुत धक्का लग जाना जाना है स्टेट्स में तो जालायी ऐसे जब्त जिन के बात में वर लगा है। जीवन्बल ने कहा ऐसे तो बहुत में जब्त है गुरवर, गुरवर देववर, तो उन से कहा और भक्तवत् तो जीवन्बल ने कहा ऐसे तो गोबर भी है। तो माननीय स्टीफेन साहब बात का सतोष है कि बर लग गया, जो गोबर ही क्यों न हो, इन की 23 धाराएँ इस में रह गईं। उन 23 धाराओं का जीवी वर्ष नहीं है। जितनो जल्दी वह निकल जाये उतना ही भक्तवत् है। फ़ाइरेंटल इम्प्रेज एवं हमें कोई वर्ष नहीं है, उन का कोई वर्ष नहीं है, बल्कि वह हमारे फ़ाइरेंटल राइट्स को सीमित करती है। इसी तरह डायरेक्टर प्रिसिपल में रेव दिया गया है कि बाइल लाइस की रक्षा हम करना चाहिए, वह जीवी कालीट्यून को बात तो है नहीं। जगल लगाना चाहिए, ऐसे लगाना चाहिए, यह कालीट्यून की बात तो है नहीं। लेवर का पार्टिसिपेशन लैवेजेंट में होना चाहिए, यह डायरेक्टर प्रिसिपल में नहीं कॉम्पैटल राइट्स में जाना

[बी यमुना प्रसाद बाटों]

चाहिए। जिन बातों को उन्होंने कहा कि हमारी अच्छी बातों को आप ने रख लिया वह अच्छी बातें नहीं हैं। वह तो एक लालचारी भी जिस की बजाह से ऐसा करना पड़ा और हम चाहते हैं कि वह जितना जल्दी से जल्दी समर्पित हो उतना ही अच्छा है। हम गोबर से किसी तरह अपने संविधान को बुरत कर सकें, हम तो यह चाहते हैं।

इन बातों के साथ मैं चंत में पुनः तीन बातों का और विरोध करता हूँ। एक तो जो नजरबद्दी का प्रावधान है कि 2 महीने तक नजरबद्द किया जा सकता है उसका मैं विरोध करता हूँ। दूसरे 352 में जो आर्डर रिवेलिंग के प्रावधान है इटनेल १०८ जल्दी कायम करने का प्रावधान है उस का मैं विरोध करता हूँ और समर्पित को आपने कांटेटोट्यूबनल राइट के ४४ में जल्दी भी जो रखा है इन तीनों बत्तों का मैं विरोध करता हूँ। मैं चाहूँगा कि माननीय मंत्री इन पर गम्भीरतापूर्वक विचार करें। रेवन्डम का मैं तहेदिल से समर्थन करता हूँ। गुरुग्राम कोटे इस देश के संविधान को नहीं बनायेगी। Supreme court should try to adjudicate, should not try to legislate and Parliament should not try to adjudicate.

सुप्रीमकोर्ट का काम केवल निर्णय देना है, सुप्रीम कोट का काम केवल व्यापार्या करना है। सुप्रीम कोट ने गणवानद भारती केस के द्वारा हमारे अधिकारों को, हमारे देश के अधिकारों को समर्पित नहीं कर सकता है। हम संविधान के वैशिक स्ट्रक्चर को बदलन न जरूर, यह भी जहरी है। वैशिक स्ट्रक्चर को बदलन का शान्तिकार इस परिवायमेंट की नहीं, इस देश की जनता को होना चाहिए। न तो यह परिवायमेंट सावधान है, न सुप्रीम कोट सावधान है, गांधीजीम सना तो जनता की है। इस देश में 65 करोड़ जनता सावधान अधिकार रखती है। केवल उसी जनता को अधिकार होना चाहिए कि संविधान के बुनियादी दावे में जो भी चाहे परिवर्तन करे।

इन बातों के साथ मैं माननीय विधि मंत्री जी को बधाई देता हूँ कि उन्होंने समर्पित के अधिकार को भीनीक अधिकारों की सूची से निकाल कर सामाजिक एवं शारीक कानिन का मार्ग प्रकार्त्त किया है तथा इस देश की जनता के लोकतात्त्विक अधिकारों को पुनः बापस लौटाया है।

SHRI TRIDIB CHAUDHURI (Berhampore): Mr. Deputy-Speaker, Sir, the Constitution (Forty-Fifth Amendment) Bill, 1978 does not satisfy me or those with my way of thinking to the fullest extent, yet there is hardly any doubt about the fact

that it is a momentous legislation and when enacted, it will go down in our constitutional history as a landmark in the evolution of the Constitution of independent India. We would have been really satisfied if the Constitution (Forty-Second Amendment) Act were repealed altogether and opportunity was taken to review the experience of the working of the Constitution of all these thirty years and we had gone in for a really revolutionary measure to re-modelling and restructuring of the socio-economic base of our system.

By and large, the constitutional system which we adopted, is a replica of the western type of bourgeois democracy which in spite of the embellishments sought to be given to it has remained as a capitalist structure.

You know and the whole House knows, that since 1953, in this very Parliament, we declared the building up of a socialist pattern of society to be the goal of our planning and our economic reconstruction efforts. But after the lapse of these 30 years, we know what that socialism has meant. Everybody now says—and I am glad, in some sense, that many Members of the ruling party are vocal about it—that the country remains in the grip of capitalism, in the grip of monopoly capitalists and in the grip of foreign multi-nationals, and that there has been no effort up till now, to end that position. For that, a basic, revolutionary re-structuring was necessary which unfortunately, is not the object of the present Bill.

15.57 hrs.

[Shri M. Satyanarayan Rao in the Chair.]

The present Bill, although I have said that it is a momentous Bill, has a limited purpose, viz. of safeguarding the fundamental rights and liberties

guarantee to the people under the Constitution as it was originally adopted. In the light of the traumatic experience of the 20 months of Emergency, and also in the light of the distortions that were brought about by the Constitution (42nd Amendment) Bill, it has been well said that that bill sought to institutionalize the Emergency powers and invest the Executive Government, and particularly the Head of the Government, with over-riding powers over the legislature, over the citizens and so on. The present Bill seeks to restore the fundamental rights—excepting the right of property which has been taken away, and rightly so from the list of fundamental rights—and the democratic rights viz. the rights of personal rights rights of life, rights of freedom of speech and the most valued democratic rights, and to secure them for the citizens for all times to come

16.00 hrs.

For this reason the emergency provisions of the Constitution are sought to be amended. To that extent we welcome the Bill. I only want to point out that it does not go to the whole extent that it should have gone. Many Members from both sides—of course I am not speaking on their behalf—to the two major opposition groups, the Congress groups and others have pointed out the shortcomings of the Bill. One of the shortcomings has been that, while the right to property has been taken away from the list of fundamental rights, the right to work and adequate livelihood should in some form or other find a place—in the list of fundamental rights. I need not dilate on that point elaborately. Everybody knows its importance in this country where nearly half or more than fifty per cent of the people live below the poverty line, have no property and have no work and do not find work for the major part of the year. That is the importance of the right to work and adequate livelihood. Comrade Samar Mukherjee referred yesterday

to this and said that in all the socialist constitutions of the world, the right to work is one of the basic and fundamental rights. Ours is not yet a socialist constitution; ours is not yet a socialist country. We aspire to be one. So no wonder this right does not find a place in the list of fundamental rights. Now that we have made a beginning by removing property right from the list of fundamental rights, we are seriously thinking whether we cannot introduce the right to work and adequate livelihood in the list in some form or other.

The speaker who preceded me, hon Member Shastri spoke forcefully, and yesterday also hon. Member Shri Ram Jethmalani spoke with his usual eloquence with regard to preventive detention. The change is sought to be made by clause 3 of the present Bill in article 22 of the Constitution which is an enabling provision for the enactment of preventive detention laws. I think this article should have been dropped altogether. I need not go into the detailed reasons that have been discussed time and again in this House during the last 26 years. Again today and yesterday forceful arguments have been made in favour of dropping this power of preventive detention. It is a blot on our Constitution and I have no manner of doubt that every right-thinking person should support the dropping of this provision

There is article 356 which enables the Central Government to impose President's rule in the States. It has just been pointed out by one of the speakers that at the Centre there is no provision for President's rule. If the Central Government cannot be carried on according to the provisions of the Constitution and Parliament is dissolved, then the Government of the day carries on as a caretaker Government and arrangements are immediately made for holding of elections. Why should not a similar thing be provided for the States also without trenching on their autonomy and perhaps their own elected Government? We have seen in the Congress

[Shri Tridib Chaudhuri] days how the provisions of this article 356 were misused to topple elected Governments from Kerala onwards till the other day So, this article of the Constitution should also go It is against the spirit of our federal Constitution and the idea of State autonomy

With regard to the other safeguards which have been provided in the various clauses for the rights and liberties of the people although they do not go to the extent that we have wanted them to go yet in brief I would say that I support them I welcome them I congratulate the Law Minister and also the Janata Government that at least to that extent they have fulfilled the election pledges that they had given

SHRI JAGANNATH SHARMA (Garhwal) I rise to support this Bill

Till the end of 1976 the Constitution was amended 42 times Fifteen amendments relate to reorganisation of States re adjustment of States re adjustment of boundaries and creation of new States and inclusion of a new State of Sikkim into India ten affected fundamental rights nine were procedural three relate to the Schedules and five affected the powers of judiciary

Amendment Nos 38 and 42 were adopted by this Parliament at a time when there was a national emergency promulgated in June 1975 By Amendment No 39 two strange articles were added to the Constitution—articles 71 and 329A and the Ninth Schedule was amended to incorporate even certain major Acts including the Representation of the People (Amendment) Act of 1974 The purpose of these amendments was only one, and that was to save the election of the then Prime Minister which had been declared void by the Allahabad High Court This was a slur on this country, and a disgrace to its democratic functioning

The Forty second amendment is very wide very extensive, very detailed amongst all the amendments, but it created concern in the whole of the

nation because it disturbed the original balance of the Constitution, it crippled the role of judiciary, it destroyed the basic features of the Constitution, and paved the way for repression and terror

The historic March elections brought out the spontaneous hatred of the people against the regime which had trampled upon their dignity and privacy The Janata Government the first non Congress Government is committed to bring a new political, social and economic order and in that direction this is the first major step or we can say this is a very important step that the Government and the Law Minister have taken I congratulate the Law Minister that he has brought this Bill not only as an amending Bill, but taken the opportunity to review the whole Constitution and has put before the House provisions of the Constitution which need complete or partial abrogation those which need to be retained and the amendments which should be added to the Constitution This is what he has done Once this Bill becomes an Act democracy and the rule of law shall be restored and I am sure the misuse and abuse of articles 352 and 356 shall never be there Equality before law and equal protection of the laws shall be restored

While speaking on the Forty-fourth Amendment Bill the then Law Minister said specifically that the basic features of the Constitution included democracy secularism Republicanism and judicial review and conceded that while exercising the amending power Parliament should not exercise the power to repeal the Constitution And I find that by that very Government all basic features of the Constitution were destroyed and the greatest heritage of democracy to mankind namely personal liberty, was taken away without trial Innocent people were thrown into sterilisation camps and had to face several types of indignities Even gruesome atrocities were perpetrated against citizens and patriots even students, and fiendish

methods were used for interrogation while they were in police custody. Well, there was freedom to destroy freedom. It was to prevent this that the Government has come forward with amendments of articles 358 and 359 of the Constitution.

I am happy that the provisions of article 19 shall be suspended only when there is external aggression or war and under article 359, under no circumstances the individual liberty shall be transgressed or taken away no matter there is internal or external emergency.

There is another alarming feature of the Forty-second Amendment Bill, and that related to judicial review of ordinary laws. Well, since the hon. Minister has dilated in detail the amendment with regard to judiciary and since most of the hon. Members have spoken about it, I would only say that, in spite of the abundant caution by the founding fathers of the Constitution by introducing articles 13 and 254(1) of the Constitution, the powers of the High Courts and the Supreme Court were taken away and they were deprived of their jurisdiction over tribunals.

Well, I do not want to deal with article 257-A, (deployment of armed forces) which has been rightly deleted. I congratulate the Government that they have maintained—some hon'ble members may or may not agree—in the Directive Principles some of the provisions like articles 37(f), 39-A, 43-A and 48-A of the Constitution.

They have also added a new Chapter, that is, on Fundamental Duties. Fundamental Duties are not new to this country. Mahatma Gandhi always emphasized that a man should do his duty. Before independence, a Constitution was framed, called "A Gandhian Constitution for Free India." There was a specific chapter which dealt with Fundamental Duties and Fundamental Rights, with an impressive foreword written by Mahatma himself. This is how this amendment has come.

I would now like to say something about article 368, amendment of the Constitution. In this connection, I would like to quote one of the eminent jurists of this country, Shri Tarkunde. He says:

"Article 368 should first define what are the basic features of the Constitution, and then provide that Parliament in the exercise of its amending powers cannot alter these basic features, except by the sanction of the majority vote in a general referendum of the entire adult population. This would incidentally establish the principle that sovereignty under the Constitution vests in the people and not in Parliament, which is liable to be controlled by the Central Cabinet."

I am happy that Government has utilized this opportunity, and the hon. Minister has chosen this best and safest course for this purpose. Because, sometimes Legislature behaves in a most irresponsible manner.

Here I would like to quote a Bihar case, *Ram Prasad Vs. State of Bihar*, where two appellants were allowed 200 bighas of land. Some neighbours reported the matter to the Congress Working Committee, and the Working Committee passed a Resolution and stated that the lease should be cancelled. The Bihar Legislature passed an Act by the name of Bihar Sathi Lands (Restoration) Act, 1950. That was declared *ultra vires* of the Constitution. While declaring the Act as *ultra vires* of the Constitution, Their Lordships of the Supreme Court stated:

"Such legislation as we have before us is bound to drain out the vitality from rule of law that our Constitution so unmistakably proclaims, and we hope that the democratic process in this country shall not function in those lines."

This is how Parliament and Legislatures can behave like tyrants.

Similarly, sometimes the Supreme Court acts like a Third Chamber. Take

[Shri Jagannath Sharma]

the case of fundamental right to property. It has been taken out from the basic feature by a majority of one. Again it can be put in the basic feature by a majority of one. What will happen in that case, if property right now a legal right is again put as a basic feature? Then Parliament is bound by it and Parliament cannot say by a majority, even by a two-thirds majority, that it should not be a basic feature. What is then the option? The option is that the issue should go to the people and if the people then decide by a majority of two-third or whatever the majority that is settled by the Parliament, then in that case that law would prevail inspite of the ruling propounded by the Supreme Court to the contrary. So, the provision of referendum under such circumstances is good and should be adopted.

There has been controversies regarding the preventive detention. I am sorry, I disagree with most of my friends including Mr. Jethmalani and some other learned speakers that this is absolutely out-dated. I feel that it is very necessary in this country. The dignity of the individual, the safety and welfare of the people, the regulation of international and national trade, smuggling, foreign espionage, subversion of law and order by anti-social elements, these are the pressing necessities, the felt necessities of the modern vigilant State and every modern vigilant State of today has been trying to curb these activities in one way or the other. Even Britain which has its entire edifice in the rule of law and convention passed Prevention of Crimes Act in 1971 and through you I would like to inform this august House that the concept in Britain that was there in the 19th Century had been reversed in the 20th Century. In the 19th Century, there was a famous leading case "Beatty Vs. Gilbanks" in which it was said "mere knowledge that opponents are likely to cause disorder does not turn an otherwise lawful assembly into an unlawful assembly." This proposition was completely

changed in 1936 in the case of *Mrs. Duncon Vs. Jones*. Mrs. Duncon was a woman speaker, who was just delivering a speech before a Centre for the Unemployed and violence erupted. The very next year, she said "I will speak at this very spot." The Police Officer Mr. Jones went there and said "No, you should not speak 'here'". Mrs. Duncon was peaceful, her opponents were peaceful, her supporters were peaceful, but inspite of that, Mr. Jones arrested her. The court observed that the police Officer was justified in arresting her.

Now there is a very important case "Liversidge Vs. Anderson", which advocated that the preventive detention may be an anathema to all those who loved personal liberty. I would like to quote the observation of Lord Atkin. He says: "In this country, amid the clash of arms the laws are not silent. They may be changed, but they speak the same language in war as well as in peace... ."

During the First and Second World War, the British Parliament empowered the Government to pass orders for preventive detention and the power was upheld by the same Court on ground of necessity. It was desirable and necessary even in a country like England. In this country, so far as we are concerned, I cannot give a better expression saying that how Mr. Justice Patanjali Shastri described this preventive detention. He said:

"This sinister looking feature so strangely out of place in a democratic Constitution which invests personal liberty with the sacrosanctity of a fundamental right and so incompatible with promises of its preamble, is doubtless designed to prevent an abuse of freedom by anti-social and subversive elements which might imperil the national welfare this infant republic."

AN HON. MEMBER: This was in which year?

SHRI JAGANNATH SHARMA: It may be any year. But they are more true today. Even those Britishers who believed in the rule of law, passed:

East India Company Act of 1780, East Company Act of 1784, Bengal regulation Act of 1812 and ultimately the Defence of India Acts of 1915 and 1939, all these gave a complete concept of preventive detention. That is why, the Constitution of India has incorporated Article 22(3) of the Constitution.

Now I would like to say something with regard to the Right to Property. New article 300A reads "No person shall be deprived of his property save by authority of law." As I have already said, the Government have eliminated this right from the fundamental right. It is a right step in the right direction. But we should not forget what probably Lincoln said. "Human beings being what they are their desire to accumulate power and property ceases only with death." The right to property has been recognised under Article 10 of the Constitution of USSR, under Article 17 of Universal Declaration of Human rights, Magna Carta, the Bill of Rights the petition of rights and Lord Blackstone and Lock said that it is an inherent right

The hon. Minister has said, according to the authority of law. The authority of law is exercised in two ways, either by "due process of law" or by "procedure established by law." "Due Process of Law" has been taken from the American Constitution; "procedure established by law" is provided in the Indian Constitution. Although the hon. Minister has said in his opening speech that procedure established by law would mean the authority of law, still we have to be very careful about it and mention it clearly in the Statute Book.

Even today we cannot forget that the Parliament has the right to enact a law for seizure and confiscation of property: the Parliament has the right of acquisitioning and requisitioning of property either with the consent or without the consent of the owner the Parliament has the right to enact a law to empower the State for acquisitioning and requisitioning of property;

the Parliament has the right to tax the property for revenue purposes. Therefore, the sovereignty of Parliament should see that the police power, the power of eminent domain or the taxing power for revenue purposes is not misused. The specific safeguards must be incorporated in the rules or in the statute book itself so that the citizens may not be put to trouble.

Regarding "Education", this is the only provision with which I do not agree with the Government. It should remain in the Concurrent List. For the last 30 years, the Government has not been able to come out with a uniform, viable and sound educational policy. Sometimes, we have done $10+2+3$; sometimes, it is $10+2+2$; sometimes, $8+2+3$ and sometimes, $8+2+2$. Even today, there is no national unanimity or clarity with regard to the policy on education.

After the Chinese War and the Pakistan War, the Parliament passed the All-India Services (Amendment) Act which provided for the creation of the all-India services for the Indian Health Service, the Indian Agricultural Service, the Indian Forest Service and the Indian Education Service only for the sake of homogeneity and for the sake of efficiency and good performance. That was passed by the Rajya Sabha. But nothing further has been done.

In the end, I would like to say a word about the Preamble I do not know how far my hon friends will agree with me. I do not like the word "socialism" to be qualified by any word, like, "secularism" or "democratic." I say this because socialism unqualified is pure socialism; socialism, when it is qualified, is something less than socialism. Socialism, when qualified by "national" became "fascism" and socialism, when qualified by "democratic" became "capitalism." Socialism in its very nature is secular. If you add secularism to it, it may sometimes become "Islamic socialism" or it may sometimes become "Christian socialism."

[Shri Jagannath Sharma]

Carl Marx has defined socialism as distribution of surplus; Sydney and Web have defined socialism; Prof. Harold Laski has defined socialism; Swami Vivekananda has defined socialism; Guru Nanak has defined socialism; Mahatma Gandhi has defined socialism. And our concept of socialism is something quite different. We do not mean socialism as distribution of surplus. We only mean that if a guest comes, we would like to entertain him even if we have to remain hungry—Atithi—that means a man who comes without date.

Lastly, so far as the word "Republic" is concerned, Republic is always "sovereign" and "democratic" Democracy and sovereignty are inherent in "Republic". We should simply say, the "Republic of India." As the property right has been removed from the Chapter on Fundamental rights and has been put as an ordinary right, we can call India as "The Socialist Republic of India."

SHRI HITENDRA DESAI (Godhra): Mr. Chairman, Sir, at the outset I join with the other leaders of the Opposition parties in congratulating the Law Minister for bringing in this Bill. I also congratulate the Prime Minister and the Law Minister, not so much for bringing in this Bill as the manner in which they handled the Bill, the manner in which they consulted the Opposition parties and groups and they tried to evolve a consensus. I believe, it is the first step in that direction. In spite of all the criticisms which we have been levelling against the Janata Party, this is one good act which they have done in the last 16 months.

Now, I will deal with the various provisions in a nutshell. On the whole, our Party supports the general principles contained in the Bill subject to certain reservations and subject to certain comments which I shall presently make.

I will first take the question of Emergency. It has been rightly point-

ed out that there was subversion of the Constitution and there were excesses in Emergency, and that the Congress Party suffered defeat in the elections mainly on account of the excesses of Emergency. It must also be noted at the same time that, when the Constituent Assembly met before 1950, soon after independence, it was only under the Indian National Congress that this Constitution was mainly framed, and the founding fathers of the Constitution were mainly inspired by Mahatma Gandhi and Pandit Jawaharlal Nehru. I will go to a period even earlier than that.

All of us who were struggling or taking part in the struggle for freedom did not at that time merely fight for the independence of the country and against the British but even during those days we envisaged 'India after independence', and we envisaged a social order free from exploitation, at the same time guaranteeing Fundamental Rights in the Constitution. I will not take much time of the House; I will only refer to a Resolution passed by the Indian National Congress at its Karachi Session as early as 1931, under the Presidentship of Sardar Patel, where I had the good fortune to be present. I will not read the whole Resolution, but will read only a few lines. The heading is 'FUNDAMENTAL RIGHTS AND ECONOMIC PROGRAMME'. This was passed in the year 1931 when the Karachi Congress Session took place; Gandhiji was also present; the President was Sardar Vallabhbhai Patel:

"This Congress is of the opinion that, to enable the masses to appreciate what Swaraj as conceived by the Congress will mean to them, if it is desirable to state the position of the Congress in a manner easily understood by them. In order to end the exploitation of the masses, political freedom must include real economic freedom of the starving millions. The Congress, therefore, declared that any Constitution which

may be agreed to on its behalf should provide or enable the Swaraj Government to provide for the following...."

A number of things are there. I will read only one or two:

'Fundamental rights of the people, including freedom of association and combination; freedom of speech and of the press; freedom of conscience... "

and so many other things which we have already embodied in the Constitution.

Therefore, even before we got independence, as early as the year 1931, the Indian National Congress, under the the leadership of Mahatma Gandhi, was very clear in its concept of 'India after Independence'. Barring the 19 months of Emergency when there was subversion of the Constitution which we admitted the Congress has always nurtured all these Fundamental Rights and the freedom of the press also. I also want to bring to the notice of the House that, soon after the election results were announced in March 1977, the Congress Party —at that time the split had not taken place—at its AICC Session in May tried to evaluate the reasons for its defeat, what wrongs were committed during the Emergency, and easily came to the conclusion that the emergency excesses were the main cause and they felt sorry for it and they were convinced that there must be some provision in the Constitution by which these excesses could be prevented. It is in this light that I am speaking today, even against the provision of emergency for internal purposes and even armed rebellion. Even the inclusion of armed rebellion for internal emergency does not alter the situation very much. I do not want to repeat the many arguments that have been found out so far but the House should be aware that there is an explanation here which is even much more derogatory than the substantial provision. The explanation says:

"A Proclamation of Emergency declaring that the security of India or any part of the territory thereof is threatened by war or by external aggression or by armed rebellion may be made before the actual occurrence of war or of any such aggression or rebellion, if the President is satisfied that there is imminent danger thereof.";

But I do not think any difference could be made. Even if a provision for armed rebellion is there, it is quite likely that the powers may be misused. I appreciate the various constraints which are contained in the section, namely, that it is considered almost to be an amendment of the Constitution and, therefore, it has to be approved by a resolution by each of the Houses with a two-thirds majority of the Members present and voting and a majority of the members voting for it. These are good provisions. But, at the same time, our Party is opposed to emergency on the ground of internal disturbances including the provision for armed rebellion.

In this connection we have the experience of many other countries also. It is not only in India that we had this experience but in other countries of the world also emergency has always been misused. I will only give one instance of Nigeria. There, in the year 1962, in Western Nigeria on account of squabbles in the ruling party—I am emphasizing this point for the purpose of this ruling party also—that merely for the purpose of squabbles in the ruling party, the Regional Governor of Nigeria dismissed its Premier, Chief Akintola. But the Premier went to a court of law for a prayer that the order was invalid. In the meantime, the Assembly met and at its meeting there was violence in the Chamber of the House and the Assembly could not go on. Immediately, the Federal Government thought that there was a case for clamping emergency and emergency was clamped on Wes-

[Shri Hitendra Desai]

tern Nigeria even though there was not a single violent incident outside the House in any part of Western Nigeria.

Therefore, Sir, not only in this country but in the experience of several other countries also the provisions of emergency have been misused and it is for that reason that we are not against having emergency for external aggression and war but not for internal disturbances or even for armed rebellion or for the danger of armed rebellion, and that is one point on which our Party is very clear.

Secondly, so far as the question of the amendment of the Constitution is concerned, my Party is also opposed to the idea of referendum. A very scholarly argument was put by my hon. friend, Shri Venkataraman and, for want of time, I don't want to repeat them and add to many things which he had said. One thing which strikes me about the referendum clause is that unless there is a general election and even general election not only of Parliament or Lok Sabha but unless there is a simultaneous general election to the State legislatures and to the Lok Sabha, it will be very difficult to get 51 per cent of voters even for this purpose of referendum. That is exactly our experience these days and, therefore, the whole idea of referendum seems to me to be thoroughly impracticable.

At the same time, I feel that by enumerating the basic features in the Constitution itself, we would open flood-gates of litigation and the courts may take a view that this is an amendment against the basic features and, therefore, the court may strike even an innocent provision which may not necessarily come under the basic features of the Constitution. My third argument, over and above the arguments which have been propounded here for the Law Minister to consider is whether the clause itself is valid or it also requires to go for referendum to the people. Therefore,

on these grounds and mainly on the ground that after all in a vast country like India, this is not practicable, we are opposed to the amendment of the Constitution by referendum. We certainly hold the people of India supreme; it is after all the demos, the people of India who are enthroned in the seat of Parliament. There is no dispute about that, but if Parliament can also be captive, Parliament can also be misled, there is every reason, looking to elections in our neighbouring countries, that people can also be misled. Therefore, there is no additional point in providing referendum for the amendment of the Constitution.

A point was made about the preamble to the Constitution. The speaker, who spoke before me on behalf of our Party, has amply made it clear that there should be no definition of secularism or socialism. After all, secularism has something more of wider import than what is contained in the mere definition as defined in the Bill itself. This is more so in the case of socialism. By defining socialism in the manner in which it has been done, I feel that we have much narrowed down the scope of socialism. After all, it is very difficult to define socialism, but we have certain ideas about it.

श्री एच.एस. चड्डारौ (मंगलदार्इ) : सभापति महोदय, मेरा व्यवस्था का प्रश्न है।

सभापति नहोदय : ईंचिये, इसमें क्या व्यवस्था का प्रश्न है। आपका नाम है।

श्री एच.एस. चड्डारौ : बहुत अच्छी बात है। हमारे सदन में बहुत से लोगों के सोच आते हैं सदन देखने के लिये नियमों का लोग इचाउत करें हैं। ऐसीका बहुत सोच आपको नहीं समझते हैं। इसलिये एक दिनी और एक अंडेकी की स्त्रीक हीनी आहिये इससे ईसें रहेगा और उनको समझने में मुश्किल ही नहीं।

MR. CHAIRMAN: It is only a point of disorder.

SHERITT MITTENDRA DEBNAI: The ideas of socialism have grown with the time in this country right from the year 1930 onwards to the present. Pandit Jawaharlal Nehru tried to define it but ultimately he gave up that idea and he said, we cannot define socialism. Therefore, I am glad, that among the many provisions of Constitution (Forty-Second Amendment) which have been retained, the preamble embodying that this is going now to be a secular, socialist, democratic republic is also retained and I must congratulate the Government mainly for that purpose. It is only because some section in that party does not like socialism or secularism, therefore, an attempt is made to narrow it down and, therefore, we are opposed to the definition.

Lastly, on the point of education, I remember when the State of Bombay was organised as a bilingual Bombay. I as the Education Minister noticed that there were six systems in several regions of the State, there were different systems of education in areas which comprised Marathwada, Vidarbha, Maharashtra of the old Bombay, Gujarat of the old Bombay State, and various other places and the area which comprised of Saurashtra—20 small States before.

Therefore, in a country like India if we really want integration and if we really want our country to grow, I feel there must be some guidelines laid down for Education, in many of the fields. I am not, for a moment, suggesting that the Centre should interfere in the implementation of the Education policy of the States. Ultimately, the States will have the main function of organizing Education and implementing various policies. But we should think of areas like language policy. For instance when we are fighting for language or for the 3-language formula, if the States do not implement it, we can certainly evolve some other consensus

by which a proper language formula can be evolved. It is possible only if Education is in the concurrent List. Therefore, we oppose the idea contained in the Bill, that Education and Forests should be in the State List.

To conclude, excepting on the various points which I have pointed out, we support the Bill in its main principles. But evolving a consensus on the Constitutional amendments is only one step. The other step is wanting. Merely enacting fundamental rights in the Constitution will not guarantee fundamental rights. Merely by providing constraints against Emergency in the Constitution, it will not be possible to prevent authoritarian forces from subverting the Constitution. What is required at the present moment is a national consensus on many of the vital problems that confront us, and a national will to act. I am afraid the way the Janata Government is going ahead, law and order is completely out of joint, economic crisis in facing us, official language question is threatening to divide the country, casteism is rampant, and events which happened in Bihar and those which have recently happened in Marathwada are but dark shadows of more ghastly events to come. This is the state of the country to-day. Merely by providing certain things in the Constitution, we will not be able to guard parliamentary democracy.

If a democratically-elected Government fails to solve the problems of the the people, it will be responsible for it if authoritarian tendencies grow in this country. And they are exactly those which are growing. Therefore, I personally feel that the time has come in this country for all wise men of this country to come together—not only those who are in power but even those outside—and evolve a consensus on many vital problems that confront us, and decide accordingly. People are not going to spare anybody. After all, the Janata Party thought, when they took oath at Rajghat that they will be there for 3 long decades, more at least. Now,

[Shri Hitendra Desai]

even they are not sure how long they will be in power. We have to learn from history. But, as the great historian Hegel pointed out, it is only from history that Mankind learns that it learns nothing from history. It that is going to be our fate, I do not think mere constitutional amendments can be a safeguard for parliamentary democracy in this country.

PROF. R. K. AMIN (Surendranagar): Sir, at the outset let me say that I congratulate the Law Minister for the introduction of the 45th amendment to our Constitution. But my congratulations are qualified, because as far as his amendments go they are good enough but they do not go as far as I wish them to go. By these amendments we are making changes in so many fundamental features of our Constitution; emergency provisions, fundamental rights, preamble, preventive detention, power to amend the Constitution and so on. To understand this I should like you to go back to the days of the Constituent Assembly. During those three years, 1947 to 1950 they wrangled and quarrelled with the main aspects of the Constitution and arrived at certain decisions. Two criticisms are made against that and the hon. Law Minister—should keep that in view while making the present amendments. One was that the Constituent Assembly was not representative enough. This criticism referred to was as a result of the Cabinet proposals. Adult franchise was not given. From the States nominations of representatives were made. Probably it used to represent 28-30 per cent of the electorate, not more; many of them were appointed from the princes of various States. The second criticism was that the framing of the Constitution was in some special circumstances, when there was the threat from Pakistan, or Telangana was there as an internal disturbance, the food situation was critical and the refugee problem was serious, it was in those circum-

tances that our Constitution was framed. That is why a sort of conflict between two groups of thought was going on from the beginning till even today. Some people wanted directive principles to be first and fundamental rights next, some others wanted priority for fundamental rights over directive principles. Some said that the word 'socialism' should be included in the preamble and some did not want it. Because of such conflicts in the course of 25 years we had about 45 amendments to our Constitution. From that point of view, I should like you to judge the present provisions made by the hon. Law Minister.

Let us take the provision regarding emergency. Does this provision really solve the problem of emergency which we faced one and half years ago? Do we have the possibility of subversion of the Constitution which was supposed to be the most well designed Constitution to protect the freedom of the people? In the course of the next two years could it be subverted by the same machinery of the Constitution? When we are making changes we should see whether the same machinery could be utilised in such a way as it was done in 1971? You take the case of the Prime Minister. Do we allow him the right to go and advise the President for the dissolution of Parliament? He can by giving that threat keep all the members of the Party with him—have we made any provisions that such a power is not being utilised, cannot be utilised in an undemocratic manner? Have we made any provision that such a power is not utilised by a dictator who may happen to be the Prime Minister and who wants to convert his office into a dictatorship, just as we saw only a few years ago? It is possible that some of us also can behave in that manner. Are we making provision for that? I do not find any provision of that nature in this Bill.

Take the emergency provisions. It says about armed rebellion. Is it rebellion by the army? If it is rebellion by the army you are not going to control it. Is it rebellion by the people with arms? You have not allowed any arms to be kept with the people. We have no right to keep arms. If a significant number of people keep arms, there is something wrong with the administration. If there is internal subversion, with the present technology available with the army, are we not in a position to control it in one month's time? If it is not controlled in a month, it can never be controlled. So, if at all a provision is necessary to be introduced for armed rebellion from significant number of people with arms your emergency should not be for more than 15 days or one month. It cannot continue for six months after the lapse of the emergency and you cannot keep control over the freedoms of the people for such a long time. So, that sort of thing is not required. If there is a possibility of armed rebellion, your emergency should not be for more than one month. That sort of provision has not been made. I wish that sort of provision is made.

Coming to fundamental rights, several fundamental rights were not included from 1947 to 1951, although they were included in the Nehru Report and in the various reports prepared by the Congress, which was our national party then, right from 1895 to 1945. Conveniently those fundamental rights were removed during 1947 to 1951. I will name two or three: right to bear arms, secrecy of correspondence, due process of law to be adopted, preaching of class or caste hatred, security of person and dwelling from unreasonable searches etc. These fundamental rights were included in the Nehru Report and various resolutions of the Congress. But conveniently they were removed during 1947 to 1951 because somebody might have pointed out that we have to deal with Pakistan or Telangana or with the communists. So, these rights cannot be given. But we have seen that because

of the loss of these rights, we were put to any amount of difficulties in 1975 to 1977. The greatest curse was the searches and MISA, the sword hanging over our heads during 1975 to 1977. Otherwise, when so many big leaders were being arrested on 26th morning, not a sparrow could even chuckle in the country. There were no disturbances in the whole country. Nobody was in a position to speak. Even when the Cabinet was not consulted and the Cabinet was informed about it only at 6 or 7 O'clock in the next morning, not a single minister asked why they were not consulted, because if the lion is outside the House and if we are asked whether we want the lion inside the House, we might say, no. But if the lion is brought and put here on the Table and then if we are asked whether we want the lion to be in the House, everybody will say, "Yes, we want the lion in the House". You are bringing an amendment to see that the situation which arose in 1975 does not arise again. But for that such fundamental rights which ought to have been included in this have not been included. I request the Law Minister to please think it over. If you are really concerned with the problem that the emergency which came in 1975 should not come again in future in the manner in which it came in 1975, such fundamental rights should be included in this Bill.

17.00 hrs.

If you remember, when these fundamental rights were included in our Constitution in 1950, one of the Members of the Constituent Assembly criticised it saying that they were framed from the point of a police constable. This criticism must be borne in mind if the same rights are to be kept. We have seen during the emergency the way in which the right of *habeas corpus* was taken away from us even by the judiciary. It should not happen again. Have we made provision for that? Can you put your hand on your heart and say that it will not be repeated again after this amendment? I doubt. It might be repeated.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): That has been done by amending article 360.

PROF. R. K. AMIN: Take the right of property. What have we done? We have thrown away the baby with the bath water. Long back, when the right of property was discussed, big business, big capitalists, very rich people luxurious living and other things were pointed out, inequalities of income between the richest and the poorest was pointed out, and that is why the right of property was to be taken away, but when you take away the fundamental right of property, you must realize that it includes a house, for instance. I may be driven out of my house, my right to that property maybe taken away by executive authority. I may have one or two acres of land, that can be taken away without compensation. That right is not protected. And you have never taken away the property of the big people. Even when this right was excluded from the fundamental rights, even when the fundamental rights were suspended, nobody utilised article 31B and 31C to take away the property of anybody else.

If I do not have the right of property, I am subjected to slavery. If I want to speak to the highest in the country.

When I go home nobody should be in a position to harass me, to take away my employment and living. That guarantee has to be given to me. Otherwise, you are subjecting me to slavery and my freedom is in jeopardy. If you like, you can put a restriction, you can say that nobody has the right to acquire property more than Rs. 1 lakh or Rs. 50,000 but I should have full freedom, and should not be subjected to the pleasure of somebody who is in the Government. Think of a situation when all employment is controlled by Government. What is the fun in giving freedom of speech then?

An empty belly and a free tongue will not go together.

I agree with my friend Shri Jethmalani that as far as possible MISA should not have been kept, preventive detention should not have been kept. Even in 1948 when it was kept in our Constitution, so many people objected to it. It was only the threat of Pakistan or Telengana which allowed them to put it in the Constitution.

The Committee Report did not put MISA inside. But, later on, somehow by the backdoor it entered in our Constitution. If you read the history of Constitution making you will see how it entered through the backdoor. Now we have had a very bad experience. Therefore, I would only plead that body should be kept inside prison without giving any reasons for more than 15 days. It should not be more than 15 days at the most. There it should end in any case. Within this period Government must file a case, find out the reasons, whatever reasons there are, and if there are no reasons, nobody should be subjected to MISA. If that sort of provision is made, I would be very glad.

17.07 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

My hon. friend, Shri Stephen, suggested that there is a conflict between the Directive Principles and the Fundamental Rights. There is no conflict between the two. One is "Do's" and the other is "don'ts"; one is positive and the other is negative. One says to the State: do not tamper with the individual freedom, allow people to have their free tongue. The other says positive things like: give him employment, give him good living, give him healthy conditions, give him nutritious food. One is positive and the other is negative; there is no conflict. One refers to freedom from the State and freedom from the other individuals while the other refers to socio-economic policies. This has arisen because of the compromise. Some peo-

gic wanted the word "Socialism" to be embodied in the Constitution, but that word was not put in the preamble. That is why the Directive Principles were incorporated in the Constitution.

Here also I would have welcomed my Law Minister, if he had tampered with the Directive Principles with Gandhian influence. At the time of the Constitution-making, only Nehru influence prevailed; Gandhian influence did not prevail. So many people at that time suggested the inclusion in the Directive Principles of subjects like the protection of cottage industry, prevention of cow slaughter, development of small and cottage industries. But all such Gandhian influences were excluded except prohibition. All other Gandhian teachings were taken away and in order to make a compromise with socialism some social security measures were put in the Directive Principles. It could have been corrected, taking this opportunity, because the Janata Party Members have taken a pledge before the Gandhi Samadhi that they will include Gandhian teachings. So, he should have taken this opportunity to include the Gandhian teaching in the Constitution.

Coming to the provision about article 368, I am equally doubtful about the referendum. Why? What are you going to refer to the masses, most of whom are illiterate, who only look to the symbol and not the party, who only look to the leader and not even to the candidate who is contesting there? So, with this provision, you should also have evolved a new election system in order to meet the requirements. Otherwise, a referendum will not meet your requirements. Are you going to ask the people: do you want more powers to the States or more powers to the Centre? For Centre-State relationship, should we have a referendum, because it is a basic feature of the Constitution? What sort of result will you get from such a referendum? Nothing. On issues like whether you should have

prohibition or not, dowry or not you may get some positive result. Then also, if it is at the time of the election and if it is one of the items in the election manifesto it does not serve any purpose. If it is separately put, but the election is taking place simultaneously, then also it will not serve any purpose. That is why I suggest that there should be a provision in our Constitution that every 20 or 25 years there should be a Constituent Assembly, specially convened in order to look into the basic features.

One thing I would like to say. We are wedded to democracy. The two essential features of democracy are one, freedom and two, not to govern anybody save his consent. We must see that we guard these two essentials —no one is governed save his consent and freedom is granted to every individual, like freedom of speech etc.

Now on these two things, there cannot be any referendum. There should not be. They are so basic that even a referendum or any other Constituent assembly should not take them up. Probably a referendum is not suitable to our electorate. Thank you.

SHRI ASOKE KRISHNA DUTT
(Dum Dum): Mr. Deputy Speaker, Sir, at the outset, I congratulate the Law Minister for having redeemed a pledge that our Janata Party had made to the nation before the elections last year. Before the Parliamentary elections that were held last year, our country passed through 18 months of the darkest period in its history. The fundamental rights of the people were usurped, democracy was crippled and the democratic system of Government was completely paralysed. The whole country was brought under the spell of an arbitrary dictatorship. When the Parliamentary Elections came, the people of our country who elected this 6th Lok Sabha, gave a definite mandate that those provisions which had violated our Constitution, which had ravished our Constitution had to be changed. Several hon. Members

[**Shri Asoke Krishna Dutt**] here have given the details of earlier Constitutional Amendments. Through the amendments that were made during Emergency viz., 39th, 40th, 41st and particularly the 42nd Amendment, they had taken away the rights of the people to an extent which was undreamt of. The framers of the Constitution had made certain provisions for amending the Constitution. Every Constitution in every country has provisions for amendments. It is because it becomes necessary as time goes on and as we go through new experience, it becomes necessary to amend the Constitution. But the framers of the Constitution, I believe, never had dreamt that the provision for amending the Constitution would be exploited, and abused in the manner in which the 42nd Amendment was passed. The entire Constitution was ravished. The people of this country gave a definite mandate, to see that those provisions are repealed and as I said the Law Minister had redeemed that pledge and has introduced this Bill to repeal most of the repugnant provisions of the 42nd Amendment. Of course, he has his limitations because the Government and the Law Minister have to sit with several hon. Members of this House having different shades of opinions and this Bill is, to some extent, a product of compromise and compromise sometimes does not have that force which a original Bill has. Naturally, we would have liked this Bill to be much more forceful. But as I said, because it came after dialogue with several hon. Members on the opposite side, much of the provisions had to be diluted. But inspite of that....

SHRI HITENDRA DESAI: Let us know the forceful points at least.

SHRI ASOKE KRISHNA DUTT: Inspite of that, a very able job has been done. They way in which during Emergency the provisions of the old Constitution were exploited by the former Government taught us a lesson.

In the name of internal disturbance, a particular person abused the provisions of the old Constitution and im-

posed Emergency on this country. It has become apparent and it has been thoroughly exposed by the Shah Commission as to the manner in which the former Prime Minister, without consulting the Cabinet, had imposed Emergency on this country and had sent the recommendation to the President for the imposition of Emergency. It has now become clear that the then Home Minister was completely in the dark and that the Cabinet was not even consulted and only after the Emergency was proclaimed, next morning the Cabinet new about the proclamation of Emergency.

In the new provision that has been made, not only the word, "internal disturbance" have been replaced by "armed rebellion" but certain other provisions, very necessary provisions, have been created. By hon. friend, Shri R K Amin, was just now saying that if there is an armed rebellion, certain provision should be there to see that such an Emergency ends within one month. I find that the Law Minister has made that sort of a provision in the Bill. He has clearly stated that if such an Emergency is proclaimed, still that provision has got to be scrutinised by Parliament within one month and, if the Parliament does not ratify that, the Emergency ceases. So, that provision has been made.

There is another very fine provision that has been made in this Constitution Amendment Bill. As a victim of the MISA of Mrs Indira Gandhi, I am very much happy to see that the provisions of the MISA have been repealed. But I find that the preventive detention still remains over there. Of course, it has to be admitted that in a country like ours where there are various sorts of problems, the problems of economic offenders, the problems of espionage, etc., certain types of preventive detention may be necessary. But I would urge upon the hon. Minister to be very cautious and, if necessary, to make even further

provisions to see that these provisions of the preventive detention are not abused

Our experience shows that during the Emergency, it was not only that the political executives of the country abused the provisions of MISA and preventive detention but often it also happens that these provisions of preventive detention are abused and misused by bureaucrats at every stage. We feel the necessity that economic offenders must be brought to book. But we have seen that petty bureaucrats, petty police officials, often concoct false charges and victimise innocent citizens in various ways. Certain provisions must be kept over here to see that the average citizen, the ordinary citizen who sometimes does not have the means to take recourse to legal help is not penalised and is not oppressed by these provisions of preventive detention.

I am also very happy to find that the new article 361A has been introduced. We have seen during Emergency particularly how the proceedings of this august body the proceedings of various States legislatures and in what manner those proceedings have been completely blacked out. The very important speeches that were delivered on the floor of the House were completely blacked out and censured and they were not published at all. This new provision of article 361A will give a guarantee to the people that in future, no tyrant can come and abuse the powers in such a way that the very important speeches that are delivered in this most important representative body of the country are censored in the manner that we had seen during the Emergency.

Another provision that we saw during the Emergency was the manner in which the election laws were trampled on by the then Prime Minister. To save her own skin, after the famous Allahabad judgment, she had the Constitution amended to see that the provisions of the Representation of People Act could not be used against her, there was to be a separate type of legislation to see the election cases

of the Prime Minister, Speaker and certain others. This provision is being repealed and I congratulate the Law Minister for that.

The right to property has been very rightly deleted. Our Janata Party took a pledge during the elections that this was to be done, and that pledge is being redeemed. Some of my friends on both sides of the House had expressed certain doubts about keeping the legal right to property. I feel that it has been very properly kept there. Otherwise, an unscrupulous executive could discriminate against people. Any property that has to be taken must be taken under due process of law, and that provision has been very amply kept there.

In this connection I would like to say that I would have been more happy if the Law Minister had provided for the right to work. This pledge was given by the Janata Party during the election where we said that the fundamental right to property would be abolished but at the same time the right to work would be accepted. I would have been very happy if that had been included. I would even now request the Law Minister to incorporate it here before the final acceptance of this Bill.

There is a provision about referendum. Some of my friends on both sides have expressed their doubts about it. But I feel that the provision of referendum has been very rightly kept there. Hon Member Shri Venkataraman was saying that referendum might be misused or might not be properly utilised, and he gave certain instances of cats and rats. Some of my other friends were also saying that 51 per cent of the people might not be brought to the poll. I do not think so. The experience of March 1977 elections shows that the people of this country are politically conscious. May be that 70 per cent of them live below the poverty line or may be that 70 per cent of them are illiterate, but they have shown that

[Shri Asoke Krishna Dutt]

political consciousness cannot be directly linked either with poverty or with illiteracy. It has been shown by the people of this country that they have a tremendous political consciousness. And I feel that, if a referendum like this becomes necessary, the so-called less literate people of the villages will not be found lacking. If a referendum becomes necessary, the overwhelming majority of the people will duly take part in such a referendum. But I feel that this provision of referendum should be slightly altered. Here it has been said, 'majority of the people who vote in the referendum provided 51 per cent of the people vote'. That means, a situation might come where 26 per cent of the people can change these provisions. And these provisions are of special sanctity like secular and democratic character of the Constitution, like the Fundamental Rights of the citizens, like anything impeding free and fair elections, like something compromising the independence of the judiciary. All these four are of special character. The provision has been properly made that these things should not be trampled with easily. In that context, I would say, mere 26 per cent of the people should not be allowed to change this. The provision should have been that at least 51 per cent of the total number of voters should support such a move before it is changed.

I will conclude by saying that I have one reservation which I want to particularly emphasized about the removal of education from the Concurrent List. This will definitely be a retrograde step. We have seen in the last 30 years that education has been kept in the Concurrent List and that has worked very well. Ours is a country where we have all sorts of interests. There are linguistic minorities, there are religious minorities in different States and if we do not have more or less a uniform system of education throughout the country which, remaining in the Concurrent List, can be regulated by the Centre,

there may be all sorts of disturbances and we shall be adding new problems, new language problems and new religious problems. In that context I feel that education should be kept in the Concurrent List as has always been done.

With these minor reservations I generally support the Bill and I congratulate the Law Minister.

SHRI G. M. BANATWALLA (Ponanji): The long awaited Constitution (Forty-fifth Amendment) Bill is at last before the House. The Bill goes a long way, though not all the way, towards restoring the Constitution to its pristine glory. That it goes a long way is commendable but that it does not go all the way to restoring the Constitution to its pristine glory is most regrettable.

Despite all claims made and despite the various provisions in the present Amendment Bill, the Constitution is left with provisions sufficient to enable subversion of democracy or to pave the way for authoritarianism.

Clause 38 of the Bill amends Art. 352 of the Constitution. This is with respect to emergency and the Bill provides that apart from war or external aggression, proclamation of emergency can be made if there is a threat to the security of the State by concept of armed rebellion is such that it is pregnant with potentialities for the sub-version of democracy. Armed rebellion is a concept that will armed rebellion. I submit that this Armed rebellion is a concept that will come very handy to a government to clamp emergency so as to meet their own exigencies of the situation. To illustrate my point I would quote from the book of Maulana Abul Kalam Azad, 'India Wins Freedom'. Immediately after Independence there was a charge by Sardar Vallabhbhai Patel that Muslims had risen in arms against the their non-Muslim brethren and this is what Maulan Azad says at page 215 of this book:

"The police did recover some arms from Karolbagh and Subzi Mandi. By Sardar Patel's orders, these were brought to the Government House

and kept for our inspection in the ante-chamber of the Cabinet Room. When we assembled for our daily meeting, Sardar Patel said that we should first go to the ante-chamber and inspect the captured arms. On our arrival we found on the table dozens of kitchen knives that were rusted, pocket-knives and pen-knives, with or without handles and iron spikes which had been recovered from the fences of old houses and some cast-iron water popes".

Maulana Azad goes on further say:

"Lord Mountbatten took up one or two of the knives and said with a smile that those who had collected this material seemed to have a wonderful idea of military tactics if they thought that the city of Delhi could be captured with them".

The only point that I am making before the House is that this very concept of armed rebellion can be twisted by the Government in power to suit the exigencies of its own requirements rather than any situation of emergency.

Not only, this but, there is salt added to the injury. Clause 38 to which I am referring has as explanation and the explanation is to the effect that the proclamation of emergency may be made even before the actual occurrence of rebellion if the president is satisfied that there is an imminent danger thereof.

I need not dilate further to show how this explanation itself is pregnant with potentialities to pave the way for a totalitarian or an authoritarian rule.

Take the case of Fundamental Rights. It has been claimed that the present Bill safely and securely entrenches the Fundamental Rights in our Constitution. I wish, if were so, because no one can deny the importance of Fundamental Rights. The

preamble to the Constitution speaks of the dignity of the individual and it was Jacques Maritain who said:

"The dignity of the human persons?—The expression means nothing if it does not signify that by virtue of natural law, the human person has the right to be respected, as the subject of rights, possesses rights. These are things which are owed to man because of the very fact that he is man."

Such is the significance of Fundamental Rights

Let me also quote from the preamble to the Universal Declaration of Human Rights:

"The recognition of the inherent dignity and of the equal inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world."

Why go so far? We had the Pandit Motilal Nehru Committee Report in 1928. This Committee Report in 1928 had asserted:

"Our first concern should be to have our fundamental rights guaranteed in a manner which will not permit their withdrawal under any circumstances."

This is about the paramount importance of the Fundamental Rights.

Now, let us look at the position as it emerges from this Bill with respect to the amendability of the Fundamental Rights. Not only the amendability of the Fundamental Rights, even suspension of Fundamental Rights is a serious thing. In the United States of America, in an early case of *Ex parte Milligan*, it was observed.

"No doctrine involving more pernicious consequences was ever invented by the wit of man, than that any of its (Bill of Rights) pre-

[Shri G. M. Banatwalla]

visions can be suspended during any of the great exigencies of the Government."

Not to talk of suspension, I submit this Bill has taken the question of Fundamental Rights in a very light manner.

Clause 45 amends Article 368; it introduces the concept of referendum. Let us study this concept. We are told that a proposal will be deemed to be approved if at least fifty-one percent of the total electorate go to the poll and a majority of those who vote favour the proposal. If that comes about, it will come to hardly 26 per cent of the total electorate, and if the electorate is 50 per cent of our total population, it means that the fundamental rights are left to the whims and fancies of just 13 per cent of the total population.

The Statement of Objects given in the Bill says that the Bill wants to secure fundamental rights and wants to place them beyond the reach of a transient majority. I submit that apart from this, the fundamental rights are placed under the whims and fancies of just a small and insignificant minority, as compared to the total population.

There are lots and lots of further scope for parliamentary invasion of fundamental rights. For example, in spite of much that has been said about fundamental rights, Government does not deem it fit to remove Article 31B, an obnoxious provision in the Constitution and an anachronism in the list of fundamental rights, because any Act which is placed in the 9th Schedule is thus beyond the reach of any of the fundamental rights enshrined in the Constitution. A simple majority of Parliament places an Act in the 9th Schedule, and the fundamental rights are all barred. Such is the position.

Then, Clause 8 of the Bill amends Article 31C. While amending Article 31C, Article 14 and Article 19, (important fundamental rights) have been freed from the supremacy of all Directive Principles. Yet they have been made subordinate to Article 39B-and-C. The main point is that there is a lot of scope for even parliamentary innovations of these rights. It is sometimes said that there is a conflict between Directive principles and Fundamental Rights. There is no conflict. Every advance, every socialist advance that must come, must come within the framework of the fundamental freedoms granted in the Constitution; and that should be clearly understood.

In order to secure the immutability and inviolability of the fundamental rights I have given an amendment, saying that certain Articles with respect to civil liberties and minority rights shall always remain inviolate, while others may be changed by a majority of two-thirds of the total electorate at referendum. I will dilate upon this when, insha Allah, I come to that particular aspect.

The preventive Detention provision continues. I must say with respect to these preventive detention clauses that they reveal a total lack of honesty. There is a transparent lack of honesty on the part of the Treasury Benches, as far as the rule of law is concerned. It is not the question of safeguards. It is the vital question of detention with, or without trial; and as far as this particular rule of law is concerned, there can be no compromise whatsoever. Preventive detention or detention without trial smacks of a feudal concept.

There is a claim made with respect to freedom of the press and the publication of the proceedings of this House, parliament and the legislature without previous restraints, without censorship. Government must be congratulated for this. Still I say that the committal to freedom of the

press is partial. Why should not the government accept my amendment when moved, that there shall never be any previous restraint upon any publication in any newspaper? That is the basic concept of the freedom of press. There cannot be any compromise with respect to that.

There are a few more points but in deference to your bell that has been rung, I conclude by saying that while this Bill does go a long way in restoration of the pristine glory of the constitution, it does not go all the way and that is the saddest part of it.

बी हरिहर बहादुर (गोरखपुर) मान्यवर, संविधान के इन संसाधन विधेयक वा समर्थन दरने के लिए मैं बड़ा हृषा हूँ। हमारे देश का महान संविधान इस देश में सोकातात्तिक व्यवस्था को कायम करने मानव की आजादी और मानव मूल्यों की रक्षा करने के लिए बनाया गया था। किन्तु 42वें संविधान संशोधन विधेयक के बाद इस संविधान के समर्थन नेतृत्व मूल्यों का छाया कर दी गयी, सोकातात्तिक मूल्यों की हाया दी गयी और पूरी की पूरी संविधानिक व्यवस्था का इन रूप में बदल दिया गया वि उससे बिसी व्यक्ति विदेश के हिता भी रक्षा हा रक्षा।

मान्यवर पूरा देश जानना है फि 12 जन, 1975 को जब इलानानाद राई कार्ट ने अपना फैसला दिया तो उस फैसले से एक व्यक्ति को बचाने वे लिए चतुर नियमों में संसाधन विधा गया। मान्यवर संविधान को इस तरह से संसाधन विधा गया जिससे कि भारत का जो प्रधान मंत्री होगा, वह विसी भी प्रधार का जो धर अपराध करता है तब भी वह व्यायामालिका के समय नहीं बाया जा सकेगा। इस तरह से देश में सोकातात्तिक मूल्यों की हृषा की गयी। उस समय देश के धर्मवर निराशा और बुढ़ा के बातावरण ने जन्म दिया और लोगों ने भनवारण किया कि लालों लोगों ने जिस भारत के लिए कुर्बानिया की थीं, हमारे महान नेताओं ने जिस भारतीयी के लिए संवर्ध किया था अपने जीवन को पूरी तरह से देश के लिए ल्लोकावर कर दिया था, क्या वह सब कुछ बेकाह हो रहा है? देश का पूरा जनमानस निराश हो रहा था।

ऐसे ही बातावरण में जनता पार्टी का जन्म हुआ और जनता मैं भारी, 1977 के चुनावों में जैसे विजयी बना कर, जनता पार्टी की सरकार बनायी। जनता ने इस सरकार को स्पष्ट रूप से यह आरेक दिया कि देश के संविधान में संसाधन करता ही जिस से कि उन सभी सोकातात्तिक व्यक्तियों और नेतृत्व भारतीयों की पुत्रस्वपत्नियां ही

से के जिनको कि 42वें संविधान संसोधन विधेयक में नहीं कर दिया था। इस संविधान संसोधन विधेयक के द्वारा देश के धर्म फिर से लोकतात्त्विक मूल्य कायम दिये जा रहे हैं। इसलिए मैं मान्यवर विधि मर्ली के द्वारा पूरी सरकार का बदाई देना चाहता हूँ।

मान्यवर, कुछ बातें इस में जहर कहनी हैं। जैसे कि राईट दू प्राप्टी वा सपरिस के प्रतिकार्य का जो सबाल है, यह सबाल एक गभीर सबाल है। इस राईट वो कम्बोडियन राईट्स की सीमा में बाहर दूर देने से ही हम लोगों की तात्पर विभिन्नताओं को दूर नहीं कर सकते जिन्हें कि हूँ दूर करने की बहुत आवश्यकता है। आज राईट दू प्राप्टी की जगत राईट दू लिमिटेड प्राप्टी का प्रयोग करता भी आवश्यक हो गया है। क्योंकि जब तक हम संविधान की सीमा नियन्त्रित नहीं करते तब तक कुछ व्यक्तियों के पास मैं कुछ मर्टी-भर लोगों के पास अत्यधिक सम्पत्ति इकट्ठी हो सकती है जो जीवन का कारण बन सकती है और उन लोगों के जीवन को जिनका कि जीवन पहले ही राईट में अतीत हो रहा है और भी सबट्रांस बना सकती है। ऐसी हानि में हमारे लिए इस जीव का देखना जरूरी हो गया है कि जो इस समय पूरी तात्त्विक व्यवस्था है जब तक हम इसका समाप्त नहीं हरने तब तक सभी डग से देख लागा व जीवन का सरकार नहीं बन सकते। यह स्पष्ट है कि पूरी भारत कुछ लागा के हृषा में इकट्ठी हो गयी है और वे उग पजी के द्वारा सम्पूर्ण देश की प्रशासनिक व्यवस्था ही सम्पूर्ण देश के जीवन की प्रशासनिक व्यवस्था है। उन्होंने देश की प्रशासनिक व्यवस्था के लोगों के मानसिक चितन को प्रशासनिक करने की भी प्रतिया प्राप्तनीयी है। आहिर बात है कि इस पूरी प्रतिया वा जन्म तब तक नहीं किया जा सकता है जब तक कि पूरी की सीमा नियन्त्रित नहा जाती है। देश के जीवन का समाप्त बनने से लिए यह अत्यावश्यक है कि पूरी वाद वा अन दो हों। इस बात की कमी में इस संविधान संसोधन विधेयक में देख रहा हूँ। मैं आहता हूँ कि मर्ली महोदय इस और व्याधि दू और देश में पजी भी एक नियन्त्रित सीमा नियन्त्रित करने का प्रावधान संविधान में करें।

आज देश में जीवन बेरोजगारी फैली हुई है। जीवनान सोग जिसका हासिल करने के बाद बेकार इच्छर उधर पूर्ते हैं। ऐसे लोगों को रोजगार देने की व्यवस्था करने का प्रयत्न भी हमारी सरकार के सामने आता रहता है। हमने अपने बैनिफेंट्स में भी कहा था कि राईट दू दर्वे की हम फैमिल राईट बनाएं और प्रयोग जीवन को काम देने का ध्याकार करने की व्यवस्था संविधान में परें। जीवन यह व्यवस्था नहीं हो पाई है। जास्ती जीव का विल भी इस सम्बन्ध में जब सबन में जापा जा तो उस पर जो बहस हुई थी तब सभी जाती वे सदस्यों ने उसका समर्थन किया था। इसकी

[श्री हरिहर बहादुर]

कभी इस संविधान में हमें दिलाई पह रही है। मैं समझता हूँ कि इसको चुनावें की आवश्यकता है।

देश में अपराध तेजी से साथ बढ़ते जा रहे हैं। मैं किसी भी हालत में भीसा जैसे काले कानून का समर्थन नहीं कर सकता हूँ। सेवन इनमा में अवध्य कहता चाहता हूँ कि युकु भी आज संविधान के अन्दर अवस्था है इसके स्वप्न हो चुका है आजाती के बाद से ले कर आज तक स्वप्न हो चुका है कि जो कोई कानून हमें पास दिए हैं उन से अपराध पर संविधानी और संक्षम नियवण हम स्वापित नहीं कर पाए हैं। उम संविधान की स्वापना के लिए आज कानून में संवाधन बनाने की आवश्यकता है ताकि अपराधों पर इनका नियवण स्वापित किया जा सके। आज तरह तरह के अपराधों जो हालतों के द्वारा होते हैं, इनकी आड़ने हैं नवाचल लागा की जानकारी में रहने के बाद भी जब वे बदानतों के द्वारा में जाते हैं तो वहाँ से दूर जाते हैं। ऐसी अवध्यों में उनका इस तरह के कार्य बदलने पर उन्होंने हम से भी उमरा उमाद और जन्मा कुप्रसाद। उनका इन्हें बनाना पर भी नहीं पाया चर्चा परे समाज पर पड़ता है और उमरा कुप्रसाद। उनका इन्हें बनाना पर भी नहीं पाया चर्चा परे समाज पर पड़ता है और समाज में अपराध की प्रतीक विकलित होती है। हीम बर्म तरह जिन राजनीतों वालों प्रयत्न हम करते थे उन से दश में बारावाहा का बस बर्म जी दिला में काई संविधानी वरदम हम नहीं उठा पाए हैं। इनकी आज आवश्यकता हम बान की है जिस जी भी बनाना हमारे पास है यह जिन में हम अपराधों का विपरित करने की अवध्या करते हैं उनको और भी प्रेमवालाओं बनाए और आवश्यक हो तो उन में संवाधनी भी करें।

जहा तक पर्याक दृक्का वा तान्त्रक है इनको खल्म बनने के लिए जब भी संवाल यहाँ आया है तब बराबर कहा गया है कि यह इनको हटा नहीं सकते हैं क्योंकि संविधान में कुछ ऐसे अवध्यान हैं जिन के तहल जिन लागों ने इनको खल्म रखा है या विवाह वर्ती वर्ती अवध्यों के लोगों ने इनको खल्म रखा है तब पर हम इन आवश्यकों के रहने नियवण स्वापित नहीं कर सकते हैं, उनको हम समाप्त नहीं कर सकते हैं। यह उमरामूर्खों द्विनि है। अगर संविधान में ऐसी काई अवध्या है जिस के तहल हम उन पर रोक नहीं सकते हैं तो उस अवस्था की समाप्त करने के लिए संविधान में संवोधन दिया जाना चाहिए, ताकि जिस विवेष जीं को विवेष प्रकार की सुनिवार। आज उपराख है उसको काम करके सभी लार्जों को बराबर और समान सुविधा दिलाके, सभी के लिए समान अवसर हम देंदा कर सकें। प्राकृति लिए भी संविधान में संवोधन करना अप्यन्त आवश्यक है।

प्रधान स्कूलों के बारे में कह सकता हूँ कि ये १९८५ के बीच सामन्तवादी, कुलीनतात्त्वीय और

नीकरतादी प्रमुख बासे अविलियों का नियन्त्रण करते हैं जो देश में अपने को एक विवेष कर जा अपनी समझ कर देश की जातन अवस्था में अपने आपको जानते हैं और देश में जीवन की प्रविकार को लेज करने में पूरी शक्ति और तुड़ि का अप्रोच करते हैं। इस बासे परिकार स्कूलों को समाप्त करने की अवस्था करना भी निहायत आवश्यक है।

दिला को समवर्ती सूची में लाने का कार्य करना आवश्यक उत्तिर बाये है। इन दिला में संवर्तन का तत्काल व्याप देना चाहिये और कार्रवाई करनी चाहिये।

न्यायपालिका को यह प्रविकार नहीं होना चाहिये कि वह समद द्वारा बनाया गए कानूनों को अविवृत घोषित करे। गांधीजी दिन के दृष्टिकोण से इनका बनाने के समय के प्राचीनकाल पर किसी भी प्रकार वा बाह्य नहीं अन्वित था जब जिगोपी है। दिला जी जन्मा भी जन्मा भी आजानको को परिवर्तित रखना है दिला का बाजा का प्रतिनिधित्व करती है उनका अविकार पर दिला भी प्रवार दूसरा बाजा वा बाईं भी नियन्त्रण नहीं होना चाहिये उमरा काई भी प्रवार नहीं होना चाहिये।

फ्रेंटेन राष्ट्र और डारेनिंग प्रियग्रन्थ द्वारा रट्ट पानिनी ने बाब में जा सप्तय बराबर बरता है उम सव ध म में देश इनका बहना बाज्ञा। इ हाय विन्द्य प्रियग्रन्थ आप स्टेट पानिनी का आज भी विवित में हमारे दिल में संवर्तन के अवस्थ दिल की आवश्यकता है। यदि काई भी फ्रेंटेन राष्ट्र हमें वियान्यन्धन में दिली भी प्रवार भी आजा पृथिवा है तो उस फ्रेंटेन राष्ट्र के सुधारने के लिए जो भी आज आवश्यकता है उनका आवारा पर काम होना चाहिये। और डारेनिंग प्रियग्रन्थ आप स्टेट पौरिनियों की सुधारनी के फ्रेंटेन राष्ट्र पर बकर स्वापित करनी चाहिये।

इन शब्दों के साथ मैं अपनी बात समाप्त करता हूँ और इन विवेषक का समर्थन करता हूँ।

जी बीरी बकर राज (गांधीजी) आवश्यक, हमारे विविध भौतिकी भी आवश्यकी है यह उनको एक ऐसा अवसर दिला है जिस उठी लोक समा में जनता ने इस संविधान को बदलने का काम इनको सौंपा ताकि इस देश के लाये पर जो कलंक वा, या इस देश के इतिहास पर जो यह काम दिला जा उसको हटाने की विमेवारी इनको हाथों पूरी हो रही है। ऐसा ऐतिहासिक काम करने का इनका अवसर दिला है इसके लाये यह आवश्यक है। हम भी आवश्यकारी हैं कि हमें एक ऐसा अवसर दिला है जिस देश के कलंक को जाये हमारा भी आवश्यक है। ऐसी हास्यान्तर विवित

कल 42वें संविधान संसोधन विधेयक की ओर, भारती हाथारे नामांश विलोप देताही बोल रहे थे उन्होंने इसके अधिकारम के बारे में बताया और जवाहर लाल नेहरू का नाम लिया। हास्यास्त्रम लिखते थे हैं कि सेक्यूरिटी-एक्स और सोसाइटीज का नाम हास्यास्त्रम की ओर दराज की सम्बादनामें वीं उसके कार्नेट को लग्य कर दिया। जो कंफार्मेंट राजदूत से लिये गये उसमें किसी भी मानवान्तरी के लिए या किसी भी तरह के सेक्यूरिटीजम, जिसकी की बात करते हैं, उसकी कोई सम्बादनामें दूर दराज की की नहीं रह गई थी और हम जारीमान को नष्ट कर दिया गया था और संविधान का जो शरीर था उसमें से उसकी भागता निकाल भी नहीं थी जैकिन लेविन रख दिया गया सोसाइटीज का। यह निष्पत्ति थी। और उन्होंने जिक किया जवाहर लाल नेहरू का। इसलिए मैं कहता हूँ हमारे विधि मंत्री ने, हमारे विधि को कार्नेट से ऊपर ले लिया दिनचरणी थी, इसलिए उन्होंने कम्प्रोमाइज किया। कि अगर सेक्यूरिटीम और मानवान्तरी के बिना बोंटे नो बढ़नामी होगी। मैं जवाहर लाल जी को बोंटे करना चाहता हूँ जब कान्टोरोंन के बाबतेकिंवद्वय पर बोंटे रहे थे मानवी साहब ने सोसाइटीज का इन्डोइश्यम करने के लिए, विधिक बोंटे करने के लिए, सांख्यान दिया था, उसके बाद जवाहर लाल ने कहा कार्नेट मोर्चा न करा तो लेविन को हमने जन्मन नहीं है। इसके लिए ममाना गार्जे ने अपना मंशोधन बापर निया और ममानी माहब की स्पीच यह है

"I approach this part of the Resolution, Sir, as a Democratic Socialist, a Socialist who feels that democracy needs to be extended from the political to the economic and social spheres and that, if socialism does not mean that, then it means nothing at all. I welcome this Resolution in spite of the fact that neither the word 'Democracy' nor the word 'Socialist' finds a place in its Preamble. It is perhaps just as well that those words have been avoided because, as one of us here put it in his Presidential Address at the Meerut Congress, terms like Socialism or Democracy can be made to cover a multitude of sins. This fog of words often covers realities. We know that the French Revolution was made in the name of infraternity but, towards the end

of that Revolution, a cynic remarks—

"When I saw what men did in the name of fraternity, I resolved if I had a brother to call him cousin!"

That, I fear is true of other revolutions as well.

As a Socialist, Sir, I welcome this aspect of the Resolution because, as the Mover has rightly pointed out, the content of economic democracy is there, although the label is not there."

तो मैं कहना चाहता हूँ कि 42वें संशोधन से लोग समाजवाद और सेक्यूरिटीजम के लेविन के लिए बेताब थे। उसके कार्नेट बोंटे करने के लिए जारी उसके लग्य रख दिया।

सेकेन्ड बहुमत वाले के बाद प्रजातन्त्र की मर्यादा बढ़ा। जिन विधि को देनेवेमां वो निविक्यूल किया था उन्होंने भी अपने को चिल्ला बर लास्टिंग डेनोकेसी के नाम पर ले लिया। मारे जाने प्रजातन्त्रादी हो गए, उन्होंने प्रकार के लेविन से संविधान निष्पत्ति नहीं होता है। कार्य करने वाला, इम्प्रोविट करने वाला हो, काटांटीकरण का कार्नेट हो, उसके बाद होता है। मैं ऐसा मानता हूँ कि अब जो कम्प्रोमाइज करना पड़ा है, यह ही सकता है कि हमारे विधि मंत्री को भलत्त ब्रावोति शील हप रखने के लिए मावस्यक हुआ हो कि और विधि में भी सारी चीजें बदल दें।

मैं बहुत अद्या समय नहीं लेना चाहता, मैं तिक उस तरफ इसारा करना चाहता हूँ जिस तरफ कम इसारा हुआ है।

42वें संविधान मंशोधन में प्रजातन्त्र भी भारता पर चारों तरफ से हमला हुआ था। जीवित्यरी की बात बायद में कहना या कम कहना, चारोंके बड़े-बड़े कानून के प्रति उस पर बोलने वाले हैं। सासे बड़ा, जीवित्यरी से भी बड़ा हमला मह किया गया कि कान्टोर एण्ड आर्टिटर जनरल जो हुआ करता। या उसको प्रजातन्त्री के हाथ में कर दिया गया। उसके संविध ने मैं कहना चाहता हूँ कि जब संविधान बन रहा था, आप जानते हैं, इलेंड में जो हाउस आफ का मंसू है, उसका आक्सिट कान्टोर एण्ड आर्टिटर ज नरल होता है, यू० एस० ए० में कारेंस का होता है। वह सदूच की तरफ से एजिक्यूटिव के बर्च को करता, जो एका विद करता है और उसको देना करता है। इस देश में आ० घम्बेडकर ने आज्ञा या इस बात को करता, जो किस संविधान बनाने के समय उनको घरसोत था, उद्दृष्टि वही सकारी के साथ संविधान बना कर दिया

(बी बीटी बैंकर द्वारा)

कि वो सत्तानाता हम एकीकूटिव के बर्वे को एकाधिकरण करने के लिये देना चाहते थे, अद्वैतर एवं आविटर प्रभारत को, वह चुविलियरी से साधिक होनी चाहिए, जैकिन हमको प्रभावित है कि हमें आज इस पर ही कार्टेट करना पड़ा ।

उसके बारे 42वें संसोधन में क्या दूषा ? चारों भारत आज होगा, और बर्वे के जाव करने के मालिकाना हक प्रधान मंत्री को होगे। प्रधान मंत्री सौभाग्य संबन्ध को रिपोर्ट दे। इस प्रधान का गोट्टिन एवं सबब या बैंकिन 42वें संसोधन में प्रधान मंत्री ने एकीकूटिव के बर्वे को जाव करने का काम अपने हाथ में ले लिया। चुविलियरी तो प्रधान मंत्री ने आजने हाथ में से ही भी। जैकिन साहब ने कहा था कि हमें बड़ा कामान कर दिया, इसके भी से लिया ।

इस के सबब में मैं आज प्रम्भेश्वर को घोड़ा कोट करना चाहता हूँ। उन्होंने इसके महत्व के सबब में कहा था -

The Hon. Dr. Ambedkar: Mr. President, I cannot say that I am very happy about the position which the Draft Constitution, including the amendments which have been moved to the articles relating to the Auditor-General in this House, assigns to him. Personally, speaking for myself, I am of opinion that this dignitary or officer is probably the most important officer in the Constitution of India. He is the one man who is going to see that the expenses voted by Parliament are not exceeded, or varied from that has been laid down by Parliament in what is called the Appropriation Act. If this functionary is to carry out the duties—and his duties, I submit, are far more important than the duties even of the judiciary—he should have been certainly as independent as the judiciary, but, comparing the articles about the Supreme Court and the articles relating to the Auditor-General, I cannot help saying that we have not given him the same independence which we have given to the judiciary, although I personally feel that he ought to have far greater independence than the judiciary itself."

कहने का अर्थ यह है कि सिंके चुविलियरी को ही अंग नहीं किया, बल्कि सरकार के बर्वे की ओर आवं थी,

प्रधानियामेंटरी बैंकिनी का हमारा असिंक लिंगिंस्ट है, एकीकूटिव के एक्सरेंडीवर पर प्रधानियामेंट भी बहुत हीण, वह प्रधानियामेंटरी बैंकिन को एक्सर-प्रावित करने का भी आवेदेस था, उसकी अपर्याप्त प्रधान मंत्री से 42वें संसोधन के द्वारा हाथ में लिया ।

चुविलियरी के रेस्टोरेशन के बारे में मैंने कहा है कि कानून के बाने बास बहुत लोग हैं, यह बासांगी बैंकिन उसका एक प्रार्थित बल्ली किसी ने नहीं कहा कि जबेव की लिंगुलित के तबाह में एक कावाज बोह दिया कि कोई भी चुरिट ही सकता है। हमारे जल्दी प्रधान मंत्री या उनके बिल, उनमें से किसी भी भी आपास किया है तो उसको चुरिट कह दें, जबोकि प्रधान मंत्री को दिलीबन लेना चाहा। इसके सम्बन्ध में किसी भी को दिलीबन नहीं लेना चाहा। (ब्लॉप्लान) जरिट प्रधान मंत्री ही है कही भी कोंस्टीट्यूशन में। आप विप्राइव चाहे चुरिट कह दें, कोई जागड़ा करने वाला नहीं है ।

इस प्रकार से उन्होंने हाई कोर्ट की व्यवसा के समाप्त कर दिया ।

समय के बाबाब के हीने के बाबूजूद भी मैं एक जब्द प्रिविलेज के बारे में कहना चाहता हूँ। आज के संसोधन के बाब वालियामेंटरी प्रिविलेज व्यापारे द्वारा होने वाले हैं।

18 00

42वें संसोधन के बाब इस प्राविलियरेट का कोई प्रिविलेज नहीं रह गया था। सविधान में कहा गया था कि प्राविलियरेट स्वयं आपने प्रिविलेज बनायेंगी और कार्डिफाई करेंगी। लैंकिन इस बोध में प्राविलियरेट ने आपने प्रिविलेजिंग का कार्डिफाई नहीं किया। उम के प्रिविलेजिंग बही थे, जो हाउस प्राप्त वायन्ड के थे, लैंकिन वे उन लिए गये। यह ठीक है कि उनको प्रिविलेजिंग प्राप्त है, लैंकिन सविधान के तहन हमें जो प्रिविलेज प्राप्त है, वे विवरण कर दिये गये ।

देश के बकील भिन्नों में सविधान के विविध प्राविलियानी के बारे में अहस बह रही है। भी राम जेटमसाली ने प्रिविलेजिंग के बारे में कहा कि उन्हें कोविकाई किया जाना चाहिए। लैंकिन वे यह कहना चाहता हूँ कि प्राविलियरेट के प्रिविलेजिंग का कोविकाई नहीं दिया जाएगा। यह ठीक है कि दुनिया के कुछ दूसरों में प्राविलियरेट के प्रिविलेजिंग कोविकाई है। हमें यार रखना चाहिए कि बगार यहाँ पर हमारे प्रिविलेजिंग को कोविकाई किया जाया, तो उन्हें बदालतों में ले जाया या सकेगा। भी भावालतों से बरता नहीं हूँ, लैंकिन प्राविलियरेट के प्रिविलेजिंग के बीचे एक इतिहास, एक पृष्ठ भूमि और एक कार्य है। भी महसूस करता हूँ कि बगार मेरे बिल उस इतिहास और उस सब कारणों को देखेंगे, तो उन का भी नहीं चिनार होगा कि मैं प्रिविलेजिंग कोविकाई नहीं होने चाहिए ।

में इस संविधान-संघोत्पत्ति की प्रतीका करता है कि उसे हमारे यहे हुए प्रिवेटेजिव को भोटाता है। हमारे डेवोकेटिक राइट्स, सिलियराइट्स, बर्ग की बात करने के हमारे धर्मिकार और पार्लियामेंटरी प्रिवेटेजिव पर जारी रखके हमला किया गया था और उन्हें काट कर रख दिया गया था। इस संविधान के डारा उन्हें रेस्टोर किया जा रहा है।

इस के बाद भी हमारे पितो को सतोव है। वे कहते हैं कि 42वें संविधान की ऐसी भी बातें हैं, जिन्हें हम लोग बुरा नहीं समझते हैं। हम ने उन के एक दो प्राविधिक वा बलाये रखा है इसकिए वे समझते हैं कि उनके बारे एवं इन्हें बही थे, और उन्हें हम की घटन प्रमत्ता है।

इमर्जेंसी के प्राविधिक के सम्बन्ध में भी कोई बदला प्राविधिकारी दृष्टिकोण प्रस्तुत नहीं करना चाहता है। हमारे उस में इन्हें जो चिंता तरजु में प्राप्त हुआ वह में दुनिया म जा कुछ दूसा है उपर का बर्गन तो नहीं किया जा सकता है उन्हें भी कुछ इस ग रुद्रा रुद्रा है। तो काइ प्राविधिक गुराइटिड रेस्ट्र और अप्रिविड के कान्फिंडिन इन्हें नहीं है। काइ के 1849 के प्राविधिक इन्हें में थी। काइ 1857 के कान्फिंडिन वर्ष में थी। जेनरल द्वारा ने 1856 में एक डिवेंसी प्राविधिक रखा। उन्होंने यह तो अवश्य की कि पालियामेंट का भी बुलाने की अवसर नहीं है। उन्होंने उन प्राविधिक का प्रयोग किया, यहर प्राप्त के प्रयोग जनसत के विराघ के बारें पाल मरीने के बाद ही उसको लौटा किया। इस रिं इस म प्रदृढ जनसत ही जानन के इस प्राविधिक के प्रयोगन का रोक करना है वह किंतु के हाथ में जानन होता है, वह संविधान का दुश्यायग करता है। इन्होंने इस बात का मालूम है कि यहर जानन में यान्हास पन या गया और जानन की बां-डोर धनस्तक्युत सेंगो के हाथ में बची गई, तो संविधान के पन्ने काढे गये।

हमारा संविधान बहुत सोच समझ कर बनाया गया है। वह दुनिया का सब में बड़ा लिखा हुआ संविधान है। हमारे काउंटिंग काइर्स में, दुनिया के सब संविधानों में जो बोर्ड भी दोष था, उसको सुधारने का प्रयोग किया। लेकिन उन्होंने इस बात की कल्पना नहीं की कि इस देश के प्रधान बची के पाप पर एक ऐसा निनौना किल्टेटर भी आयेगा, जो इस सारे संविधान के स्वरूप और उसकी बद्यवादी को प्रियांक कर रख देगा और उसके पक्षों को फाड देगा, और इस देश की पालियामेंट भी उस का समर्थन कर देगी। ब्रिटेन द्वारा को इमर्जेंसी प्राविधिक का बापस लेना पड़ा, व्यक्ति काट का जनसत प्रदृढ था। इस लिए यहर हमारे देश में भी एक प्रबुद्ध जनसत नहीं बनेगा, तो संविधान के दुश्यायग और उस की विछुति को रोकना असमर्थ होगा।

जहाँ तक इमर्जेंसी भी अवधारा का सामाजिक व्यापारीका में काइ संविधान नहीं है, लेकिन वहाँ इस के बारे में लेजिस्लेशन है। लिकन वो भी इस का उपयोग करना पड़ा था।

पिछो सरकार राज्यों में फौज सेजने के लिए तैयार रहती थी। जैसे भूमन बादवाहों के सुवेदार हर सूटे में रहा करने थे, वैसे ही सरकार यानिया समझती थी कि वह क्लीन अप्रेस व्यापक वहाँ में उन के भरावर बैठे हुए हैं, और उन्हें पहने पर उन बढ़ा भरावर फौज भेज देती, जैसा कि भरावर या प्रीरावेद के बमाने में होता था। ऐसी अवधारा कही नहीं थी। ऐसी अवधारा केवल जर्मन राइक के प्रारंभिक 48 में थी—

"If any State does not perform the duties imposed upon by the Constitution or upon by the national laws, the national President may hold it to be the performance thereby by the force of arms"

मिर्क जर्मनी में यह अवधारा थी कि भरकारे-भानिया, एप्रेस फौजें देती थी। मैं यादा कुछ नहीं बोलना चाहता जैसिन डाना जर्मन कहना चाहता हूँ कि इस प्रवार को अवधारा लगाय कर के सरकार ने एक फौज आय किया है। एक बात मैं यह कह द कि 101(५) जो उ तोने जाता है, वह भेड़ी राय में सुरक्षानुप्रयन है। मैं सकानत हूँ कि उन की अवधारकता नहीं है। मैं महोदय सो कानून के पहिन हैं वह अपौ तह बातें हैं। कान्फांडेट राइट्स से निरार जाने के बाद फिर भी इस को कास्टीट्यूशन से रखने की जहरत नहीं है।

प्रिवेटिव डीटेंगन को शक्तिहीन बद य है और उन का उन का अप्रिविड रिंग है, यह एक अच्छे गाँ है। जाता वा नियुनि के सम्बन्ध म जा स्पाइस रिंग है वा भी एक अच्छा काम किया है। भानी जि देखी जा पाए माल से छ ग न रम्ब वारे हमारे दिवार जिसका जा अवधार भले ही ए रिंग है जा टर्म फिर 6 ना. ८ से ५ सार निया है यावद्यक है और यह उन्होंने अच्छा बाय किया है।

एकेश्वर के सम्बन्ध में मत्री महोदय फिर से चिनार क। देश में बड़ा भारी जातन है कि इस का सबार्नी सूबी में रखा आय क्यामी सूरे देश के एकेश्वर को रेत्वेष्ट करने के तिर लेंटर की तरफ से इतनाम होता चाहिए। लिंगिवस्तु

[बी और शंकर राव]

बीर हुएरी शारी कीलिक को इनकासोंपें
करते हुए उस को कियाजित करता है तो उस के
लिए यह आवश्यक है।

एमजेन्सी के सम्बन्ध में जो प्रावधान यह एह
बया है, संविधान में उस का मैं ने विरोध इत्तिए
कही किया और कि उस का इसना आवश्यक है
और इस सम्बन्ध में मैं श. अम्बेडकर का एक
कोटेश्वर पड़ना चाहता हूँ। श. अम्बेडकर के
कोटोंमें ने कहा कि याप सो 1935 के एक्ट के
मुताबिक सारे संसदीय को संविधान में जाल रहे
हैं, जैसे इन्होंने भी डाला है तो उन्होंने यह
कहा :

"Dr. Ambedkar while replying to the debate said, "I wish very much that the Drafting Committee could see its way to avoid the inclusion of certain details in the Constitution. He said, I would like to tell you the necessity which will justify their inclusion.

"Grote, the Historian of Greece has said that the diffusion of the Constitutional morality, not merely among the majority of any community, but throughout the whole, is the indispensable condition of a Government at once free and peaceable, since even any powerful and abstinate minority may render the working of a free institution impracticable, without being strong enough to conquer ascendancy for themselves.

By constitutional morality Grote meant a paramount reverence for the forms of the Constitution, enforcing obedience to authority, acting under and within their forms, yet combined with a habit of open speech, of action subject only to legal control, and unrestrained censure of those very authorities as all their public acts combined to with

a perfect confidence in the bosom of every citizen amidst the bitterness of party contest that the forms of the Constitution will not be less sacred in the eyes of his opponents than in his own.

While everybody recognizes the necessity of the diffusion of the constitutional morality for the peaceful working of a democratic Constitution, there are two things interconnected with it, which are not, unfortunately, generally recognized. One is that the form of Administration has a close connection with the form of the Constitution. The form of the administration must be appropriate to and in the same sense as the form of the Constitution.

The other is that it is perfectly possible to prevent the Constitution, without changing its form by merely changing the form of administration and to make it inconsistent and opposed to the spirit of the Constitution. It follows that it is only where people are saturated with the constitutional morality such as the one described by Grote, the historian that one can take the risk of omitting from the Constitution details of administration and leaving it for the legislature to prescribe them. The question is: Can we presume such a diffusion of Constitutional morality? Constitutional morality is not a national sentiment. It has to be cultivated. We must realise that our people have yet to learn it. Democracy in India is only a top-dressing on the Indian soil which is essentially undemocratic.

In these circumstances, it is wiser not to trust the legislature to prescribe forms of administration. This is the justification for incorporating them in the Constitution."

SHRI SOMNATH CHATTERJEE
(Jadavpur): Mr. Speaker, Sir, today the soul of India is partially resurrecting itself again, thanks to the demo-

eratic aspirations of the teeming millions of this country. Though the people of this country have been kept underfed, under-nourished, uneducated, half-educated, unemployed and deprived of the basic necessities of life, they have, yet, given their clear verdict against the disfigurement of the body of the Constitution and the deliberate distortion, if not annihilation, of the spirit of the Constitution by the Forty-Second Amendment. The verdict was in the clearest terms possible because of the bitter experience of the people in this country—how even the organic law of the country could be mutilated by a dictator through a captive Parliament and with the help of persons who were proclaiming themselves to be the true representatives of the people although Parliament had ceased to reflect the true will of the people as was clearly established during the March 1977 elections.

The Janata Party gave a pledge to the people of this country for the wholesale repeal of the Forty-Second Amendment. But, although we have been reminding them since the last Lok Sabha elections that they should keep their pledge, it seems that, they thought of arriving at decision by compromise and consensus. But 'compromise and consensus' with whom? With the people who had perpetrated ghastly crimes against humanity, those who have not even expressed a sense of sorrow and shame over what was done during the Emergency, the people who are still gloating over the so-called gains of Emergency, those who are still singing praises for the malevolent dictator. Government tried to come to an arrangement with those people. I feel that, instead of being pampered, they should have been thoroughly exposed by this time. Because the Janata Party has dragged its feet so long, we have had to listen to a lecture from the Leader of the Opposition as to the Constitutional proprieties and Constitutional niceties in this country.

We have opposed, and the people have opposed, the Forty-Second Amendment as it had been the product of insatiable hunger for power and it represented, according to us, an evil in the body politic of this country; it represented the grossest form of anti-people outrage. It has been nothing but synonymous with fascism and dictatorship. Therefore, we believe that, so long as a single word of the Forty-Second Amendment remains in our Constitution, the Constitution will continue to remain polluted thereby. That is our view.

The defilement of the Constitution started with the Thirty-Ninth Amendment when, for the sake of one individual, the so-called constituent power of this august House was utilised to invalidate a judicial determination. What happened at that time? The Members of Parliament then belonging to the Congress Party vied with one another in supporting the politically immoral and illegal Constitutional Amendment. That was done for the sake of one individual. The Constitution was amended; the Representation of the People Act was amended, as if any one person in this country was indispensable. For the sake of saving the election of Mrs. Indira Gandhi, the Constitution had been defiled and mutilated at that time, and the President and the Speaker were brought in only to keep company. This was the position. The Thirty-Ninth Amendment Bill, the Members would recall, was passed in unseemly hurry and haste—no discussion, no debate, worthwhile, either outside or inside this House. This was followed by the Fortieth Amendment which was passed by the Rajya Sabha to the lasting shame of Parliamentary institution in this country, giving immunity to one particular individual from the consequences of crimes. Therefore, we felt that unless and until, in future, the provision for amendment of the Constitution was kept beyond the reach of such dictators, ruthless dictators, those

[Shri Somnath Chatterjee] whose hunger for power cannot be met, the constitution of this country and the people of this country cannot be saved.

Then came the Forty-second Amendment where really it reached the nadir of political immorality and the grotesque and grossest exhibition of lust for power. It was a calculated attempt not only to denude the people of their right, emasculate the judiciary and to strike at the very root of even the quasifederal set up we have in this country and in fact it was only to perpetuate the dynastic hegemony of one individual at the expense of the country and its people.

What was the position in the country then? The press had been muffled, the voices of the people had been gagged and rights and personal liberties were gone. All meetings and processions were banned, freedom of expression and speech was lost totally in this country to the people. Members of Parliament were kept in detention for an indefinite duration without even being told of the charges they were supposed to be guilty of. This was the position in the country then, when no political activity on the part of the opposition parties was permitted and that situation was taken advantage of by a dictator who had already tasted blood and utilised a rubber stamp Parliament to reduce the people to servility and to reduce the status of the different States to that of colonies. That was the position.

Not a single provision of the Forty-second Amendment was conceived in public interest. There were frills here and there—innocent and unnecessary frills. There have been some gimmickry here and there like the amendment of the Preamble and inclusion of some provisions of Directive Principles which have remained only on paper. They were never translated into action. Apart from that, the Forty-second Amendment

was nothing but a declaration of war on the people to perpetuate one person rule. I believe because of the mandate of the people in this country, it is our solemn duty to remove the cancer from the body politic of this country. Should we not remind ourselves of the *modus operandi* that was taken recourse to before the Forty-second Amendment was passed? What happened? A socalled Review Committee was set up with persons belonging to a particular political party then in power and headed by Sardar Swaran Singh and others whose credentials about going into such matters were so much suspect. We have seen how officially sponsored demonstrations and organized jamborees were held throughout the capitals and in different capitals of the States where Ministers met and visited and, unfortunately, some of the Judges were vying with each other to go and attend these so called law conferences and trying to trumpet the benefits of the proposed Constitution Amendment. At that time, no opposition party was allowed to hold a seminar even inside a hall to give expression to their views on the proposed amendment. There was no public debate outside. Nobody had any occasion to give expression to their views. All the real opposition parties had boycotted the Parliament session and that was utilised for the purpose of amending in such a ghastly manner and in such a comprehensive manner the Constitution of the country. I would like to know from my hon. friends here: can they point out a single provision, a single line in the Forty-second Amendment which is for the real benefit of this country? After the Twenty-fourth and Twenty-fifth amendments, nothing stood in the way of real achievement of the socio-economic objectives of the country through constitutional amendments or making laws. There had been ample provision. Art. 31 had been amended. Art. 368 had been

amended but that was never taken recourse to for the purpose of bringing about real improvement in the conditions of the people of this country. There is the Twenty-fifth amendment, there is the Twenty-fourth Amendment. We were then in the Opposition but we supported the then government because it was expected that it would be utilised for the good of the people but that was never to be. That was never done because they believed only in gimmicks, only in hoaxes all the time trying to mislead the people and always searching for scapegoats. 'Now it is the judiciary standing in the way of our progress, therefore, we want more power' and we really conceded more power but that was never utilised in the country.

The real object of the Forty-Second Amendment was to curb the people and the opposition parties. It provided a wonderful scheme of curbing so-called anti-national activities keeping in hand the power to declare any opposition party as an anti-national organisation and completely stifling its activities. They conceived of imposition of fundamental duties as if the people of this country are not patriots; they do not love the country, they are not prepared to work for the good of the country. These are all gimmicks and hoaxes played on the country. They put various curbs on the powers of the judiciary, they curtailed the scope and ambit of Article 226 of the Constitution. Last but not the least, they took away the powers with regard to various matters by tampering with the Seventh Schedule and also providing for deployment of para-military forces in the States against the wishes of the State Governments.

The object was to see that all the powers remained concentrated in the hands of the Centre and with that slogan that India is Indira and Indira is India, one leader, one party, one

country, in that order, as I said on the last occasion, they hoped that she will be there for ever and the sycophants and cohorts will dance to her tune and she will go on. The Prince of Wales was being groomed; and it was thought that dynastic rule will be established through the means of Constitution in this country. A captive Parliament was there. The life of the Parliament was extended. For whose benefit? What was the difficulty in holding elections? It was again extended, but then probably some astrological predictions prompted her to go to the polls for which she must be repenting now. This was the position.

We feel, therefore, that the Forty-Second amendment represents cancerous symptoms in our body-politic and should have been removed lock, stock and barrel. It is not as it is coming from us alone. With the same mandate, they approached the people and now they are trying to compromise with that mandate because they want their blessings and help. The composition of Rajya Sabha should not have determined the course adopted by the ruling party in this case.

Even here the preventive detention laws are still being continued. We shall hear, no doubt, from the hon. Law Minister that they are providing for the Chief Justice to constitute the Advisory Board with a sitting judge and therefore, all troubles would be over. Two months detention is there without the Advisory Boards. Then, Sir, our experience is that even the Advisory Boards that were there before MISA was made more Draconian, what happened? There were ex-judges, even district judges were presiding over the Advisory Boards, but how many persons were acquitted by the Advisory Boards? They always go by *ex parte* presentation of facts from the police records. There was no other material before these

[Shri Somnath Chatterjee]

Advisory Boards. It will be denial of the basic provision of the rule of law. Shri Ram Jethmalani rightly said that if prevention detention is retained, then you are keeping in the hands of the Government the power to stifle all legitimate democratic activities. Why are we opposing it so strongly? Even after the Janata Party came into power, there was an attempt to introduce MISA through the Criminal Procedure Code, which on the reaction and protest of the public, they had to withdraw. In the States ruled by the Janata Party, the mini MISA is still there and is being utilised not against the perpetrators of crimes or zamindars, or other persons, but against the workers, the State Electricity Board workers and the common people of this country. In whose hands are you giving this power? Even the Janata Government in the States have utilised it for their own political purposes, for their so-called administrative purposes. Therefore, on principle, we are against this. Regarding Article 352, has not this country learnt a lesson? On the plea of so-called internal disturbances, which was nothing but a hoax, the Shah Commission has made it clear, a hoax was perpetrated on the people of this country in the name of internal disturbances; this country was made a captive and a huge prison house. And people like Jayaprakash Narain and other leaders of the democratic movements, trade unionists, students, teachers and ordinary, common people were put behind the bars, taking advantage of the Emergency. If provision about the armed rebellion is there, who will decide whether it was there or not? Where is the accountability for it? If you happen to have a majority, and if you are able to control it in this House, whatever you allege to be a rebellion, will go as an armed rebellion. There is no question of accountability. Nobody can find it out. There are no standards. Who will decide it? There-

fore, I request the hon. Members of the Janata Party, "Please ponder once more, before you betray the trust which people have reposed in you. Please think once more. Don't have the idea that you are indispensable in this country, or that you will be permanently here. The way you are functioning, she has gained strength; and she and her cohorts are moving in this country, professing a democratic attitude. This is the lesson which you have learnt within these 16 months. It is the experience of the people within 16 months."

The power under Article 352 can be abused by this Government, because of its composition, or the changes—we do not know what will be the permutation or combination; whether there will be any exodus from here or there, we do not know what will happen. I request Government to consider this. Similarly, we are opposing Articles 356 to 360. We are supporting referendum, because we have seen the functioning of the minority Government after 1971 elections; that election showed that with a minority of votes, Mrs Indira Gandhi could have a large, artificial majority of Members. Therefore, even with that minority vote, she could go on trumpeting about her massive mandate, which Mr Piloo Mody used to call 'MM'. She utilized that so-called massive mandate as the justification for the purpose of bringing about the 42nd Amendment. Therefore, it is necessary that the lessons that you have learnt, should not be forgotten soon. We should not betray the trust which the people have left with the present Parliament. We ought to see that those aborations do not recur in future in this country.

With regard to other matters, we shall give our views when amendments come. But we support this Amendment Bill with these reservations. We shall still hope that in the

two days left, there will be a little introspection on that side, and that they will restore what should be restored to the people of this country.

श्री राज बारावाल (राज बरेली): शासीकाल में राज बरावारों में भारा करते में जी कविताओं के द्वारा भपनी शीर्षों से राजाओं का सम्बोधन किया करते थे। मैं अपने पाप को उस शीर्षों में नहीं रखता चाहता। मैं कहना चाहता हूँ कि ज्ञान जो संशोधन विधेयक प्राया है इस को पाप बताता है। मैं समझता हूँ कि यह बट्टा भी है और भीठ भी है। बट्टा कहा है मैं चाहता हूँ कि जो समाजाधारी दल के सम्मानित सदस्य है वह बचे। जनता न उन को किन बालों से यहाँ भेजा है और वह यह गविष्ठान समोदृग जो सोलह वर्षोंने ये बाद लिये थे किंवदन्ति विधेयक प्राया है यह उन आठ वर्षों के पूर्ण वर्षता है या नहीं कहता है यों जनता की यी और है? यह जनता पार्टी का हृषीकाश नीनवर्षटा है। इस में वह पार्टिटिल बाटूंर है। इस में यह लिखा है एम्परेसी। मैं पूर्णना चाहता हूँ कि यथा इम्परेसी इन टीटों हृष गई है? बदा बद्द मान गंवा गया गंवारं सो लाना चाहे सों सा मवती है या नहं सा मवती है? इस मवाल का जबाब करन् मवीं का देना चाहिया।

इसी बात इस में यह है रेट रु. ८० प्रेमेटल प्रीट्राइट हैट हैट बीन समरीट भी ईडीट्रेसल प्रार्डर। वे बहुत हृष तक रेटटोर हों गई हैं।

सीक ट्रेसेंट द्वी कार्गटीसीविड एमेटेट्टै। जनता पार्टी ने जनता के मध्य में लेलान किया था कि हम ४२वें संसदेवन को धूर्ण व्येषण खाम बतेरो। मह है मामासा पूरा धीर सीधा।

बहु मैं जानना चाहता हूँ जनता पार्टी के सदस्यों से कि किस मुह से जनता के बीच में जायेंगे? यथा यह ४२वें संविधान संसोधन को इन टीटों खाम कर रहे हैं? नहीं। इसलिए हमने भपनी समर्ति पहले भी दे दी थी कि ४२वें संसोधन को पूर्ण व्येषण समाप्त किया जाए ये उस क बात जो कुछ हम को लाना होगा सापेते। लेकिन कही मुह हो जाता है ३६ और कही हो जाता है ६३। तो हम जो चाहते हैं कि इन्विटर जी की व्यवस्था में और हमारी व्यवस्था में ६३ का सम्बन्ध है, यामी मुह चुम्मा चुम्मी होने लगी। तो इस विधेयक के जाये कही कही मुह चुम्मा चुम्मी थी हो गही है। मैं चाहता कि सम्मानित सदस्य जनता पार्टी के उस मुह चुम्मा चुम्मी को काट दें और बिलकुल ३६ कर दें।

"move to amend article 356 to ensure that the power to impose President's rule in the States is not exercised to benefit the ruling party or in favour of sections within it."

बा ३५६ को हमने उस तरह से बदल किया है जिस तरह हम में हम से जनता को बायदा किया था? अब तो हम यह देख रहे हैं कि तीन साल तक भगवर इसेकान कीमीकान भपनी सिकारिता दें दे कि राज्यों में चुनाव न करायें तो इन्वेंटी वे ३ साल तक चुनाव नहीं होंगा। प्रेसिडेंट का इस राज्यों में कायम रहेगा।

हूँसरे बह कि इसेकान की एज २१ साल से १८ साल करने को कहा था जनता से कि हम जाते ही २१ साल में १८ साल कर देंगे। भगवर अपने भाषणों में बहते थे कि प्रापर्टी खरीदने के लिये, औपर्यं बेचने के लिये, सेवा में भर्ती होने के लिये, हर काम के लिए १८ माल जाते को बालिंग माना जाता है। भगवर बाट देने के लिये २१ माल क्यों? २१ साल नहीं होना चाहिये बल्कि १८ माल होना चाहिये। मैं विधि भवी से पूछना चाहता हूँ कि अब वह कौन सा सांशोधन लायेंगे कि २१ साल की जगह १८ साल हो। क्योंकि हम केवल इसी हाल में नहीं रहते, न दिल्ली के अपने कम्बर में रहते हैं बल्कि देहन में पूर्ण रह जनमत आका करते हैं। भपनी कानपुर में पालक भोटिंग से एक सवाल पूछा गया कि तुमने बायदा किया था कि १८ साल बोटर की उम्र करो। भपनी तक क्यों नहीं किया? इसका जवाब हम क्या दें? भपनल में कठुलोग पूछते हैं हम से कि जाति भूषण जी आपके बड़ील थे। यह तो बहुत बड़े बड़ील हैं इन्होंने कलकाता में अबादारों बे बायान दें दिया कि राजनारायण की दृष्टि बड़ी रैनी है। भगवर हमारी दृष्टि रैनी होती तो हम इन को बड़ील करो। हम बड़े लायर भगवर हाले तो थी जाति भूषण जी को मैं क्यों करता। सभालीजिये थी जाति भूषण हम से बहुत बड़े लायर हैं। भगवर हर जगह कानून की बारीका कान नहीं देती। जहाँ जनता जनावंश की आकांक्षाओं का प्रबन्ध होता वहाँ कानून की बारीकियां कान नहीं देती। इसलिये मैं चाहता हूँ कि तकाल पूर्ण सरकार कोई ऐसी व्यवस्था करे जिस से कि तमाम बालिंग जो १८ साल के हों वह हर जगह बोट देने के हुक्मादार हो जायें चाहे सम्बन्ध हो, पार्टियांट हो, भूमिसिंहींटी हो, डाउन एरिया हो या नोटिफाइड एरिया हो।

अब मे हूँसरे पने पर बल रहा हूँ:

"As a corollary to this it will also delete 9th Schedule to the Constitution".

मैं जानना चाहता हूँ कि यथा नीवा शेद्यूल डिसीट हुआ? नहीं। नहीं हो रहा है तो चुप क्यों बैठे हो? बोलो।

हमारे एक दोस्त बहा करते थे —

बोल कठ भानव, तु कठ जरा बोल दे,
जन गण हित, कान-से-कान-काव काव बोल दे
काव-काव कर के जब क्रान्ति एक भायेही,

[बी राजनीतियण]

बात कही कान को कहूँ-कहूँ भायेगी ।
इस समय आवश्यकता है, कांट-कांट काव भी, और
काति भूषण भी कह रहे हैं कहूँ कहूँ ।

हमारे कवि ने कहा है कि एक कौमा मार दो,
दो देखो जितने को मेरे रहेंगे, सब बाद-काव करे और
सर पर भी भारेंगे । हमारे विहार में एक बाद में
देखा है कि जिसने कोई का मारा था, जहा भी वह
जाता था, 6 महीने बाद भी कए पर पातो भरने
जाता था या तो काँे आकर उसे केरिप पर बाब मारते
थे । 6 महीने के लिए उस आदमी को गाव से निकाल
दिया गया ।

हम तो कोई भी नहीं हैं, क्योंकि बड़ा गर
ही है, गड रही है भूतीरव में आवश्यक पार्द्ये दिव
महीने हो है यानी किसने को एश्री-राष्ट्र प्राइवेट
की जीत निर रही है, उनका गड और गत्रा मस्ता
हो गया है, वह आज किसने केरिप में है । उन्न-
प्रदेश के बारे में बात रहा है कि 5 करोड़ विदेश
गत्रा पड़ा हुआ है, 75 करोड़ किसन का नकान
हुआ है, उसका काई देखने वाला नहीं है ।
(प्रश्नावाच ।)

मैं अपने सदन के सम्मानिन सदस्यों का बदना
देना चाहता हूँ कि वह अवश्य नहीं, पट में
पानी का बुन्दुका न उठे, सारे माल भर नक और
कुछ भी अन्दर ही प्रान्दर पका है, मरवा खानकर
रख दगा । हम बदना कर हैं, ताकि हम निरापद
या प्रवान मरी के बदाए दृढ़ नहीं हैं । (बदवाच ।)

हमने इन्हें याद मैनिहेंदो में निकाला है कि
1 और 20 बड़ी और छाड़ी आदमी का रिना
होगा, क्या इस के सम्बन्ध में कोई मानव भायगा ?
सविवान में इनको अवश्य होगी या नहीं ?

डिलान आफ प्रार्टी की फडांडेन राइट ठीक
है, मूँगे बड़ी दूरी है इस बान को । इस के लिए हम
एक मरवा सार्टिफिल्ड पार्टी में निरामिन किये
गये थे । हमारे निर कामन साहब बैठे हैं, काप्रेस
सरकार भी इन्हिरा भी की, उम समय सबलां आया
था जि कफार्मेन्ट राइटर मानकीयताली
बैठ कर सकते हैं । यह कहने थे जि यालायम इह
सुनोग, हम कहने थे कि कास्टिट्यून इह सुनोग ।
बड़ी लडाई दूरी, लेकिन हम का अन्न म तुगारी केरान
मिला कि आप इनका विराप नहीं कर मरने । हमने
कहा कि विरोध करेंगे, जाहे जा हा, आप हमें निकाल
दे । मगर हम मनुष्य हैं, हमारी मानवा ता रहे ।
हमें सार्टानिट पार्टी की एक बैठिंग कमेटी में पड़
कर मुनाया ।

यह है टिलर, 2 अगस्त, 1974 को वाइमर
कांटीट्यून का भैंसे बैंज किया गया और किस
तरह से चार साल के लिए कांटीट्यून की
संसद कर दिया गया और कहा गया कि हर
नामिक को हिटलर की हिटलरी खानी पड़ेगी और
हिटलर जो कहुँ बोलेगा, उसी के भयावह काम
करना पड़ेगा । यह सरप खिलाई गई थी ।

मैं जानता चाहता हूँ कि हमारे संविधान में
धीर भी अवस्थाओं को क्या वाइमर कांटीट्यून भी
तब इंग्रज-जर्मनी बदल सकते हैं ? कर सकते हैं
पर उस पर जाने में बड़ा समय लगेगा ।

इन्हिरा भी प्राइम निनिटर भी, उन ने के
दिवान में यह बात भा जाती कि मैं सदन को डिजाल्व
कर दू तो कर सकती थीं, या नहीं ? वह
डिजाल्व कर सकती थीं । क्या आज्ञा का प्रधान मरी
चाहे कि सदन को डिजाल्व कर दू तो कर सकता है
या नहीं ?

कुछ भावनीय सवाल : जकर कर सकता है ।

भी राज नारायण : मैं भावितभूषण भी से
कहना चाहता हूँ कि बानों की जानकारी रखना
और उम से भूतान काम करना दोनों दो बोर्डें
हैं । जाते भूषण भी की यहाँ भाने से वहै जो प्रतिमा
भी, उस प्रतिमा को वह कायम रखें, यहाँ आकर
उम प्रतिमा को कुठित न होते दें । वह
प्रतिमा कृष्ण हो रही है । मान लीजिए कि लोग
चाहते हैं कि प्रधान मरी से रिन्ड्रु प्रदिव्यास-प्रस्ताव
ला कर उम को हटा दिया जाए । तो क्या
प्रधान मरी को अविवास-प्रस्ताव ला कर हटाया जा
सकता है ?

एक भावनीय सवाल : क्या आप उम को
हटाना चाहते हैं ?

भी राज नारायण : मैं एक एक्जाम्पल दे
रहा हूँ । मैं इच्छा अव नहीं कर रहा हूँ ।
मैं एक प्राविलिंगी बता रहा हूँ ।

ऐसी स्थिति में क्या कोई बहित है, जो
प्रधान मरी को सदन को डिजाल्व कराने से रोक
सकते हैं ? प्राइम निनिटर सदस्यों को तुला
कर कह सकते हैं कि बवरदार में तो तुल कर चला
आकर्ता, मगर मैं सदन को डिजाल्व करा दगा
और तुम लोगों की भिट्ठी परीत हो जायेगी । इस
आकर्ता और भय से बदने की क्या गुजायवाह है ?
भी भावित भूषण कृष्ण कर के अपनी कानोंमी
प्रतिमा का प्रयाप करें और इस की कोई भूतायव
लावं कि अपर कोई भी प्रधान भवी अन्न पद का
दुरुपयोग कर के अपने बहुमत को बदनाम की कोशिक
करे, तो इससे बड़ कर ज्ञानावार का कोई दूसरा
काम नहीं माना जायेगा और वह प्रधान मरी ज्ञाना-
वार का दोषी होगा ।

जनना पार्टी के शोभायात्र में राह दू
र्क एवं कुल एव्यायमेंट देने का बदन दिया
गया था । क्या इस संविधान-सकोइन में उच्ची

केवलों को काम हेते की कही कोई अवसरा है ? भगवर नहीं है, जी वह्य नहीं है ? किसे पास करा दिया, किस तरह रख दिया, जूते तो मालूम नहीं है ।

जी सौनाम राज (बैरकपुर) : क्या कैविनद में यह उत्तर पास नहीं हुआ ?

जी राज नारायण : हमारे बैरकपुर-लल में हुआ था है कि हस्तीदुसी तिल वि इरेक्टिविटर । हस्तीदुसी वाल इरेक्टिविटर होती है ? उसके लिए क्या हो रहा है ? हमारे विल इस बारे में कह चुके हैं, इस लिए मैं उसको शोहरकर्णा नहीं । भगवर कीसी स्कल भव भी है, और उन को कामय रखने के लिए वही बूँदा तरक होता है कि हमारे पास पैसा है, हम भगवर लड़के को पकड़ते, तो आप क्या कर देंगे । यहीं कैपिटलिस्ट कहना है कि हमारे पास आप को कमाई का पैसा था, हमने यिन्हें छोड़ी, हम बाहूं मज़बूरों को रखे थे न रखे । विल इब बूँदा टकलीवों एवं एक एक्सेसिस आक दि निष्पत्तेशन । मैं नहीं बाहुत हूँ कि जनता पार्टी का कोई भवी या जनता पार्टी की सरकार आज बूँदा टेकनालोजी प्रोर बूँदा वे आक विकिंग को बहाए पर रखकर धमना काम निकाले ।

मैं नज़रबन्दी का घोर विरोधी हूँ । भगवर नज़रबन्दी की अवस्था भ्रम भी है । मेरे लायक दोस्त, कानून भवी, ने नज़रबन्दी की अवस्था का आयम रखी है । मैं बाहुत हूँ कि वह इस अवस्था को हटाये । मान लीजिए कि यह मवधान एक सुधरी नायिक है, तो सविधान के मार्टिक्यू 352 से मार्टिक्यू 360 उत्तम सुधरी नायिक की आवाज को फोड़ देते हैं, उसको कानी बता देते हैं । इस लिए इन भार्टिकल्ड को गमाना कर दिया जाये ।

MR. SPEAKER: There are a large number of speakers. So, please be brief.

जी राज नारायण । मैं क्या कह ? (बैरकपुर) ...

SHRI SAUGATA ROY (Barrackpore): We support his demand for more time. (Interruptions).

MR. SPEAKER: There are a large number of speakers. The list is growing. I must give an opportunity to as many Members as possible. I am extending the time. Therefore, members must respect the rights of other members. Everybody must have a chance.

SHRI C. K. JAFFER SHARIEF: Sir, you can take the opinion of the House and give Shri Raj Narain more time.

जीवान्न बलवीर लिह (होकियारपुर) : वह विदान को बदलने का सबाल है, विदान को बदलने के लिए हर भावभी को आपनी जात पूरी कहन का बहुत विलना चाहिए । यह कोई छोटा भाटा कानून नहीं है । (बैरकपुर) ...

जी बनीराम बागड़ी : एमजेन्सी में बेत गए थे, वह कह है, इसलिए बोल रहे हैं । (बैरकपुर) ... यह सबत चाहै कि राज नारायण बातें तो आप क्या करिएगा ? भगवर हाउस बाहुत बाहुत है । (बैरकपुर) ...

MR. SPEAKER No. Everybody must have a chance. If other Members are prepared to give up their time, I have no objection.

SHRI C. K. JAFFER SHARIEF: Sir, take the opinion of the House and give him more time.

जी बनीराम बागड़ी समय बढ़ाया जाय और समय दिया जाय ।

मेरा प्रमाण है कि समय बढ़ाया जाय । यह ठीक है ? ठीक है । समय बढ़ाया जाता है, बोनिए ।

MR. SPEAKER: Shri Bagri is not presiding over the House

जी राज नारायण : आपक, मैं निहायत भद्र के साथ आप से विनम्र निवेदन भर रहा हूँ कि मैं ने ज्यादा समय नहीं लिया है । मैं 35 मिनट से शुरू हुआ हूँ और आप देखेंगे कि प्रभी 50 पर जा रहा है, 15 मिनट हुआ है म-आप से पांच सात मिनट और मार रहा हूँ, ज्यादा नहीं ।

मैं आप के द्वारा एक निवेदन प्रोर करन्हात कानून भवी थी से कि स्पेशल कोर्ट के बारे में हम भव भी इस भात के हैं कि स्पेशल कोर्ट बनाई जाय और भीमती ईंवरा नहर गांधी का भासता उसमें से जाया जाय ।

स्टेट और सेंटर का ट्रिलेशन जो है उस को फिर भव्यी तरह से डिकाइन किया जाय जिस से सेंटर स्टेट पर हाथी न हो पाए और स्टेट को ज्यादा पासर मिले ताकि स्टेट भपनी भक्षित को ठीक तरह से इस्तेमाल करे ।

[बी एच शारावण]

हमारे कुछ लिखे ने जूरियाल रिखू के बारे में उन के साथ नहीं हैं नहीं हैं। क्योंकि जूरियाल रिखू के लिए वो हम बराबर बढ़ते रहे हैं और इदिया जो जो अनेकट कर के होता था उसको हम लोगों ने पूरी ताकत के साथ भूमालिफत की थी।

उसी के साथ साथ मैं एक बात बताने विल बाति भूषण जी के लिए कहता चाहता हूँ। इन की तरह मैं अच्छी अद्यती तो बोल नहीं सकता। देवेकर्ता एवं विसिनिन, वह स्वीकृत आफ शीमती इदिया गांधी का कलेक्शन है। मैं प्रुद्धाना चाहत हूँ इन कि हिस्ट्री आफ वि बहूं ब्या इदिया जो जे बहु कर कानून और सविकान को भग कर के नायरिकता के अधिकार को दीदने वाली कोई दूसरी सत्ता भाई? इन कि हिस्ट्री आफ वि बहूं ब्या कमी ऐसा हुआ? मैं जानि भूषण जी से प्रुद्धाना चाहत हूँ, क्योंकि हिस्ट्री ने रेकरेन दे कर कहा कि मैं जब ऐसा कोल रहा हूँ तो लोग कहते हैं कि मैं सीनियाट घूँ ले रहा हूँ, सीनियाट घूँ से नहीं रह हूँ, ले घूँ है, नहीं तो शाह कमीशन की राट 11 मार्च १९४५ प्राई। प्रब तक इदिया जी पर स्पेशन कोटे में भूव दमा क्या नहीं चलाया बगर सुप्रीम कोर्ट की गय लेना जल्दी या तो इन के पहले श्री जाति भूषण ने राय ब्या नहीं ली? और अब अबवारा में निवन्दनाएं हैं, कैबिनेट के दशीशन को अबवारों में कियने दिया? मैंने कैबिनेट में रखा था। जिन दिन कोधरी बरण सिह जी का बयान थाया उसी दिन अबवारा में यह आया कि राजनारायण ने यही बात फलों तारीख की कैविनेट की भीटिंग में भी रखी थी। कोई टिकटा हैं यहाँ सीकेसी में? बराबर को खोल देते हैं। मैं इस का खोल नहीं रहा हूँ, आगे खोलूँ। (अवक्षण) मैं यही पढ़ देता हूँ शाह कमीशन की रिपोर्ट के। जिनना समय मिला है उसमें सुन सीलिए।

"In the light of forgoing rule, it is not understood how this provision could have been circumvented by the application of Rule 12 of the same Transaction of Business Rules, Rule 12 of the Government of India (Transaction of Business) Rules reads as follows

"12 Departure from Rules: The Prime Minister may, in any case or classes of cases, permit or condone a departure from these rules to the extent he deems necessary."

आगे कहते हैं :

"Cases relating to a proclamation of emergency under Article 352 to 360 of the Constitution and other matters related thereto"—

हर हालत में ...

they shall be put in the Cabinet meeting first.

कहर स्वाक्षर में जो साधारण विजेता है वह जिस विसारण का भी बाहूं उसको प्राइम मिनिस्टर कर सकते हैं लेकिन जो कवामे टल भीत है, जो बड़ी बात है उसको तो पहले कैबिनेट में बाता ही है। अब जो बाति भूषण जी से प्रुद्धाना चाहता है कि जिस अवित में इतना बर्देस्ट कांस्टीट्यूशन का रेप किया, कैबिनेट को बाहूं में रखा, कैबिनेट की राय नहीं थी और सीधे जा राय राष्ट्रपति के कहा—यह सारी बातें विस्कलन में आई हैं कि श्री सिद्धार्थ बाकर राय से उत्कृष्णन में आई हैं कि जिस विसारण के कैबिनेट में जाउं, यह विल्कुल साक हो चुका है इमलिए या इविंग यीनल कॉठ की गारा 124 (1) के अन्तर्गत यह सामला सीधा नहीं आता है कि श्री जीमान, आगे रिवेस्ट ब्याका कि शाह श्री जाति भूषण जी को एवं इन छोट दीजिए, ये अपनी बहस कर और मैं आगे पूरी बहस करना और फिर आगे देंगे कि सामला बनता है या नहीं? प्राप्त इसमें जब होंगे।

The Speaker has to take the Chair of a Judge and he should decide whether Shanti Bhushan is right or I am right I will abide by your ruling.

MR SPEAKER I have lost my judicial power because of you.

SHRI RAJ NARAIN. You have lost your judicial power because of my ... (Interruptions) That was why I recommended and proposed your name for the Speakership

SHRI KANWAR LAL GUPTA: You should be happy about it.

MR. SPEAKER: I am not unhappy about it.

श्री राज शारावण: मैंने वहसे ही कहा था कि चूंकि सुप्रीम कोटे में आपको सुपरीफ दिया था वहाँ इतिहास आपकी वहाँ पर स्वीकर चलाया जावे। यही जाति भूषण जी के लिए थी है। हमारा ऐसा वहसे होते थीर न वही जावे। (अवक्षण)

झोर भी मैं पढ़े देता हूँ । जिस प्रकार मैर-
कानी दंग से इच्छेवाली लाभ भी नहीं देता कि
जाह कमीशन की रिपोर्ट में लिखा थया है कि
किस तरह से लालों को बेत भैं बन्द किया थया,
न लालूम कितन कहर दाय थए, न लालूम कितनी
जातियों की गाँड़ दूसी हो गई, कितनी ललालियों
के सिंहूर घुल गए, कितने ही बच्चे प्रमाण हो गए,
इसके बाद भी स्पेशल कॉर्ट बना कर जीविती इन्विटरा
पांची को सजा कराने में जो सरकार हविंग वह
सरकार जनक्रांती होती । (व्यवहार) इसलिए
मैं आपके द्वारा इस सदन के सम्मानित सदस्यों से
फिर निवादन करता हूँ कि ये जाह कमीशन की
रिपोर्ट को ध्यान से पढ़ें ।

"This was more in the nature of a shock treatment than a legally permissible Emergency, which could be declared according to the law then in force"

यानी यह एमर्जेंसी इन्वीटरा है, इस एमर्जेंसी के
खिलाफे मना ने अन्दर १२ दिन दाया गया । जब भी
इन्विटरा गांडी का नाम आता है तो तारं दिया जाता
है कि जनता ने उन को गजा ददी है, लेकिन इस
सरकार ने बया दिया है 'यह सरकार भी तो
जनता र द्वारा बनाई गई है । यह थीक है कि
जनता न उनका मड़ा दी, लेकिन इस सरकार
का भी तो ३४७ कर्तव्य है यह अपने इतने वर्तव्य से
क्या च्यून दृः है । जब निठा लिखी जाती है
कि इस कैविनट म नरपतं भर पड़े हैं तो दिनना
दिनना भोर मच्चा है, लेकिन यही बात इन्विटरा
गांडी भी बोलती है । आप उस की नोटकोटी बो
देकिया । परिवक्त भैंटिंग में जा रही है लेकिन
अबने साथ वित्तर-बद ले जायी, एक घट्टेवी ले
जायी, एक भ्रीप-केस ले जायी भीर परिवक्त
में जा कहती है—माप जानते हैं—मैं ये सब
चीजें लेकर क्यों भाइ हूँ? क्योंकि पता नहीं
जनता पाठी की सरकार हमें कब
गिरफ्तार कर देते । मैंने एक दिवानी भी एक रात
में बड़े बड़े लेतालियों को बन्द कर दिया, देश में परे
को भी छिलने नहीं दिया, इन की क्या दिक्षित है,
वे हमें गिरफ्तार करों, जनता मेरे साथ है ।
इस बयान से वह बोलती है भोर लग इतने बेलंग
बेह्या हो गये हैं, जो उस की चुनौती को स्वीकार
नहीं करते हैं । अपनी साधुवाविता दिखाते हैं
कि हम बड़े उतार, बड़े डमोक्रेट हैं । कितने
डैमोक्रेट हो, तुम्हारी डेमोक्रेती हम ने देखी है—न
एक बड़े मारोप में तुम अपने कोलीगों से इस्तोफा—
मांगत हो, अपसरों की बात को मान कर कहते हो
कि इस्तोजा देने की स्थिति मां गई है । मली
एव के लिए हम कभी नहीं लड़े, हमारा सच्चे
दिवानां यहा है । अगर हमारा कार्यकार पूरा नहीं
होगा तो हमारी यह लड़ाई जारी रहेगी । कानून
भक्ता है, संविधान भक्ता है, लेकिन यहि के
मृत्युवत बहाते हैं, परेकानी देवा करते हैं, तो
इन को बक्सा कर फेंक देना चाहिए ।

"वा दोनों को जारिये जाए दूट काव ।"
दे कानून और संविधान किस के लिए है—वे
इस्तान के लिए हैं ।

मूल नकरत न भी प्रयेत,
इन्विटरा की कौमो-मूलत से,
मुसे जो कुछ भी नकरत भी,
वह भी धन्यादे हुक्मत से ।
जो अपनो को हुक्मत धारा,
हुक्मत ही नहीं सकती,
तो अपनो की भी हुक्मत से
मुहम्मत ही नहीं सकती ।

जनता आप को ऐसा फेकेगी कि कोई भी रोक
नहीं सकेगा, यदि आप जनता की आकाशाम्भों के साथ
बिलबाड़ करने ।

SHRI VASANT SATHE (Akola):
Mr Speaker, Sir, just now we have
heard one of the bitterest indictment
of the Government of the Cabinet, by
no less a person than the ex Minister,
Shri Raj Narain. The entire burden
of his song his entire speech, was to
reiterate his charge that this Govern-
ment consists of impotent persons...

SHRI K P UNNIKRISHNAN How
can you test it?

SHRI VASANT SATHE Ask Shri
Raj Narain who was also the Minister
of Health. Probably he has enough
evidence about his Cabinet colleagues'
potency I do not know. He has to
testify.

19.00 hrs.

What was the gravamen of his
charge? For the entire 15 months his
senior colleague and guru was the
Home Minister. In that period, with
all this bravado that he has been
talking of arresting Mrs Indira
Gandhi, even under MISA, he did not
do, he did not even bring a proposal
before the Cabinet to arrest Mrs.
Indira Gandhi under MISA. He does
not talk of that. Now he has become
brave to make an allegation and
appeal to the whole Party that it was
only because Mrs. Indira Gandhi

[Shri Vasant Sathe] could not be arrested. An arrest attempt was made by his Guru and we know what a farce that was and how he became a laughing-stock before the whole country....

AN HON. MEMBER: Whole world.

SHRI VASANT SATHE: That is the type of demagogic that he is trying to parade even today, to try to pressurize the Government to act in a foolhardy manner. I do not mind. It is for the Government to decide.

Today we are considering here the Forty-Fifth Amendment Bill. The simple point of argument which was urged by so many Members is that the Forty-Second Amendment should have been overthrown, abrogated, lock stock and barrel. That was the promise given to the people, and that promise, you could not fulfil. That is the charge laid by so many of your colleagues, including Shri Ram Jethmalani. Now, why has the Government not found it fit to abrogate the entire Forty-Second Amendment and all its clauses? That is because, probably, a man of experience, legal experience, like Shri Shanti Bhushan, has seen that there are certain provisions which should be kept. I will come to my friend, Mr. Somnath Chatterjee, presently. He asked, 'Show me a single article which was for the good of the people'. I ask you, 'Show me a single article in the Forty-Second Amendment under which the so-called dictatorship of one person....(Interruptions). Not a single Member who has spoken till now has shown a single article under which an individual could make himself or herself a dictator. There is not even one article under which they can show that a person can establish a dynastic rule. Show me one article. You cannot because it is not there in the Forty-Second Amendment. Art. 329 has been trumpeted. What does that Article say? As far as election of the Prime Minister and the Speaker is concerned, there will be a different machinery, a different forum. If you are dispassionate, it is not that the

dispute will not be tried by anybody. It is only that probably on par with some other countries like the United Kingdom, a separate forum is created. You can very well object to that. I am not questioning. All I am saying is that the travesty of the whole thing is: from whose mouth do we hear so much of democracy?...(Interruptions) From the mouth of persons like Shri Somnath Chatterjee and his tribe who do not believe in democracy at all....(Interruptions) who do not believe in the entire philosophy. If ever these persons come to power, with the support of the Janata Party friends, can you imagine what type of opposition will there exist? What are they talking of democracy? Which democracy are they talking of? And then, who should speak the loudest? The man, the champion who was out throughout the period of emergency. He was here making speeches and opposing all this. So, he had the freedom to oppose...(Interruptions) I do not know what he had done. How did he manipulate to see that he had remained out while others were in?....

SHRI SOMNATH CHATTERJEE: Manipulated with your leaders.

SHRI VASANT SATHE: Therefore, it does not lie in his mouth. Sometimes I feel that my friends who talk so much against emergency suffer from a guilt complex...(Interruptions) I tell you why. Those persons who fought during the Independence struggle and want to jail for years—have they ever thereafter said, 'Oh! We were put in jail. Oh! We suffered so much....(Interruptions) These persons did not do that. If you had not gone to jail, you have no right to speak....

SHRIMATI AHILYA P. RANGNEKAR (Bombay North-Central): We had gone to jail during the Independence struggle also.

SHRI VASANT SATHE: Doing Satyagraha or breaking law? No. They were put in jail like any other

criminals. That is why they cannot ghost about it. Therefore, they feel guilty. That is what is troubling their conscience.

The simple test that I apply to the emergency and the post-emergency periods is this. You also apply this test and see. Emergency in terms of the Constitution is an extra-ordinary period where even the normal fundamental rights and laws get suspended in terms of the constitution which was made by our forefathers—the original constitution. Therefore, if you can prove that certain things which happened in emergency, certain excesses, the moment the emergency was lifted, those things have stopped happening—those excesses. Some of the excesses mentioned before the Shah Commission were that rallies were held, people were transported in trucks and so on. Was that not done after emergency, in the post-emergency period? Were they not brought here by Shri Raj Narain when he organized a rally here? You talk of Turkman Gate, and Muzaffarnagar. What happened at Pantnagar, what happened at Belchi and Aurangabad? What happened in Rohtak under your very nose? Who did it? Whose Government is there? Let us be dispassionate.

SHRI DINEN BHATTACHARYA:
Do not talk irrelevant things?

SHRI VASANT SATHE: I know, these Marxists are the worst criminals. You have restored the right in West Bengal to Naxalites to chop off the heads, to tarnish the statues and break the heads of statues of Ram Mohan Roy, Netaji Subhash Chander Bose, and Mahatma Gandhi. You should be ashamed of that (Interruptions). All these things are happening even during the period when there is no emergency. There is nexus between these excesses and emergency *per se*, by itself. Since you can establish such a nexus, you cannot say that these things happened in emergency. Therefore, what has this amendment tried to do?

There are some good features like 31-C. You take away right to property, good, you bring in Article 38, fair, but how will you implement it? You cannot make any laws in pursuance of the Directive Principles, because again some court on some pretext or the other will strike it down.

I would like to submit one more point. I am talking of good features; nobody has mentioned that. We created a new chapter, chapter 14-B of tribunals. It is your experience, our experience and of those who have experience of law including Shri Somnath Chatterjee that merely an advocate with ten years' experience when he becomes a high court judge, he does not become omniscient in law. Does he? Persons who are practising on the criminal side, or who are experts in company law, or civil law or on the labour side, do not become experts merely because they are elevated to the bench of the high court. What did we provide? Let us have specialised tribunals with the status of high courts. That was the provision, a salutary provision so that we may get expeditious justice from knowledgeable, experienced experts. Is this a good or a bad provision? Even that provision you have taken away... (Interruptions).

A good provision was introduced under Article 352. What in effect have you done? You say, you remove Forty-Second Amendment. In the old Article 352, the provision was that even if the emergency had to be imposed in a part, you had to do it for the whole country. A good provision was introduced which, I am thankful, has been retained, *viz* that Emergency can be imposed for a part alone, and removed from that part, so that if there are such conditions prevailing in a part, you can restrict it to that part, and nip things in the bud. Was that a bad provision? I am not in agreement with those friends who say that the provision about armed rebellion should be

[Shri Vasant Sathe]

retained. I feel that it is very dangerous. Armed rebellion has an inherent lacuna. Tomorrow, as has been pointed out, you will have to resort to an excuse of somewhere there being an armed rebellion. There may be a mere strike somewhere. You can use it. Therefore, I would beg of you: either remove the provision of Emergency altogether; or otherwise, this armed rebellion business has no meaning.

Then we come to the question of referendum. What is this concept of referendum? I would like to point out its defects.

MR. SPEAKER: When we come to amendments, you can elaborate.

SHRI VASANT SATHE: Yes They were talking about 25 per cent or 26 per cent of the people deciding it. Will you go to the people, with this very amendment? Will you have a referendum on this? Secondly, what is federal character? You conduct a referendum in the whole country on a particular issue. If States which are over-populated, like UP and Bihar vote in favour of a particular amendment, they can take away the rights of the rest of the country. Have you made a provision that a majority of the States also will have to give their approval by way of referendum? Is there any such provision?

I would, therefore, submit that with all the arguments given till now by my friends on the other side, they have not been able to make out a case as to how the 42nd Amendments, lock, stock and barrel was rubbish, was draconian and should have been thrown out. That case they have failed to make out. Therefore, don't scratch each other's backs by saying that the 42nd Amendment was bad and deserves to be condemned.

SHRI YASHWANT BOROLE (Jalgaon): Sir, it reminded me of one story of my school-days, when I listened to the speech of Mr. Sathe. A

teenager committed the murder of his parents; and when he was under trial, he claimed mercy of the Court because he was an orphan. The same thing is applicable to Mr. Sathe and his party also.

It has murdered democracy. The teenager has murdered his parents but he claims mercy on that count, that he is an orphan and there is nobody to look after him, therefore he should be shown mercy at the hands of law. Mr. Sathe should kindly bear in mind that whatever benefit he claims has been done to the people by the 42nd amendment is a fraction, is nothing in the eyes of the people compared to the upheaval that has taken place in the country. Remember the treatment meted out to millions of people in the country. Democracy was no more in existence; everybody will agree on this point, including Mr. Sathe. There was no democratic functioning at all. The facts have been revealed by Shah Commission Even 352 and other provisions of the Constitution have been misused. It has been found by the Shah Commission that a single individual for his own benefit could throttle the constitutional provisions completely. 82 million of the Indian people had seen that experience. Mr. Sathe cannot render any account of the democratic functioning of his party during 19 months; it is impossible for him. Therefore, when we are considering the constitutional amendment, I thought that we would be doing so from a different perspective. In fact this is not an amendment which we are making for the ruling party or the opposition. We are to see that at least some future generations will get the guidelines from this. With the present amendment, we are undoing things which are not necessary for this country. We are anxious to see that no ruler at any time in this country can misuse the democratic set up in this country. It is not only 352, but all the subsequent provisions, 356, 358,

358, etc., which require to be reconsidered. From this aspect I really feel that our Law Minister has rightly amended the provisions of 352, and also rightly amended 358 and incorporated therein article 19 and also incorporated article 21 in 359. The sum total, the impact of this is if we read together very carefully to see whether there could be any misuse of this provision for the emergency, I do see no lacuna but one, a single lacuna, apprehended danger from armed rebellion. Whether there shall be armed rebellion or not, this is a subjective idea which will be formed without any objective criteria. Therefore, it is likely to be a misleading factor. So far as external aggression is concerned, so far as war is concerned, you will be in agreement that provision in 352 should stand. We may differ so far as armed rebellion is concerned

Kindly read article 358 as it will stand amended. Article 19 is not suspended on declaration of an emergency on account of armed rebellion Article 19 shall be in force and all the freedoms and rights will be there in existence, even during the emergency declared on account of armed rebellion. We further find out that the right to life and personal liberty under article 21 shall be there throughout whether it is emergency on account of armed rebellion or on any other ground. These two articles will be there and on account of these two articles, there will be a guarantee to the persons that personal liberty shall not be limited or hampered in any way.

Also, this decision to declare emergency is required to be taken by the Cabinet and given in writing. It is not that the Prime Minister can write a letter to the President for imposing emergency. It will be a Cabinet decision and it will be also in writing. Approval will be required within one month. After every six months, approval will have to be there. Parliament can itself do away with the emergency. Do we think all these will be

misused again? We have become too much averse because of the practical rape of the Constitution by Mrs. Indira Gandhi and her party. We are averse to every provision. We doubt everybody's integrity and honesty. We do not find any virtuous people at all in this country to be in existence at anytime. The pendulum is swinging to the other side absolutely. We have become apprehensive because we have seen that a provision in the Constitution in a democratic set-up itself has been misused and millions of people have suffered. It is on this account that our psychology has developed in such a way that we are not prepared to weigh the pros and cons of the matter independently from the effects which have been produced on our minds. As a consequence, we find that provisions which are really meant for the usefulness of the country at the time of emergency are also being adversely criticised.

It has been said that in a country like India it is not possible to have referendum at all. Of course, we can think over the various drawbacks which have been pointed out by Mr. Venkataraman. We know that ours is a vast country and not a small country like Switzerland. But the question is whether the utility of a referendum is dependent on this. So far as supremacy of Parliament is concerned, we, the representatives of the people are assembled here. In this connection, I remember what Sir Ivor Jennings had said: "Don't trust too much the parliamentarians!" We have seen on several occasions on the floor of this House that we were not at all motivated by the good of the people at large but by factional interest which we were trying to safeguard either party-wise or castewise or whatever it may be. Have we not exhibited this character on the floor of this House on several occasions? We did have exhibited it.

[Shri Yashwant Borole]

We cannot deny that aspect of the matter and therefore I want to submit that there should be certain other bodies which can independently think what is good for them as well. A referendum will be the best kind of provision in the Constitution itself. A referendum will certainly tell us that the people at large want this or do not want that. It will be a verdict of the masses. You and I are here functioning on their behalf.

SHRI VASANT SATHE: Mr. Jethmalani says that the janata is a mob, people is a mob. What do you say to that?

SHRI YASHWANT BOROLE: He may say so, but at least the verdict of the people after the emergency in the election is itself an eye-opener to everybody who thinks that the intellectual is the person concerned and that an ignorant man is not in a position to consciously think of any particular problem. This has ever been true. That has been proved completely now.

Therefore, we have to go by a referendum about the basic features of the Constitution. It is not a referendum on every point.

Shri Venkataraman pointed out that there will be difficulties in holding a referendum, because there will be no questions like aye and no. He has stated a number of other difficulties, but in practical functioning, we shall find out a way. People do not even know the manifestos of different parties.

SHRI VASANT SATHE: Suppose on the issue of Hindi or non-Hindi you have a referendum. The majority of the people in the north and in the south will fall out. What will you do?

MR. SPEAKER: Firstly it has to be passed by the House.

SHRI YASHWANT BOROLE: The verdict of the majority should prevail. What are you doing here in Parlia-

ment? Are we not going by the majority verdict?

SHRI R. VENKATARAMAN: I may make it clear that it will not prevail.

SHRI YASHWANT BOROLE: So, we must have faith in the people. We have lost faith in the people, in the conscious will of the people, and we think that the representatives who have been returned only can have conscious opinions about matters.

With these words, I support the Bill.

AN HON. MEMBER: How long are we sitting?

MR. SPEAKER: I for one have no objection to sit up to 10 O'Clock if you want.

SHRI HARI VISHNU KAMATH: (Hoshangabad): We should not be hustled.

MR. SPEAKER: A line has to be drawn somewhere. It has been extended by two hours now.

SHRI HARI VISHNU KAMATH: I recall that in the Constituent Assembly it was not hustled like this.

MR. SPEAKER: It was very compact, small body.

SHRI HARI VISHNU KAMATH: No, it was bigger than this one here today. Mr Speaker, it is more than a mere coincidence that this august House which was brought into existence last year by a revolutionary, popular upheaval is considering in the month of August a Bill which I may describe as a mini Constitution Bill. That is why I was anxious that there should have been a special session for this Bill, but it was not to be.

This month of August has seen many great days in our annals. Mahatama Gandhi gave the call for non-co-operation in 1920 in the month of August. Then came the Quit India Movement also in August on the 9th,

and today is the 8th of August, the eve of the 8th of August; and independence also, though it was unfortunately clouded by a blood-stained partition, came in August.

It would be in the fitness of things, it would be most appropriate, if this Bill, by your leave and with the consent of the House, is discussed and finally adopted by this House on the eve of Independence Day, next Monday, not Friday; the discussion should go on till next Monday, the 14th, Independence Day eve. This is the least I would request, the least I would demand.

SHRI VASANT SATHE: There is the "Save India Day" also tomorrow.

AN HON. MEMBER: It is "Save India Day" ... (Interruptions)

SHRI HARI VISHNU KAMATH: My hon. friend, Shri Sathe, who has seen better days when he was a colleague with me as a member of the Socialist Party, is inebriated by the exuberance of his own verbosity. I can assure him that India has been saved last year, and it has been saved from his cohorts, his leaders, from a vile dictatorship. India has been saved and will be saved by people, other than he and his party, from the vile dictatorship of a mini-dictator.

In this House today there are only six founding fathers; in this Sixth Lok Sabha, there are six founding fathers, members of the Constituent Assembly; I would not like to use that phrase, but it has been used in this House. There are only six founding fathers, Members of the Constituent Assembly, almost one per cent of the strength of this House.

AN HON. MEMBER: Who are they?

SHRI HARI VISHNU KAMATH: I will tell you privately, outside.

MR. SPEAKER: No, no.

SHRI HARI VISHNU KAMATH: I do not mind telling, if you permit me! There is no difficulty. It is not taboo, it is not secret.

MR. SPEAKER: It is not taboo, but...

SHRI HARI VISHNU KAMATH: I can mention the names. Six names would not take much time—four on the Janata benches and two on the Congress benches. They are Shri Jagjivan Ram, Shri Shiban Lal Saksena, Shri P. C. Sen and your humble servant, myself, and on the Congress side—not Cong. (I) but Congress—Shri Subramaniam and Shri Alagesan. These are the six founding fathers in this House.

I recall the great debates in the Constituent Assembly—I do not wish to go into details of these great debates, because when we come to clause by clause consideration, we will have occasion to refer to them. On the last day of the Constituent Assembly, that is, the 25th of November 1949, the President of the Assembly, Dr. Rajendra Prasad in his final address, valedictory address to the Constituent Assembly, he said—only two sentences I want to quote, not much:

"If the people who are elected are capable and men of character and integrity, they would be able to make the best even of a defective Constitution. If they are lacking in these, no Constitution can help the country. After all."

he went on to say.

"the Constitution is like a machine, a lifeless thing. It acquires life because of the men who control it, and operate it, and India today" I am quoting him; he was referring to the position at that time; it is applicable today also—

"India today needs nothing more than a set of honest men, who will have the interests of the country before them."

AN HON. MEMBER: We have got.

SHRI HARI VISHNU KAMATH: I am sorry to say that in 1975 and earlier years, that decade was a decadent decade a biblical decade, of 1967-78 and from the incubus of that decade perhaps the country has still not fully recovered, because some hon. friends still gloat over some of the things which happened then, and they still today to the leader who brought about that state of affairs.

In 1975 on June 12th, when the then Prime Minister met with her Waterloo in Gujarat and Watergate in Allahabad, she made up her mind consumed by her insatiable lust for personal power and for entrenching herself in power by hook or crook, more by crook than by hook, she launched on her mad career for personal power and dictatorship in this country. I am sorry to say that those who adorn those benches today if not all, many of them, most of them, became her toadies and flunkies, if not her donkeys too. And outside the House they were reinforced ..

AN HON. MEMBER Neither donkeys nor monkeys? (Interruption)

SHRI A. BALA PAJANOR: Is 'monkeys' parliamentary?

MR. SPEAKER: I do not think it is unparliamentary

SHRI HARI VISHNU KAMATH
Outside the House, they were reinforced by an army of henchmen and hatchmen, hoodlums and hooligans who suppressed, who tried to distort, debauch and destroy the Constitution. Today, we are celebrating in a way, the rebirth of freedom, the resurrection of freedom, the resurrection of a free Constitution, the resurrection of democracy, the resurrection of independence by the resurgence of the people. And that is why this Lok Sabha, is today on the 8th of August 1978, engaged in a very historic ceremony and I am sure it will go on till the 14th of August, again I repeat, till the eve of Independence Day.

Now I will come to the main features of the Constitution Amendment Bill. I will not dilate too long upon this aspect at present, because tomorrow and the following days, we will come to the Clause by Clause consideration

MR. SPEAKER: We will come to the amendments.

SHRI HARI VISHNU KAMATH: There are four issues, I may say, there are four pillars on which this Bill rests. One is the Emergency provisions, the other is preventive detention, the third one is property and the fourth one is referendum. These are the four main controversial, I may say, provisions of this Bill, which have raised some sort of controversy in this House and perhaps outside also. We had given a solemn promise, made a commitment to the people last year during the elections that we would rescind the 42nd Amendment. True, because that was an amendment neither to amend the Constitution nor to mend the Constitution but to end the Constitution and that is why we wanted to end that 42nd Amendment. I am glad to say that most of the abnoxious provisions of that 42nd Amendment have been sought to be repealed by this 45th Amendment. Yet, there are some provisions of that Act, 42nd Amendment Act which, perhaps still disfigure our statute book, may be with a deceptive facade of innocuous provisions. Yet because the Government has got its own constraints, because it requires a two-thirds majority in both the Houses and all that, they are not bringing forward all the other provisions which would completely annul the 42nd Amendment Act; no other constraints, I am sure, that is the only constraint because of which the Bill may fall through. Otherwise, my hon. friend, Shri Shanti Bhushan, would have brought forward the Bill which would have sought to completely rescind the 42nd Amendment Act. I have faith in his bona fides on this

account, on this score. Now these four provisions of the Bill, Emergency, Detention, Property and Referendum are controversial. Well, believe it or not, I was one of those few who, in the Constituent Assembly had raised their voice against the Emergency provisions.

I also proposed referendum in the Constituent Assembly. And I opposed the preventive detention measure that was brought forward by Sardar Patel, as Mr. Nathwani said yesterday. As regards the property right also, I was one of a few, perhaps half a dozen members of the Constituent Assembly, who had opposed it as a fundamental right. So, I am not surprised, after the lapse of 30 years that the Congress all along remained silent on that score and, though these issues were raised quite often, they did not move an inch or raise little finger to change the provisions of the Constitution in that regard. I am happy that at last it has fallen to the lot of the Janata Government, the people's Government, to bring forward a Bill to amend those provisions of the Constitution so as to make them more in tune with the aspirations of the people. I am not fully satisfied still that they are the perfect ones and perfection is seldom achieved....

MR. SPEAKER: Perfection is always aimed at, not realised.

SHRI HARI VISHNU KAMATH: We should strive for perfection.

Aim at the sky, and you will shoot at the tree.

As regards the Emergency provisions, my hon. friend, Shri Shanti Bhushan—I think, if I heard him aright—if I remember his speech aright, he forgot to mention one little feature of this Forty-fifth Constitution Amendment Bill which is an important provision.

MR. SPEAKER: Please try to conclude now. You may take one or two

minutes more I would like to call at least one more member.

SOME HON. MEMBERS: Let him have some more time.

SHRI HARI VISHNU KAMATH: I do not wish to plead for myself but I have got to say a few more things.

MR. SPEAKER: When you come to the amendments, you can speak. But the difficulty is that you had forecast all these things at that time.

SHRI VASANT SATHE: He wants to recall all that today.

SHRI HARI VISHNU KAMATH: Yesterday, the Law Minister forgot to refer to one of the provisions of the Bill which provides for judicial review in the case of Emergency provisions. Clause 5 of the present article 352 is sought to be omitted and a judicial review is being provided for, so that any proclamation of the President could be questioned in a court of law on the ground of *mala fides*. Sir, you have been a luminous judge and, as a luminary of the Supreme Court, you will appreciate this kind of a provision—you have a dual role to play today. I am sure, the House will be re-assured on this score, in the case of Emergency provisions, because it has been attacked and the House is suspicious as to how it might be misused, that there will be a judicial review as a judicial safeguard, besides the parliamentary safeguard. I leave it at that.

As regards preventive detention, my hon. friend Shri R. K. Amin talked of MISA. There is no question of MISA here. MISA was the most hellish, pernicious and obnoxious laws. Earlier we had a PD Act, not MISA. MISA was, as I once said earlier, the Maintenance of Indira-Sanjay Act—Humpty, Dumpty together; one is Humpty and the other is Dumpty.

Today, I am glad to note that there is a provision, an entrenched provi-

[Shri Hari Vishnu Kamath]

sion, with regard to article 21—it is entrenched, and cannot be suspended. Even the right to habeas corpus was suspended during the Emergency which the present Chief Justice of India confessed in a reminiscent mood recently—you, Sir, left the Bench earlier...

MR. SPEAKER: Fortunately.

SHRI HARI VISHNU KAMATH: I am glad, it has fallen from your lips that it has been fortunate for you, it has been fortunate for us too. The present Chief Justice confessed that he did not have the courage, and he was not alone in not having the courage to resign...

SHRI VASANT SATHE: Once a coward, always a coward.

SHRI HARI VISHNU KAMATH: That is what happens. That has happened to you, I suppose.. (Interruptions)

SHRI VASANT SATHE: I am standing by what I have said. I have not changed. (Interruptions)

SHRI HARI VISHNU KAMATH: There is a provision with regard to property I had opposed this strenuously in the Constituent Assembly. Now, it has been, after all, relegated to its legal status, legal position, statutory position. But it is likely to be exploited against us, the Janata Party and the Janata Government, by the vested interests and maybe, by some friends on the Opposite side also. Especially to kisans and peasants, they may say, 'Look here...'

किसानों को कहेंगे कि आप उन्हीं, आप के बर्तन, आप के पहुँच, आप के बर, आप के बाग, सब दुःख बनानेवाले होंगे।

Government will have to keep guard over such exploitation. I do not know how this article 300A will be implemented. That is the new article—300A. We will discuss that article tomorrow. There is some sort of a safeguard provided there. Even

Lenin, I suppose, in 1922 or 1923, before he died, introduced the New Economic Policy, which later on his successors followed, permitting the right to have private property in the Soviet Union. I do not know about China. In the Soviet Union, however, there is the right to have some private property.

One last word about referendum. When I raised it in the Constituent Assembly, Pandit Jawaharlal Nehru or Dr Ambedkar—I do not know who it was—said: 'It is a good idea, but in the present state of illiteracy in the country, people do not understand political issues; we should not go ahead with this at the present moment.' But after the last year's elections, shall we say the same thing about our people? No. A hundred times, a thousand times No'. People now understand these issues. Therefore, this referendum is a very wise provision.

One last word and I have done—the rest for tomorrow and the day after. Through this Bill we have sought to provide Constitutional safeguards for the preservation of our freedom and democracy, the Constitutional threat to democracy, we have sought to avert. But where does liberty really lie? What is the real safeguard for liberty, liberty, freedom and independence? Liberty lives and flourishes in the hearts of the people, in the hearts of men and women who have been described as sovereign by my hon. friend, the Law Minister. If it dies in the hearts of the people, if it dies in the minds of the people, no Constitution, no Parliament, no Judiciary, no Supreme Court, can help country..

MR. SPEAKER: It is a famous saying. (Interruptions)

SHRI HARI VISHNU KAMATH: Therefore, a poet has very wisely sung...

AN HON. MEMBER: Who is the author?

SHRI HARI VISHNU KAMATH: I will tell you later on.

External spirit of the chainless
mind, Brightest in dungeons, Liberty!
Thou art,

For there thy habitation is the
heart,

The heart which love of thee
alone can bind,

And when thy sons to fetters are
consigned,

To fetters and the damp vault's
dayless gloom,

Their country conquers with their
martyrdom,

And Freedom's fame finds wings
on every wind.

Such a wind brought us into this
august House last year. The first
republic died in 1975, that silver
jubilee year when there was neither
jubilation nor sheen on the silver.
The second Republic is now born.
Long live the great second republic.
On that note, I conclude.

MR. SPEAKER: Mr. Bedabrata
Barua.

SHRI BEDABRATA BARUA
(Kaliabor): I think I will have to
continue tomorrow in any case. I
will speak for two minutes.

MR. SPEAKER: If the House
agrees, we can sit for another ten
minutes so that you may finish.

SHRI BEDABRATA BARUA:
I am prepared to speak tomorrow. I
will start now.

MR. SPEAKER: You have only 15
minutes.

SHRI BEDABRATA BARUA: We
have got half an hour still, we have
calculated it.

Mr Speaker, Sir, we have generally
expressed our support to the amendments
except some reservations that
we have expressed...

MR. SPEAKER: You will continue
tomorrow. Now we adjourn for the
day and meet tomorrow at 11 a.m.

20.00 hrs.

*The Lok Sabha then adjourned till
Eleven of the Clock on Wednesday,
August 9, 1978/Sravana 18, 1900
(Saka).*