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Sravana 18, 1900 (Saka)

Lok Sabha Debates

(Fifth Session)



सत्यमेव जयते

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LOK SABHA DEBATES

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LOK SABHA

Wednesday, August 9, 1978/Śravaṇa
18, 1900 (Saka)

*The Lok Sabha met at Eleven of the
Clock*

[MR SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

करक्का में तापीय विद्युत संयंत्र

*344 श्री राजेन्द्र कुमार शर्मा : क्या ऊर्जा मंत्री यह बता सकते हैं कि

(क) क्या सरकार न करक्का में तापीय विद्युत संयंत्र की स्थापना के लिए स्वीकृति दे दी है,

(ख) यदि नहीं, तो उसके क्या कारण हैं,

(ग) यदि स्वीकृति दी गई है तो इसके निर्माण-कार्य पर कुल कितना समय लगेगा और इस पर वित्तीय राशि खर्च की जाएगी, और

(घ) इसके लिए बिजली-उत्पादन क्षमता का क्या लक्ष्य निर्धारित किया गया है ?

THE MINISTER OF ENERGY (SHRI P RAMACHANDRAN) (a) to (d) With a view to setting up a large sized thermal station at Farakka, the National Thermal Power Corporation prepared a feasibility report for the techno-economic clearance of the project by the Central Electricity Authority. The proposal is to instal a capacity of 1100 MW at Farakka for meeting a part of the power requirements of the Eastern Region.

The techno-economic examination has been completed and preliminary survey work has already been started by NTPC. The proposal will be submitted for investment clearance shortly.

2212 LS—1

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According to the project report, it will be possible to commission 1100 MW capacity by 1985-86 and the likely expenditure for the first phase of 1100 MW is estimated to be of the order of Rs 456 crores.

श्री राजेन्द्र कुमार शर्मा अध्यक्ष महोदय, यह प्रश्न केवल राष्ट्रीय महत्त्व का नहीं है, बल्कि अन्तराष्ट्रीय महत्त्व का रहा है। वास्तव में हमारी सरकार बघाई की पास है कि कांग्रेस सरकार ने जो यह योजना बटाई में डाल रही थी उसके बावजूद में हमारी सरकार ने निर्णायक बिन्दु पर पहुँच कर राष्ट्रीय भलाई के लिए बहुत बड़ा काम किया है। मैं जानना चाहता हूँ कि निर्माण कार्य कब से प्रारम्भ हो जाएगा इस विषय में सबको सही जानकारी मालूम होनी चाहिए क्योंकि इस प्रकार के प्रोजेक्ट्स के विषय में यह विषय रूप से देखा जाता है कि जो निर्णय लिए जाते हैं इतनी तत्पक्षी प्रवृत्ति तक उनका टाला जाता है कि उन बीच में कोस्ट ग्राफ प्रोडक्शन बढ़ती चली जाती है परिणाम-स्वरूप उसके ऊपर राष्ट्र का बहुत अधिक पैसा व्यय हो जाता है और राष्ट्र के सामने विद्युत की आवश्यकता चली जाती है उसके समाधान में भी देर लग जाती है। इस बारे में जानकारी मैं यही महोदय से चाहता हूँ।

SHRI P RAMACHANDRAN. This project, even though it is delayed a little bit, all the preliminary works are going on and there is no difficulty in processing this project. Unfortunately, certain problems have to be sorted out before this project is started. The coal has to be linked. Earlier the previous Governments had not prepared the project reports for the coal linkage also. So, we have to do some investigation with regard to the availability of coal and also the mode of transport from the place of coal availability to the power station. Also some clearance has to come from various other sectors. That is why it has taken a little bit of time. But I can tell the hon. House that all the things are being done expeditiously, and that very soon, a

decision will be taken to start the production.

श्री राजेश्वर कुमार शर्मा : माननीय मंत्री जी इस विषय में जानकारी दें जैसा कि उनकी रिपोर्ट के द्वारा मालूम पड़ता है कि 1100 मेगावाट विद्युत का इसमें उत्पादन होगा तो क्या इसमें से कुछ घंटा हम लोगों को बंगला देश के लिए भी देना होगा ? यदि देना होगा, तो क्या उस घंटा की हमें कुछ पूंजी प्राप्त होगी है इस पर जितनी पूंजी का इन्वेस्टमेंट होने जा रहा है क्या वह हमारे राष्ट्र द्वारा ही व्यय किया जा रहा है या किसी अन्य बल्क बैंक एजेंसी के द्वारा घन की प्राप्ति हो रही है ? इसमें जा मारा तकनीकी कार्य हो रहा है, वह हम अपने इंजीनियरों से करवा रहे हैं या किसी अन्य कंट्री के कॉन्सल्टेंट्स से हम कार्य को पूरा करेंगे ?

SHRI P. RAMACHANDRAN: I do not know how the hon. Member has got impression about Bangladesh. This station is meant for the eastern region in our own country. The question of Bangla desh does not arise. About the second part of the question we are trying to get certain facilities from the World Bank also and the moment the project report is completed and the investment decision is taken, we will pose it to the World Bank. Then we will get the necessary funds for it.

SHRI KRISHNA CHANDRA HALDER: Will the equipments for the Farakka plant be secured from our own country, viz from BHEL— and even MAMC (Durgapur) can produce some electrical equipments. Will these equipments be secured from within our own country? And, in view of the reply given earlier, the shortage of electricity will continue upto 1985-86. In view of these facts, will the Government consider the construction of another power plant in the Raniganj area, which is in the pithead of the coal belt?

MR. SPEAKER: The later part of the question does not arise. Only the first part arises.

SHRI P. RAMACHANDRAN: With regard to this Farakka power station, this station, when completed, will

generate 1100 megawatts of power. With regard to the shortage of power in West Bengal, steps are already being taken to remove these shortages. Once this project is completed, there will not be any shortage of power in the eastern region, and also in West Bengal.

SHRI TRIDIB CHAUDHURI: So far as coal linkage was concerned, I remember that in the previous session, the hon. Minister said that there were some coal available very near Farakka in Santal Parganas. Is that fact also taken into account and the Plan being made, ready, keeping that also in view?

SHRI P. RAMACHANDRAN: For this large power station, we require lot of coal. That is why we are trying to link this power station with the Rajmahal coal fields, where there is enough coal reserves for a larger power station. That is why we are trying to link it with the Rajmahal coal fields; and we are trying to identify the mode of transport and other facilities required for the setting up of this thermal power station.

राष्ट्रीय परमिट योजना

* 145. श्री यशना प्रसाद शर्मा : क्या मंत्री जी और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ट्रकों के लिये वर्तमान राष्ट्रीय परमिट योजना के अन्तर्गत प्रत्येक राज्य में प्रत्येक डिब्रीजन के अधिकारी निर्धारित संख्या में भी ट्रकों की अन्तरराष्ट्रीय परमिट देने के लिये अथवा प्राचरण की अधिक सम्भावना है, और

(ख) क्या हम प्रकार के अछूताचार को खत्म करने के लिये सरकार का विचार उन सभी ट्रकों के लिये, जो वर्ष 1976-77 के नवीनतम माइन के हैं अन्तरराष्ट्रीय परमिट देने के लिए कोई निर्णय लेने का है ताकि अधिक रियों को निर्धारित संख्या में ट्रकों के परमिट देने में पक्षपात अथवा भेद-भाव बरतने की कोई गुंजाइश न रहे ?

मीनहल और परिवहन मंत्रालय में प्रचाली राज्य मंत्री (श्री श्रीवास्तव) : (क) और (ख) विवरण मन्त्रालय पर रखा गया है ।

विचार

(क) मोटर गाड़ी अधिनियम, 1939 के अन्तर्गत, राष्ट्रीय परमिट या तो राज्य परिवहन अधिकरण या सरकारी और गैर-सरकारी दोनों से बनी क्षेत्रीय परिवहन प्राधिकरणों या किसी प्राधिकरण या व्यक्ति जिसको इस सम्बन्ध में राज्य सरकार द्वारा बनाये गये नियमों के अन्तर्गत इसके लिए शक्तियाँ प्रत्याजित की गई हैं या एकल सरकारी क्षेत्रीय परिवहन प्राधिकरणों द्वारा दिये जाते हैं, इस समय उपरबद्ध सूचना के अनुसार वे परमिट राज्य परिवहन प्राधिकरण या अधिकांश राज्यों में स्वयं राज्य परिवहन प्राधिकरणों द्वारा दिये जा रहे हैं। परन्तु कुछ राज्यों (उदाहरणार्थ पंजाब, मध्य प्रदेश इत्यादि) ऐसे हैं जहाँ राष्ट्रीय परमिट एक मध्यम क्षेत्रीय परिवहन प्राधिकरण के राज्य सरकार व अधिकांशों द्वारा दिये जाते हैं।

मोटर गाड़ी अधिनियम में वे बात निर्धारित की गई है जिन पर क्षेत्रीय/राज्य परिवहन प्राधिकरण या उस प्राधिकरण या व्यक्ति राष्ट्रीय परमिटों का दान व प्रयोजन के लिए शक्तियाँ प्रत्यावाजित की गई हैं द्वारा विचार किया जाना चाहिए। इसमें राष्ट्रीय परमिट दान व मान्यता के द्वारा की अपेक्षा आवश्यकता का कुछ अधिकांश को संतुष्टि दिये जाने की भी व्यवस्था है।

(ख) हम समझते हैं कि ऐसा कोई प्रस्ताव सरकार के विचारगोचर नहीं है।

श्री धनूना प्रसाद शास्त्री : श्रीमान् जी विचारण समायोजन पर रखा गया है, उस में प्रश्न का उत्तर जिस तरह चाहा गया है उस तरह दिया नहीं गया है। मैं न पूछा था कि क्या राष्ट्रीय परमिट योजना में एक लिमिटेड नम्बर ही टुक व एक एक डिब्बों को दिए जाते हैं एक सीमित या निर्धारित संख्या में ही दिये जाते हैं जिस व कारण जब कई लोग अजिया दन है और निर्धारित संख्या में लिमिटेड लोगों का ही परमिट दना है तो उस में पिक एड चार्ज का मवाल आता है और इस में जो परमिट दन व अधिकारी है उन का अष्टाचार करने की गंजाइस रहती है जैसे 200 लोगों में अजिया दो और निर्धारित संख्या है 20 तो 20 पिक का चुनना है इस में अष्टाचार आता है क्योंकि यह काफी अनापे की योजना है राष्ट्रीय परमिट योजना। तो इस अष्टाचार का रोकने के लिए हम में सुझाव यह दिया था कि क्या आप कोई इस तरह की योजना बना रहे हैं कि जितने लोग अजिया वे उस में एक नैटिविज्म या नए इस तरह की लगा दें कि एक बर्ष या दो बर्ष पूर्व के माहल होने चाहिए नये टुक होने चाहियें ताकि यह राष्ट्रीय स्तर पर चल सके। जितने लोग अजिया दें उन सब को परमिट वे दें केवल सत्त तनी होनी चाहिए कि 76-77 या एक दो साल पूर्व के माहल हो। अगर ऐसा आप करें तो इस में अष्टाचार की गुंजाइस नहीं रहेगी।

आप ने कहा कि ऐसा कोई प्रस्ताव विचारगोचर नहीं है। यदि यह प्रस्ताव विचारगोचर नहीं है तो इस अष्टाचार को रोकने के लिए कौन सा उपाय सोच रहे हैं, यह आप हमें बताएं।

श्री बाबू राम : बंसे तो जो सुझाव माननीय सदस्य ने दिया है वह एक तरह से विचारगोचर तो हो सकता है। यह तो एक सजेशन है कार्यवाही के लिए। लेकिन मैं माननीय सदस्य की जानकारी के लिए यह सचता हूँ कि हम ने यह हिस्सायत पहले से ही जारी की है कि जिस वक्त परमिट जारी किया जाए उस वक्त वह टुक चार साल तक पुराना होना चाहिए। यह जो माननीय सदस्य ने कहा कि 76-77 का माहल हो जो की को दिया जाये, यह राज्य सरकारों का माय्य नहीं है क्योंकि बहुत सी जगह 76-77 या उस के बाद के टुक उन के पास नहीं है।

श्री धनूना प्रसाद शास्त्री : आप ने कहा कि हम ने यह पहले से कह रखा है कि चार वर्ष से अधिक पूर्व के टुक नहीं हान चाहिए लेकिन उस में समस्या हल नहीं होगी क्योंकि चार साल पूर्व के टुक में एक बाले धीरे धीरे तो उस में पिक एड चार्ज करने का अधिकार तो रह ही जाता है, उस अधिकारी को। आप ने कहा है कि कुछ राज्यों में तो प्राधिकरण यह परमिट देते हैं और कुछ राज्यों में एक ही व्यक्ति देता है हर मसाम में एक एक अधिकारी देता है और उन अधिकारियों को यह अधिकार रहता है कि चार साल पूर्व तक के जितने लोगों ने अर्जों की है उन में से कुछ लोगों को चुने। तो वह जब चुनने लगते हैं तो उस में जो अष्टाचार की गंजाइस है वह तो आप के सामने स्पष्ट है जो सारे देश में सम्पत्ति का मोह पैदा हुआ है उस के आधार पर यह सब कुछ हाता है। इसलिए मैं दूसरा प्रश्न पूछना चाहता हूँ कि यह एक बहुत बड़ा अष्टाचार है इस अष्टाचार को रोकने के लिए क्या आप इस सुझाव पर विचार करेंगे कि प्राइवेट पार्टीज का टुकम न दे कर राज्य सरकार अपना टुक का धन्दा करे क्योंकि यह राज्य की धामदनी का बहुत बड़ा खोत भी हो जाएगा? मतलब यह है कि यह नेशनल परमिट योजना नेशनलाइज हो जाये या राज्य के हाथ में हो जाय। इस से राज्य की धामदनी भी बढ़ेगी और अष्टाचार की गंजाइस भी नहीं रहेगी। क्या इस सुझाव पर विचार करेंगे? क्या ऐसी योजना आप लागू करने जा रहे हैं?

श्री बाबू राम : यह जो माननीय सदस्य ने सुझाव दिया है यह तो राज्य सरकारों के बस का है क्योंकि नेशनल परमिट या जोनल परमिट देने का अधिकार राज्य सरकारों की ही मोटर बेहिकल्स ऐक्ट के अन्तर्गत है। तो उसमें अष्टाचार की कोई शिकायत इन के पास आती है तो वह राज्य सरकार के सामने रख सकते हैं। मैं समझता हूँ कि माननीय सदस्य मध्य प्रदेश से आते हैं और उस में यह जरूर है कि एक अधिकारी को नेशनल परमिट देने के अधिकार प्राप्त हैं। बाकी स्टेट्स में माय्य एकाइ और की डीपकर कहीं

नेशनल परमिट जारी करने का अधिकार एक व्यक्ति को नहीं है। मध्य प्रदेश में वह अपनी सरकार के साथ यह बात ले सकते हैं। एक तो मध्य प्रदेश में ऐसा है और एक और राज्य में ऐसा है कि जहाँ तक एक अधिकारी के हाथ में यह है। लेकिन वह अधिकारी भी इस हिसाब से रखा जाता है जिसकी वैकेंडायर के मूँ या बुद्धिमत्ता की हो बड़ी अधिकारी मकान हो सता है।

जो यह मुझसे दिया है कि ज्यादा परमिट दिए जायें और सीमा न रखी जाये तो इस से हालात बिगड़ जायेंगे और इन्स्टी चाटे में चलनी, कमिटीशन बढ़ जायेगा। और केमोटिक कंटीनरों से रखा जायेगा। यह बात रेलवेज को भी माय नहीं है क्योंकि उसके साथ काम्पौटीशन का सवाल भी इस में आता है।

जो मनीषर लाल क्वेटा परमिट का मामला बड़ा अष्टाचार का मामला होता है। जैसा कि माननीय सदस्य ने कहा है यह सही है कि हम में बड़ा अष्टाचार है। उत्तर प्रदेश में नेशनल परमिट देने के लिए सीकड़ों हजारों लोग एप्लाइ करते हैं। मंत्री महोदय ने कहा है कि चार साल तक पुराने टुक वाले लोगों को नेशनल परमिट दिये जाते हैं। लेकिन ऐसे लोगों की संख्या भी हजारों में हो जाती है। मध्य बहुत बड़ जाने पर अष्टाचार को पनपा है। रेलवे के साथ काम्पौटीशन एक जवान बात है, लेकिन बाजार भावों को स्थिर रखने के लिए भी टुकों की आवश्यकता पड़ती है। इसलिए क्या मंत्री महोदय ऐसी व्यवस्था करेंगे कि जो लोग नेशनल परमिट चाहते हैं उन सब को वे मिल सकें और अष्टाचार खत्म हो सके?

जी चाँच राय हम ने शुरु में 5000 नेशनल परमिट दिये थे और फिर उन्ने बढ़ा कर 8,050 कर दिया। मायब कृष्ण एलियेट ग्राफ कम्पन इन में होता है लेकिन लोगों की सुविधा के लिए और ज्यादा डिमांड को मीट करने के लिए यह बढ़ा दिया है। रेलवे मिनस्ट्री के पास यह मुझसे गया है कि 2000 परमिट और जारी कर दिये जायें। ये शिकायतें जरूर हैं कि नेशनल परमिट के जारी करने में कहीं कहीं ब्लैक-मार्केटिंग बरत रही है। अगर एक परमिट वाला दूसरे को टुकस करवाता है तब भी अष्टाचार की शिकायत होती है। हम लिए 2000 और परमिट देने का मुझसे दिया था। रेलवे मिनस्ट्री के साथ यह बातचीत चल रही है।

जी माच सिंह क्या मंत्री महोदय को इस बात की जानकारी है कि एक ही व्यक्ति को बहुत से—दस बीस—परमिट इन्फू कर दिये जाते हैं, और वह पैसा दे कर इन्फू करवा लेता है? क्या मंत्री महोदय ऐसी व्यवस्था करेंगे कि एक व्यक्ति को एक से ज्यादा परमिट इन्फू न किया जाये?

जिन बेरोजगार युवकों के पास लाइसेंस है, वे चाहते हैं कि उन्हें परमिट दिये जायें, ताकि वे नया घड़ा शुरू कर सकें। क्या मंत्री महोदय ऐसी व्यवस्था करेंगे कि बेरोजगार युवकों को परमिट देने में प्राथमिकता दी जाये?

जी चाँच राय माननीय सदस्य का मुझसे है कि बेरोजगारी को दूर करने के लिए और परमिट दिये जायें। पहले से यह हिदायत है कि एक इन्विजुअल का तीन से ज्यादा परमिट न दिये जायें। अगर किसी व्यक्ति के पास पहले ही तीन या ज्यादा परमिट हैं तो उसे और परमिट न दिये जायें और किसी एनोसियेशन या कम्पनी का सात से ज्यादा परमिट न दिये जायें। माननीय सदस्य के दूसरे सवाल के बारे में यह कहना चाहता हूँ कि यह काम स्टेट सरकार का है। जब माटर कौन्सिल (एग्जिट) बिन हाउस में लाया जायेगा तब ये मुझसे दिये जा सकेंगे।

+ 4 Study of Storage Problem of Nuclear Wastes in Tarapur

*347 SHRI D D DESAI
SHRI K PRADHANI

Will the Minister of ATOMIC ENERGY be pleased to state

(a) whether a U S experts team visited Tarapur Nuclear Power Station recently to study problem of storage of nuclear wastes,

(b) whether it has recommended expansion of storage facilities, and

(c) if so, the details thereof?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) The visit of the U S team was in connection with the storage of spent fuel at Tarapur and not of nuclear wastes in general,

(b) The recommendations of the U S team cover the feasibility and methods of increasing the capacity of storing spent fuel at Tarapur Atomic Power Station

(c) Almost all Nuclear Power Stations with light water reactors are facing a shortage of spent fuel storage capacity in view of the recent U S policy to avoid reprocessing of spent fuel both in U S A and elsewhere. Under the agreement with the U.S.A.

Tarapur Atomic Plant was to reprocess the spent fuel and if that were done the problem of storage would not have been so acute. Because of the delay in USA Govt giving their approval this problem has been accentuated. Government of India took up the question with the Government of United States and they have agreed to provide at their cost the necessary technical inputs to enable the Station to treble the storage capacity at Tarapur Atomic Power Station.

SHRI D D DESAI In view of the dangers of storing nuclear waste (1) leakages (2) possibility of theft, (3) the cost we will have to continue to incur in holding such nuclear waste and (4) in view of the fact that the United States imposes so many obligations on us would they not consider providing for the possibility of our processing or re-exporting nuclear waste so that we are not burdened with the cost of storage and the consequences of such storage?

SHRI MORARJI DESAI We are having discussions with the United States authorities over this matter even over the matter of reprocessing of spent fuel and unless they agree it is not possible for us to undertake it. If it is properly stored there is no danger of any kind and therefore capacity is being trebled. They are giving us the cost and also the know how for that purpose. This is the position just now. We are still discussing with them the problem of reprocessing so that it is finally solved.

SHRI D D DESAI Recently a news item appeared that the United States is considering the storage of waste nuclear products in Egypt. Have the Government of India made any study as to conditions under which Egyptians would be permitted to store this, particularly when Israel is so hostile and it is considering nuclear waste as a possible source of Plutonium required for nuclear bombs?

SHRI MORARJI DESAI We are considering all the possibilities but we have not yet found out a solution.

SHRI K PRADHANI May I know this from the hon. Prime Minister? From the answer given I understand that there was an agreement by the Government of India with the American Government and they had agreed to allow the Government of India to reprocess the fuel and subsequently they have withdrawn from that agreement. May I know the reasons for the withdrawal of the American Government?

SHRI MORARJI DESAI They have not withdrawn from the agreement yet.

SHRI K PRADHANI In the reply it is mentioned due to deference of their approval the American Government was not allowing the Indian Government to reprocess it.

MR SPEAKER They are giving assistance for reprocessing?

SHRI K PRADHANI That is being stored. Not reprocessing. I want to know why they have withdrawn from this agreement from the condition of reprocessing.

SHRI MORARJI DESAI They have not withdrawn the agreement nor are they agreeing to it. The two are different. There was no obligation in the agreement that they have to do it. The agreement says that with the approval of both this will be reprocessed, if they do not give their approval we cannot do anything in the matter.

बीबरी कलबीर सिंह क्या प्रधानमंत्री की बातें हैं कि री-प्रोसेसिंग करने का जो फैसला है वह जनता सरकार ने किया है या पहले जो सरकार थी उसने किया था

जी मोरारजी देसाई - यह तो पहले जब एबीएड हुआ था तब का है, आज का नहीं है।

SHRI CHITTA BASU May I know from the hon. Prime Minister whether reprocessing by the United States was an integral part of the agreement?

SHRI MORARJI DESAI: In the agreement it was not stated that they had to agree to do it. It was left to both to agree to do it; if they do not agree we cannot compel them to do so.

Demand and Supply of Power in West Bengal

*348. **SHRI CHITTA BASU:** Will the Minister of ENERGY be pleased to state—

(a) whether any assessment has been made regarding the probable gap between demand and supply of power in West Bengal during the period 1978—1982 (year wise); and

(b) if so, the steps proposed to be taken to narrow the gap?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

(a) and (b) The 10th Annual Power Survey Committee set up by the Min-

(i) Santaldih thermal power station extension units 3 and 4	2 × 120 MW
(ii) Bandel thermal power station extension	1 × 210 MW
(iii) DPL Extension	1 × 110 MW
(iv) Kolaghat Thermal Power Station	3 × 210 MW
(v) Jaldhaka H.E. Scheme Stage II.	2 × 4 MW
(vi) Kurseong H.E. Scheme	2 × 1 MW
(vii) Raman H. E. Scheme	2 × 212.5 MW

Approval has also been accorded to M/s. Calcutta Electric Supply Corporation for installation of 4 × 60 MW units at Titagarh. With the completion of these schemes, the gap in the peak requirement is likely to be considerably shortened by 1982-83. D.V.C. also assists the West Bengal system with additional power ranging between 70 to 80 MW on most days. Arrangements have also been made for supply of power to the Bihar-DVC-West Bengal system from Orissa for a short period.

istry of Energy had estimated the peak demand and energy requirement as well as the availability of peaking power and energy in respect of the West Bengal system excluding D.V.C. for the period 1978 to 1983. Since then, there have been some further tentative exercises to review the requirements and the availability, taking into account the revisions in production targets as well as the power availability position. But the basic picture remains more or less the same in which there is likely to be peaking shortages in West Bengal for the period 1978 to 1983 ranging from 250 to 260 MW in the years 1978 and 1979 and decreasing progressively to about 160 MW by 1982-83. The energy availability of the system is, however, not only sufficient to meet the requirements but also to give a marginal surplus in the early years, which will grow further by 1982-83.

A number of projects have been sanctioned and are under construction to add to the installed capacity and thereby the peak capability of the system. These are:—

Further, the attention of the State Electricity Board has been drawn to the low plant load factor of the thermal power plants. Improvements in the operation of the thermal power plants will also increase the power availability to meet the peak demand.

In order to meet the peaking shortages for a short term period, the West Bengal Government have proposed the installation of 5 × 20 MW units of gas turbines. This has been techno-economically cleared by the Central Electricity Authority.

SHRI CHITTA BASU: I am thankful to the hon. Minister for his long statement, where he has agreed that there would be a peaking shortage of 160 mw by 1982-83. I am also thankful to the hon. Minister that he has admitted that at present there is a shortage, and that too a huge shortage. In this context, may I know from the hon. Minister whether the project schedule which has been appended would be capable of meeting this demand of 160 mw by 1982-83 and if not what other additional projects the Government propose to take up to meet this gap?

SHRI P. RAMACHANDRAN: There will be a peaking shortage to the tune of about 150 mw in the year 1982-83. But if all the on-going schemes are completed, they will be able to meet the demand. Even here it is only a peaking shortage. It is not as if the energy is not there. Energy will be available. The only thing is, because of the fluctuations in the demand for the whole day, there will be a peaking shortage. That is why we refer to that as peaking shortage. By improving the performance of the existing stations and also by the new stations to be commissioned, we hope to meet this shortage that is likely to arise in the year 1982-83.

SHRI CHITTA BASU: May I know from the hon. Minister whether the following schemes, namely, Kolaghat Thermal power station, Jaldhaka H.E. Scheme, stage II, Kurseong H.E. Scheme and Raman H.E. Scheme are facing some difficulties in the matter of speedy implementation and, if so, whether the hon. Minister will ensure that they are completed according to schedule?

SHRI P. RAMACHANDRAN: With regard to these projects, I am in constant touch with the Chief Minister of West Bengal. We are trying to assist the Bengal Electricity Board as well as the Government to see whether these schemes can be completed on time. In fact, we are monitoring all these schemes by having every

month a meeting with the manufacturers and also suppliers to see that the equipments are supplied on time and we commission the work according to schedule.

SHRI SAUGATA ROY: The Minister has mentioned in his statement:

"Approval has also been accorded to M/s. Calcutta Electric Supply Corporation for installation of 4x80 mw units at Titagarh."

The Calcutta Electric Supply Corporation is a wholly British-owned Company and the present Chief Minister of West Bengal, when he was not the Chief Minister of West Bengal but a trade union leader, had stated that there will be no expansion of the capacity of the Calcutta Electric Supply Corporation. I would like to know from the hon. Minister whether it is in consonance with the Government's policy to allow the expansion of power generation in the private sector, and that too of a totally foreign-owned private company, as has been done in West Bengal.

SHRI CHITTA BASU: I want to know whether he wants expansion of the power supply in West Bengal or not.

SHRI SAUGATA ROY: I want it. But why allow a British owned company to make money out of it?

MR. SPEAKER: He wants the Indian people to make power.

SHRI P. RAMACHANDRAN: I am not aware of the opinion expressed by the West Bengal Chief Minister, when he was a trade union leader. But today Bengal is facing power shortage and the Calcutta Electric Supply Corporation is an existing company. The authority competent to extend the licence is the State Government and the State Electricity Board. If they want to extend the licensing period and also allow expansion of the power unit there, the Central Government always considers that favourably. It is for the State Government to decide on that.

Study of Deficiencies in Power Plants

*349. SHRI A. BALA PAJANOR:
SHRI K. MAYATHEVAR:

Will the Minister of ENERGY be pleased to state:

(a) whether multi disciplinary teams have studied deficiencies in power plants as part of project renovation programmes;

(b) the plants in which such studies have been completed; and

(c) the nature of deficiencies identified and remedial action taken?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to (c). A statement is laid on the table of the House.

STATEMENT

(a) Yes, Sir.

(b) The project renovation programme covers 31 thermal units installed in 14 thermal power stations and 8 hydel units installed in 3 hydel power stations. A list of the generating units covered under this programme is given in Annexure. The problems in all the thermal units have been identified.

(c) The deficiencies identified relate to process control instrumentation, boiler and turbo-generator plant, as well as some of their auxiliaries. Deficiencies in operation and maintenance have also been identified.

Remedial action taken covers replacement of defective components

and instruments. Intensive training has been arranged to improve quality of operation wherever required. Particular areas requiring attention in this direction are chemistry relating to treatment of water used in the boiler. Plans for replacing defective components have been drawn up and are being implemented in a phased manner, depending on their availability as well as integrating this programme with planned maintenance programmes. Partial renovation work has been done on some units and work on some more units is in progress. Renovation work on 9 units has been planned for completion during this year.

The general problems encountered in the hydro units are:—

1. instability of the machines at no load;
2. fluctuation in the output over a wide range of operation of the units;
3. certain design, machining and assembly defects;
4. drawback on account of insulation material, stator vibrations and mal-functioning of control instruments.

For Subarnrekha Hydro-electric Project, almost all the remedial measures possible have been taken. The unit is being synchronised and will be under observation for further remedial action, if any.

On the other units, some remedial measures have already been implemented and others are being implemented whenever it is possible.

ANNEXURE

PROJECT RENOVATION

POWER STATION UNDER RENOVATION

Sl. No.	Name of Station	Units Nos.	Rating	Capacity
1	2	3	4	5
THERMAL				
1.	Chandrapura.	IV, V	120 MW	240 MW
2.	Santalidih	I, II	120 MW	240 MW

1	2	3	4	5
3.	Ukai	I, II	120 MW	240 MW
4.	Gandhinagar	I, II	120 MW	240 MW
5.	Korba	I	120 MW	120 MW
6.	Kothagudem	V, VI	110 MW	220 MW
7.	Bhatinda	I, II	110 MW	220 MW
8.	Patratu	VII	110 MW	110 MW
9.	Panki	I, II	110 MW	220 MW
10.	Obra	VI, VII & VIII	100 MW	300 MW
11.	Badrapur	I, II, III	100 MW	300 MW
12.	Faridabad	I, II	60 MW	120 MW
13.	Harduaganj	III, IV	60 MW	120 MW
14.	Annore	I, II	60 MW	120 MW
		III, IV	110 MW	220 MW
		V	110 MW	110 MW
		31 units		3140 MW
HYDRO				
1.	Ukai	I, II, III, IV	75 MW	300 MW
2.	Subernarekha	I	65 MW	65 MW
3.	Koyna	I, II, III	80 MW	240 MW
		8 units		605 MW

SHRI A BALAJANOR: I would like to know from the hon. Minister, who is very much noted for the scientific studies in the subject, whether it is a fact that this report stated that the smaller units are better equipped than the giant schemes which he is proposing to implement. If so, has he got any plan to add Pondicherry which is very much in demand for a smaller plant?

SHRI P. RAMACHANDRAN: I do not know whether the requirements of Pondicherry have anything to do

with the question that he has raised. Anyway, obviously

SHRI A BALAJANOR: The hon. Minister has conveniently stated that a statement is laid on the Table. But this is a technical subject which you and I can understand a bit.

SHRI P. RAMACHANDRAN: The hon. Member is very much interested because obviously for a small state, he wants a small power station. Probably with that in view he thinks that smaller power stations are equipped

better and run better. That has no relevance here. Whether our units are indigenous or imported, the outages are bound to happen and that is why, we have constituted multi-disciplinary teams to go round the power stations, identify the deficiencies and carry out the repairs expeditiously so that the power stations can function effectively.

SHRI A. BALA PAJANOR: Which are the power plants which have been visited? I want the Minister to spell out them.

SHRI P. RAMACHANDRAN: The power stations which have been visited by these teams are about 14 stations with about 31 units. They are

Chandrapura	2 units
Santalidih	2 units
Ukai	2 units
Gandhinagar	2 units
Korba	1 unit
Kothagudem	2 units
Bhatinda	2 units
Patratu	1 unit
Panki	2 units
Obra	3 units
Badarpur	3 units
Faridabad	2 units

SHRIMATI PARVATHI KRISHNAN: He is reading from the statement.

MR. SPEAKER: Mr. Ramachandran, you have mentioned them in the statement.

SHRI R. K. MHALGI: In the last part of the reply it has been stated that on the other units some remedial measures have been implemented. What are those some remedial measures?

SHRI P. RAMACHANDRAN: A number of deficiencies have been identified. I am prepared to enumerate them if the hon. Member wants. In some of the units, where the deficiencies were identified, some of the works allotted have been carried out. For instance in Bhatinda unit No. II, Santalidih unit No. I, Panki unit No. I, Kothagudem unit No. V, Badarpur

unit No. II, and Faridabad unit No. 2. Most of the renovation work has been completed in the case of these units and a few problems remain for rectification. We have identified all the problems and they are being attended to.

श्री महेश सिंह सोनावला : क्या मिनिस्टर साहब जानत हैं कि पंजाब में बिजली की शार्टेज है ? क्या मिनिस्टर साहब पंजाब में बिजली की शार्टेज को देखते हुए वहाँ परमल पावर स्टेशन और एटोमिक पावर स्टेशन लगायेंगे ? क्या पंजाब गवर्नमेंट ने सेंट्रल गवर्नमेंट को इस बारे में कहा है ?

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

Take Over of Hindustan Motors Ltd.

*350. **SHRI D. N. TIWARY:** Will the Minister of INDUSTRY be pleased to state

(a) whether there is any proposal to take over Hindustan Motors Ltd. of Birla Group of Companies;

(b) whether it is a fact that the instruments in the said Company have become old and need replacement immediately;

(c) whether the depreciated book value of the said firm has been ascertained; and

(d) whether it has taken a large amount as loan on debentures and other securities?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES): (a) Various measures are in progress for upgradation of the automotive sector as a whole. There is no decision of takeover of one individual unit like Hindustan Motors Limited.

(b) Press Tool Dies for manufacture of bodies are worn out. Some of the production equipment requires renovation.

(c) The depreciated value of the fixed assets as on 31-3-1977 is Rs. 36.42 crores, as indicated in the published Balance Sheet of the Company.

(d) The Company has reported that they have not taken loan on debentures and other securities except the outstanding US AID loan amounting to Rs 15.63 crores

श्री द्वारिका माधु सिन्हाजी अध्यक्ष महोदय जब भी इस यूनिट को टब खोबर करने की बात हो या इस बात का फैसला किया जाए तो एक बात सरकार का बराबर ध्यान में रखनी चाहिए कि यह यूनिट अपनी पंजी से कई गुना बसा चुका है। इसकी बुक वैल्यू 36 करोड़ रुपए की है लेकिन इससे यह कई गुना बसा चुका है। मुझे धारणा है कि जब भी सरकार को इन्टीरियरिजेशन हो तो वह उसका काम लगायेगी और तब उसने नैगोशिएशन करेगा ?

श्री ज्ञान कर्माजीस यश मवाल नहीं, राय रखी है माननीय सदस्य न।

श्री द्वारिका माधु सिन्हाजी यह दखा गया है कि जैसे जैसे समय बानना जाना है किसी भी यूनिट की तकनीकी में सुधार होना जाना है लेकिन इस यूनिट में जो इन वषों में चल रहा है तकनीकी में इन्टीरियरिजेशन होना जाना है। इसका क्या कारण है ? सरकार इस सम्बन्ध में क्या कर रही है। हम इन्टीरियरिजेशन कर रहते हुए भी इस कारा के दाम बहुत अधिक बढ़ गए हैं। उसके मुनाबिक मांगों का चीज मिन सब इसमें लिए सरकार क्या कर रही है ? उसी ना तरी हाना चाहिए कि दाम बढ़ा दें और माधु जो माधु क्वालिटी का हलबा कर उसका इन्टीरियरिजेट कर दें। मैं जानना चाहता हूँ कि इस सम्बन्ध में सरकार क्या कदम उठा रही है ताकि कच्चे मर का अधिक पैसा न देना पड़े ?

श्री ज्ञान कर्माजीस गाड़िया के दाम का जहा तब मवाल है उस पर नियंत्रण है। यह तो घाम तौर पर मर्षा को मान्य है कि लगभग पचास प्रतिशत गाड़िया का दाम तो टैक्स और अन्य खर्च से घटा हुआ है। जहा तक इस कम्पनी का धाग बढ़ान का सवाल है यह एक धार्मिक सवाल है।

श्री द्वारिका माधु सिन्हाजी क्वालिटी के बारे में भा बताएँ।

श्री ज्ञान कर्माजीस सब चीज एक माधु चुकी हुई है। हम मानते हैं कि जिस स्थिति में पिछले कुछ बरसा से प्रोटोमेटिक सेक्टर का काम चलता रहा है उस में सुधार की आवश्यकता है न सिर्फ एक हिन्दुस्तान मोटर कम्पनी में बल्कि दूसरी जो दा छोटा गाड़िया बनाने वाली वेष्ट में कम्पनियाँ हैं उन के काम में भी सुधार की जरूरत है।

श्री कबिर लाल गुप्त मंत्री महोदय इस बात को स्वीकार करते हैं कि हिन्दुस्तान में जो गाड़ियाँ बनती हैं उनकी क्वालिटी बहुत खूबर है। और दाम भी उस बिन्दु के लिए बहुत ज्यादा हैं। इट इस बाइक एक बिन्दा। मैं पूछना चाहता हूँ कि दाम कम करने के लिए और क्वालिटी को सुधारने के लिए सरकार

में कौन से कदम उठाए हैं और कोई उठाए भी है या नहीं उठाए हैं। छोटी गाड़िया उपलब्ध हो सस्ते दामों में हो उसके बारे में भी क्या सरकार कोई कदम गठा रही है।

श्री ज्ञान कर्माजीस मैं बना चुका हूँ कि घाम तौर पर प्रोटोमेटिक सेक्टर का बिम तरह में सुधार जाए उसके बारे में काफी काम में हम लगे हुए हैं हमारे मन्त्रालय में हम में काफी एक्स्पर्टाइज हो चुकी है। जब कोई निगम लिया जाएगा तब हम सबन के सामने जरूर आएंगे। लेकिन जहा तक दाम का सवाल है जैसा मैंने कहा न सिर्फ उस में जो पुर्जे वगैरह जाते हैं उसके माधु दाम जड़ हुए हैं बल्कि सरकार की नीति के माधु भी जुड़ हुए हैं। एक धरसे से घाम तौर पर यह बात मानी गई है कि गाड़ी दैनिक उपयोग और माधुकरण इमान की उपयोगिता की चीज नहीं है। इस लिए घन्य मर्षों में जो टैक्स लगाय जाते हैं इस श्रव में सब में ज्यादा लगाय जाते हैं और इसके चलते भा इन गाड़िया के दाम काफी बढ़े हैं। कम्पनियों में घाग दाम वगैरह बढ़ाया है तो इन कम्पनियों की इन समय जो मुनाफे वगैरह की स्थिति है इनके जैलम शीटम को घाग बंध ता ऐसा लगना है कि बड़ हुए दामा के चलते भी इन कम्पनियों की हालत कुछ अच्छी नहीं है।

माननीय सदस्य मैं जो छोटी गाड़ी बनाने के बारे में मवाल पूछा है इससे बारे में मैं इनना ही कम्पा कि जो गाड़िया इस समय दम में हैं जो ता गही छोटी हैं लेकिन इसके धलावा किसी छोटी गाड़ी के बारे में हम नहीं सोच रहे हैं।

SHRI DINEN BHATTACHARYYA
May I know whether it is a fact that the majority of the capital that is invested in the Hindustan Motors Ltd is taken out from the financial institutions of the Government of India and the Government of India has nominated four directors in the company and, if so whether the Government has any check on the quality of the car that is produced by the Hindustan Motors Ltd, not only by the Hindustan Motors Ltd but also by other car manufacturers, and what is the mechanism to keep a strict control over it?

SHRI GEORGE FERNANDES As far as the investment in the company is concerned, it is not correct to say that the financial institutions have the majority of the holdings. The total investment of the financial institutions in this company is 38 per cent. The public holdings are 39.33 per cent. The holdings of the companies registered under the Companies' Act which is

inter-corporate investment, are 21.56 per cent. . .

AN HON. MEMBER: What is Birla's holding?

SHRI GEORGE FERNANDES: I do not have that break-up here. As I was saying, the intercorporate investment in this company, that is, the investment by companies registered under the Companies Act is 21.56 per cent; the public holdings are 39.33 per cent; and the holdings of the financial institutions are 38 per cent. .

SHRI DINEN BHATTACHARYYA: What is the majority share?

SHRI GEORGE FERNANDES: The largest single majority holding is the public holding which is 39.33 per cent—public holding, that is, the ordinary shareholders.

So far as quality is concerned, ultimately in an industry like automobile industry it is expected that the people who produce the vehicles are also taking care of their quality control because ultimately there is the consumer who acts—with the kind of pressures that need to be built on the manufacturers for producing quality products.

SHRI DINEN BHATTACHARYYA: Is it a fact that four Directors have been appointed by the Government in that company?

SHRI GEORGE FERNANDES: There is one Government Director on the Company's Board.

SHRI K. GOPAL: As usual, the hon. Minister is trying to get away with his beautiful and flowery oration. It is not going to help. You have said that car is a luxury. Television set is also a luxury, but you are making it in the public sector. In view of the fact that about 38 per cent, if I have heard him a right, is financed by financial institutions, do Government propose to produce cars in the public sector—as you are not able to

control the private sector with regard to quality and other aspects?

SHRI GEORGE FERNANDES: I did not say that car was a luxury. I have said that there is a general belief in the country that motor-cars, automobiles, are a luxury. I am aware of the fact that almost 60 per cent of the total cars produced in this country go as public transport vehicles, namely, taxis; they are used in government departments and they are used in other public undertakings, etc.

SHRI VASANT SATHE: As President of the Taxi-men's Union, you know how taxi-men suffer because of bad quality.

SHRI GEORGE FERNANDES: I am aware of that.

SHRI VASANT SATHE: Then what are you doing about it?

SHRI GEORGE FERNANDES: So far as public sector going in for car manufacture is concerned, there is no such proposal before the Government at the moment.

कोयले के मूल्य में वृद्धि

* 351. श्री भारत सिंह चौहान : क्या इन्फो मंत्रालय कोयले की कृपा करते कि

(क) क्या कोल इंडिया लिमिटेड ने कोयले का मूल्य बढ़ाने के लिए कोई प्रस्ताव रखा है, और

(ख) यदि हाँ, तो उस पर सरकार की क्या प्रतिक्रिया है ?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). Coal India Ltd. had represented from time to time that the present price structure of coal does not cover the cost of production and needs to be revised. The Government has not so far revised the coal prices.

श्री भारत सिंह चौहान : अध्यक्ष महोदय, समाचार-पत्रों में यह छपा है कि कोयले की कीमत सरकार बढ़ा रही है। तो क्या यह सत्य है ? यदि हाँ, तो कितनी कीमत बढ़ा रही है ?

MR. SPEAKER: He has said that Government has not agreed to increase.

SHRI P RAMACHANDRAN Government has not increased the price so far (Interruptions)

MR SPEAKER He has mentioned in the written statement that they have been pressing, but the Government has, not so far agreed

बी भारत सिंह चौहान राष्ट्रीयकरण के बाद कोयले की इस तरह की कीमते बढ़ती चली जाती है उसका प्रभाव जनता पर बुरा पड़ना कि नहीं इन बात पर सासन क्या मोच रहा है ?

SHRI P RAMACHANDRAN Compared to the increase in the prices of the inputs of coal production, the rise in the price of coal is not adequate. That is why we are facing difficulties with regard to meeting the deficit of the coal industry

DR B N SINGH It is the habit of the public sector undertakings that whenever the cost of production goes up, the thinking is to raise the prices of the products. I would like to know from the Minister (Interruptions)

MR SPEAKER You are not interested in hearing the answer

DR B N SINGH If there is any thinking on the part of the Government to raise the price of coal and before he does so is he going to appoint a committee of economists to go into the working of the coal industry and suggest to the government how the wastage which is continuing can be stopped and loopholes plugged?

SHRI P RAMACHANDRAN Recently the government has appointed a committee—what is called the Baweja Committee which has made certain recommendations with regard to coal and they are being examined by the government

One of the recommendations is that in the course of the next 4.5 years, by implementing certain recommendations a saving of Rs 10 per tonne can be effected

For the information of the House I may give the following figures

After nationalisation the price increase is only 72 per cent whereas the prices of inputs have gone up like this

Wage level has gone up by 188 per cent,

Explosives, power and another things—by 58—148 per cent

Price of mining equipment—between 40 to 80 per cent. Like that, in all sectors of inputs in coal production prices have gone up. That is why we have tried to analyse the problems and implement certain recommendations of the Baweja Committee

बी किरणवी प्रसाद मैं मंत्री महोदय से जानना चाहता हूँ कि जैसा कि उनके हार श्रोतारो और अन्य बीबी पर मूल्य बढ़ रहा है इससे स्पष्ट हो रहा है कि सरकार के पास जो कोयले के मूल्य बढ़ाने के बारे में प्रस्तावों का है उससे यह सरकार चिन्तित है कि जल्दी ही मूल्य बढ़ा दिया जाये तो क्या ऐसा करते समय मंत्री जी इस बात का ध्यान रखेंगे कि जो गरीब वर्ग के सामान्य लोगो के उपयोग का जलाने वाला कोयला है उसका कुछ ऐसा प्रतिपात निश्चित कर दिया जाये जिससे उसका मूल्य न बढ़े ?

SHRI P RAMACHANDRAN So far the Government has not increased the price of coal. When we come to such conclusions, we will always bear in mind what the hon. Member has said

MR SPEAKER Shri Gurcharan Singh Tohra—not here. Shri Basant Singh Khalsa—he is also not here. Shri Kailash Prakash

Regularisation of Senior Economic Investigators

*353 **SHRI KAILASH PRAKASH** Will the Minister of PLANNING be pleased to state

(a) whether the Delhi High Court gave a judgement on 10th December, 1974 regarding the regularisation of the services of Senior Economic Investigators in the Planning Commission,

(b) if so, whether it has been implemented; if not, why implementation has been so much delayed, and

(c) whether Government are contemplating to implement the judgement by changing the rules with retrospective effect?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) Yes Sir.

(b) It has been implemented.

(c) No Sir.

श्री कैलाश प्रकाश : सीनियर इकनामिक इन्वैस्टीगटर्स के प्रमोशन 1973 में पहले हुए थे और उनमें कुछ सीनियर लोगों को जूनियर बना दिया गया था और जो लोग एक्टिविज्म थे, उन सब पर बिहार नहीं किया गया था। मई 1977 में नियम परिवर्तन हुआ और स्पेन्टा के आधार पर उन नियम में प्रोविसन देने का प्रावधान हुआ, फिर भी कुछ लोग हाई कोर्ट चले गये जो कि जूनियर होने हुए भी सीनियर बना दिये गये थे। हाई कोर्ट ने एक फैसला दिया कि उनको रीटनर किया जाये, मैं प्रधान मंत्री से पूछना चाहता हूँ कि हाई कोर्ट ने अपना फैसला देने समय किस बाल को समझा कि जो लोग एक्टिविज्म थे, उन सब पर बिहार कर लिया गया था, जबकि वह ठीक बाल नहीं थी। तो क्या बिभाग या सरकार इसमें धोखे में गई ?

श्री मोरारजी देसाई : अब सरकार ने वह फैसला मान लिया है, तो फिर धोखे में जाने का क्या मतलब है ?

श्री कैलाश प्रकाश : बरा प्रश्न जायद साफ़ नहीं पाया है। हाई कोर्ट ने जो फैसला दिया, सरकार ने उसे मान लिया। लेकिन जो एक मिनिस्टर इन्वैस्टीगटर्स हैं, हाई कोर्ट, उस के आधार पर हाई कोर्ट ने फैसला दिया। अब यह बाल बिभाग की जानकारी में थी तो क्या बिभाग उस बाल की टोक करने के लिये धोखे में गया या नहीं, यह नहीं तो क्या नहीं गया ?

श्री मोरारजी देसाई : जब मान लिया है फिर धोखे में जाने का मतलब कहा रहना ?

Attack on Harijans in Kanjhawala

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***354. SHRI M. N. GOVINDAN NAIR:**

SHRI C. K. CHANDRAPPA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the report appeared in 'Times of India' dated the 8th July, 1978 under the heading "Land owners attack Harijan tillers in Kanjhawala"; and

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

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) Yes, Sir.

(b) Statement is laid on the table of the House.

Statement

Ever since the allotment of land to 120 families of Harijans/landless persons in village Kanjhawala, Nangloi Block, Delhi in 1970, there has been resentment amongst the landlords who want to use this land for grazing cattle. This had also been the subject matter of dispute in Courts. In November 1977, police protection was provided to the Harijans to cultivate their lands. Police arrangements were also made in July 1978 to enable the Harijans to plough their lands

On 7.7.1978, some non-Harijan Land-owners armed with lathis attacked the Harijans and obstructed them from ploughing their lands, as a result of which 4 Harijans and 2 non-Harijans were injured. Two Harijan women were injured when the non-Harijans entered a house and threw stones at the inmates. The injured persons were sent to the hospital, where they were given medical aid

Two cases, under F.I.R. No. 578 under sections 147, 148, 149, 427, 323 I.P.C. and F.I.R. No. 579 under sections 147, 148, 149, 452, 323 I.P.C. were registered at P.S. Nangloi in connection with these incidents. 23 non-Harijans were arrested.

The ploughing operations have since been completed by the Harijans. A close watch is being kept on the situation by the authorities.

SHRI M. N. GOVINDAN NAIR: Since it was discussed yesterday I want to ask only one question: Whether government will take immediate

steps to allot the land permanently to the Harijans?

MR. SPEAKER: That was also answered yesterday.

SHRI C. K. CHANDRAPPA: Sir, in the statement it is said that the land was allotted in 1970 and the dispute arose in 1977 and in spite of the fact that the government provided police protection the clash took place on 7-7-1978. Now, the Government is giving us an assurance that there is police and things will be all right. But I would like to know from the hon'ble Minister what are the other steps that the Government has so far taken, that is, in regard to giving permanent right or title deeds to the Harijans to whom the land has been distributed and whether that thing will be expedited.

MR. SPEAKER: That was also answered yesterday. The answer given yesterday was "under the Land Reform Act you are only to apply and the moment you apply we are going to give"

(Interruptions)

SHRI C. K. CHANDRAPPA: There are various aspects of the matter. This is only one. Yesterday, my friend, Mr. Sudheeran asked whether a parliamentary delegation will be sent to console the people whose children are not allowed to go to schools and whose children are harassed if they go to school. In that situation whether a parliamentary delegation will go there and talk to the people to console them and to help in the situation and I am sorry to say that the reaction of the Prime Minister yesterday was: He said if the members wish to go they can go. That we know we are free to go, but when there is a situation of harassment or repression of Harijans and a very serious incident takes place and that too under the very nose of Parliament, I think, it is the responsibility of Parliament to send an official delegation to console and help them in the situation. I would like to know from the

Prime Minister whether he agrees to that proposal.

(Interruptions)

THE PRIME MINISTER (SHRI MORARJI DESAI): I said, Sir, it is not necessary and it will not do any good.

SHRI B. RACHAIAH: Gram Sabha land vests with the village Panchayat or Gram Sabha. Before allotting this land to the Harijans, was this land divested from the authority of the Gram Sabha? Was this process gone through in 1970 while allotting this land to the Harijans?

SHRI DHANIK LAL MANDAL: It is a waste land and according to rules, Gram Sabha has to allot this land. In the year 1970, Gram Sabha allotted this land to the Harijans.

Re-Starting of Heavy Water Plant, Baroda

***356 SHRI F. P. GAEKWAD:** Will the Minister of ATOMIC ENERGY be pleased to state

(a) when the Heavy Water Plant at Baroda is expected to be re-started;

(b) how far the repair works have progressed after the last disaster causing considerable damage to the Plant;

(c) how far the schedule of production of heavy water has been affected as a result of shut down of the Plant, and

(d) whether any revised schedule of production is planned; if so, the details thereof?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) The Heavy Water Plant (Baroda) is expected to be restarted by the 3rd quarter of 1979.

(b) Assessment of the damage has been completed. All high pressure equipments have been opened and

internals inspected. Hydraulic and non-destructive testing of equipment is almost over. List of items to be replaced has been finalised. Indigenous items have been ordered. Items to be imported from Europe will be ordered by September, 1978.

(c) About 22 months.

(d) Yes, Sir. The first production of heavy water after the repairs is expected to commence in October, 1979.

SHRI F P GAEKWAD: What is the total cost involved in restarting this Heavy Water Plant?

SHRI MORARJI DESAI: I am afraid, those figures are not with me; these have to be ascertained.

SHRI VASANT SATHE: These have appeared in the press. Are those correct?

SHRI MORARJI DESAI: I have not seen them. Unless I verify, I cannot say.

SHRI F P GAEKWAD: When this disaster took place, the Prime Minister was very quick in informing the nation that it was by sabotage. Has the real reason of this disaster been established? Was it a case of sabotage or was it actually an accident?

SHRI MORARJI DESAI: No sabotage has been suspected or established; it was an accident.

Autonomy for Film Censor Board

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*357 SHRI G M BANATWALLA:
SHRI MUKHTIAR SINGH
MALIK:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is any proposal under consideration of Government to amend Cinematograph Act to restore the autonomy of the Film Cen-

sor Board as the final authority to decide all matters relating to exhibition of films in the country; and

(b) if so, details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) and (b). The Board of Film Censors is a statutory body set up under the Cinematograph Act, 1952. It functions in accordance with the provisions of the said Act and the rules made thereunder. Under the existing Scheme of the Act, the Central Government is competent to pass any orders regarding exhibition of a film pending before or certified by the Censor Board. The Government has under its consideration a proposal to suitably modify this provision.

SHRI G. M. BANATWALLA: What are the details of the proposal—that has not been answered.

SHRI L. K. ADVANI: The matter is still being considered. Perhaps the hon Member may be aware that in accordance with the present provisions, an appeal against a decision of the Censor Board lies with the Central Government. In an earlier case, the Supreme Court had held that it would be more desirable if an appeal lies with a court or with a special tribunal for this purpose and the Government is broadly agreeable to this approach. It is being considered whether it can be possible that an appeal in regard to matters pertaining to security etc lies only with the Central Government, whereas an appeal in respect of matters concerning morality, decency and public taste lies with a court. This is the proposal.

SHRI G. M. BANATWALLA: Since when is this proposal before the Government and by what time do you think, you will be able to finalise it?

SHRI L. K. ADVANI: It is there for quite some time and we hope to finalise it soon.

SHRI JYOTIRMOY BOSU: Give a date.

MR. SPEAKER: Can anybody give a date?

SHORT-NOTICE QUESTION

Manipur Valley declared as disturbed Area

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**SNQ 3. SHRI YADVENDRA DUTT:
SHRI NAWAB SINGH
CHAUHAN:
SHRI SAUGATA ROY:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the entire Manipur Valley has been declared as disturbed area and violence on a large scale has broken out,

(b) the reasons thereof and tribes involved; and

(c) the steps Government are taking to check it?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) to (c) A statement is laid on the Table of the House.

Statement

According to information received from the Government of Manipur, five violent incidents occurred in the Central District of the State during the last two months. On 5th June a petrol pump at Sangaiprou was robbed of approximately Rs. 7,000/-. During the robbery two country made pistols were used. On the 29th June one Jamadar of Manipur Rifles was shot at and injured seriously and his pistol was snatched. On 17th July, one Sub-Inspector of Police and a Constable were shot at in Imphal town. The Inspector died on the spot while the Constable succumbed to his injuries after reaching the hospital. The culprits took away the Inspector's revolver. On 18th July at about 11.30 hours the United Bank of India, Imphal Branch, was robbed of Rs. 19,270/-. On 19th July at about 12.12 LS—2.

12.15 hours Manipur Rifles escort party travelling in Imphal-bound Moreh bus was fired at. One Naik in charge of the escort party was shot dead and another Sepoy was badly wounded. The culprits escaped with one sten gun, two rifles and some ammunition.

2. The State Government ordered intensive search operation to apprehend the culprits and to recover the lost weapons. To enable the paramilitary forces and if required the Armed Forces also to assist the police in the search, seizure and apprehension of the culprits and the stolen arms, the Manipur Government declared the Central District as disturbed area under the Armed Forces (Assam and Manipur) Special Powers Act, 1958. Search operations were, however, carried out by the Manipur Rifles and the Central Reserve Police Force and no armed forces were called.

3 Six persons have been arrested so far. A sum of Rs. 19,250/- out of Rs. 19,270 robbed from the Bank have been recovered. Also one 38 revolver, two country made pistols and some ammunition has been recovered from the persons arrested.

4. Following improvement in the law and order situation, the Notification declaring Central District as disturbed was revoked on 1-8-1978.

SHRI YADVENDRA DUTT: May I know from the Government whether this trouble in the Manipur valley started after quite a sufficient number of Nagas who received their training had returned from China via the Yunnan province of China and the Shan and Kareen areas of Burma. They penetrated into India through those areas and started this trouble. If that is the fact, what steps have Government taken in the matter?

SHRI DHANIK LAL MANDAL: Six persons have been arrested, as it is said in the statement. And on questioning them, we have come to know that some youth, numbering around

20, infiltrated from China and came. It is in Manipur. It has nothing to do with Nagas. It concerns Mekai people. It is a question of Mekai people. Around 20 people came from China; and 6 persons have been arrested. On questioning them, this information has been received.

SHRI YADVENDRA DUTT: When it is a fact that all the trouble in the North Western India is based in the jungles of Kareen and Shan areas of Burma, will the Government discuss the matter with the Burmese Government and obtain the right of hot pursuit of these elements who are having their bases in the jungles of Burma; and in return, offer to the Burmese Government the right of hot pursuit of their own rebels who sometimes cross over into the Indian territory? Otherwise this problem will not be fully solved. Will the Government consider this proposal and pursue the matter?

THE PRIME MINISTER (SHRI MORARJI DESAI): The Burmese Government themselves are finding it difficult, in that area. Therefore it is not possible to get any help from them in the matter.

श्री मन्मथ सिंह चौहान : क्या माननीय मंत्री जी बलाने की कृपा करने कि जैसे मिजोरम के मिजो लोग, नागालैंड के नागा लोग और यहां के मनीपुरी लोग बहार से ट्रेनिंग लेते हैं जो कहीं एक जगह पर ट्रेनिंग होती है, इसमें क्या कोई खबरें और काल मिलेगी है, क्या उसी क्षेत्र के राज्यों के विद्रोहियों को मिलाकर कोई विदेशी कतिब इम देश को हानि पहुंचाना चाहती है? क्या सरकार ने इस सम्बन्ध में कोई जानकारी हासिल की है? यह प्रश्न केवल ला तेंड धार्बर का ही प्रश्न नहीं है, जब इस तरह के प्रश्न होते हैं तो उसमें केन्द्रीय सरकार भी बीच में घाती है इसलिए क्या केन्द्रीय सरकार ने अपनी इंटेलिजेंस के जरिए से इस तरह की कोई चीज जासूस की है? यदि कुछ ऐसा पता चला है तो उसके निराकरण के लिए, उसकी रोकने के लिए क्या प्रयत्न किए गए हैं?

श्री मोरारजी देसाई : यह जो चल रहा है, सब एक साथ नहीं चल रहा है। प्रथम प्रथम के कर रहे हैं और उसकी ओर सरकार का ध्यान है। जो हो सकता है वह हम कर रहे हैं, सिर्फ बोलने से काम होने वाला नहीं है। उसको खिलाना जो कुछ कबम उठाने चाहिए वह हम उठा रहे हैं और यह मानना कुछ हल भी हो रहा है—यह मैं कह सकता हूं।

SHRI SAUGATA ROY: I was in Imphal recently. It seems from the statement of the Minister that the Government is either unaware of the seriousness of the situation there, or it is trying to gloss over the gravity of the situation. This is not surprising, considering the fact that ever since the Janata Government came to power, not one senior Minister of the Central Government—the Prime Minister, the Home Minister or the Minister of State for Home Affairs—came to visit this very sensitive State of Manipur, though the Janata government engineered defections and brought about the fall of the Congress Ministry and brought in a new Ministry, no Minister, none of them visited this place. There are several, serious aspects of the situation and I want to mention (i) that the BSF arrested near Moreh on the Burma border a Kukri with foreign made gun, (ii) Kabri Chandra Singh, one of the suspected assailants was trained in China, (iii) twenty youths had crossed over from China and that is the group that is operating in this territory; that is not linked with the underground Nagas and they are receiving training and help from Lhasa, in Tibet, from China, for forming an independent Manipur. There is very inadequate appreciation of the situation there and even the Governor Shri L. P. Singh arrived there two days after that declaration was made. The declaration that was made declaring Manipur as a disturbed area had very deep connotations; under the Act, "any commissioned officer, warrant officer, non-commissioned officer or any other person of equivalent rank in the Armed Forces may in the disturbed area, if he is of the opinion that it is necessary so to do for the maintenance of public order, after giving such due warning as he may consider necessary..

MR. SPEAKER: There is no need to read out the whole of it.

SHRI SAUGATA ROY: ... fire upon or otherwise use force even to the causing of death against

any person who is acting in contravention of any law and order for the time being in force in the disturbed area prohibiting assembly... It means he is ordered to shoot to kill, any non-commissioned officer can do so and this is in a place where the Janata Ministry is in power. They are being given blanket power to kill any person. This is the first time that this is being declared in the Manipur valley; it has never been declared in the Valley before. In the context of these facts, when the government gets such extraordinary powers and it gives so much of authority to the Armed Forces and the Border Security Force, may I ask the government the following questions: (a) whether in view of the fact that the Governor was late in arriving, the government is considering the proposal to appoint separate Governor for Manipur at Imphal, (b) whether in view of the failure of the present ministry in maintaining law and order it is thinking of imposing President's rule... (Interruptions), (c) whether the government is going to investigate the link that the foreign forces have with people who are demanding an independent Manipur and (d) whether the Prime Minister is going to visit.

MR. SPEAKER: No, no; you cannot go on and on; I am not allowing.

SHRI MORARJI DESAI: The hon. Member has asked a number of questions; the first was whether the government was aware of the seriousness or not. Government is certainly aware of the seriousness. Then it is said: why no Minister has gone there recently?

SHRI DANIKLAL MANDAL: I had gone.

SHRI MORARJI DESAI: The Minister of State had gone there. I was going there last year but unfortunately there was an accident and I could not go. I propose to go there in October-November—this is what I have told them—God willing. Then about the question, whether there

should be a separate Governor for Manipur. It is not going to be possible. Governor will be one for all these States. I have no doubt about it in my mind. Otherwise it will not be possible to look at it properly. For a small State like that, how can there be a separate Governor? I do not know; it is not possible; it is unnecessary neither is it advisable to do so. (Interruptions) Opinions may differ in this matter; I have no quarrel about it. In Pondicherry, it is for different historical reasons altogether. That does not apply here at all. Therefore, those people who are trained are being traced and they are being arrested. We are all the while at it

SHRI VASANT SATHE: In view of the fact that now it has been found out and the Government has also said that about 20 young men were trained in China and also in view of the fact that we have in our eastern States Governments which are softer and closer, in their loyalties and alliances to China than even to India, now that Mr. Vajpayee is likely to go to China, will he take up this specific issue, so that once for all as a step towards normalisation at least this question of training guerillas and men from India is stopped?

SHRI MORARJI DESAI: This question is bound to be taken up at that time and we will try to see that it is not done

MR. SPEAKER, Shri Unnikrishnan. I am calling those who have given call attention notices.

SHRI MORARJI DESAI: I am very sorry that my hon friend should have made a reflection on those States that they are softer to China.

SHRI VASANT SATHE: There are some Governments in the eastern States. You know the Governments.

SHRI MORARJI DESAI: I do not want to cast any doubt, on any Government that it is softer towards China. There may be some people like that, but not the Government.

SHRI K. P. UNNIKRISHNAN: This is a very serious matter because it involves activities of great national consequence to our security and also because the legitimate rights of our brothers in the north-eastern region are being trampled upon by these special laws. It is totally in contradiction with the sentiments they have expressed for human rights. If anybody would go through this law which is called the Armed Forces (Manipur and Nagaland) Act, he would find that this is basically a colonial law for repression. There have been many grievances unattended to even by the Centre—that is the charge which I make—which has led to some discontent, which is being exploited, because when we were there, a number of young people from Manipur belonging to many parties came and told us now the Centre was treating them. Now the point is, when they have taken resort to this Act, the Inspector General of Police, Mr. Lal, gave a statement that there is perfect normalcy. I want to know how within 24 hours or a few hours after the statement of the I.G. of Police, the situation underwent a transformation. What exactly happened during those hours?

SHRI DHANIK LAL MANDAL: In the very statement which I have laid on the Table of the House, the incidents have been repeated. Violent incidents, snatching of arms and killing of police personnel took place, and it is in these circumstances that the Manipur Government, in its wisdom, declared the Manipur valley to be a disturbed area. Now it has been withdrawn because, as the hon. Member says the situation is perfectly under control.

SHRI K. P. UNNIKRISHNAN: I did not say.

SHRI DHANIK LAL MANDAL: I say the situation is under control.

SHRI K. P. UNNIKRISHNAN: The I.G. said it before. That is my question. You do not understand the question.

SHRI DHANIK LAL MANDAL: I have enumerated the incidents. Five incidents of bank robbery, snatching of arms and killing of police personnel and Manipur Rifles personnel took place. In the circumstances, the Manipur Government declared the Manipur valley to be a disturbed area.

SHRI K. P. UNNIKRISHNAN: The I.G.'s statement came after this incident. What are you talking?

SHRI DHANIK LAL MANDAL: Now the situation is under control and therefore it has been removed.

SHRI JYOTIRMOY BOSU: This northeastern region of ours, namely Nagaland, Mizoram and part of Manipur, has been inhabited by certain tribes like Tankhul and others, and I have been there dozens of times. (Interruptions) Would the Prime Minister give an assurance that the inhuman repression and torture that was let loose by the erstwhile Government for more than a decade will not be repeated and will not be continued? I want an assurance on this and nothing more.

SHRI MORARJI DESAI: I do not know whether any torture was let loose there before. I have no facts to say that. Therefore, I am not joining issue on that matter. But nothing like that will be done, I have no doubt. Strictly the law will be enforced, and any revolt will be suppressed and suppressed ruthlessly I must make that clear.

SHRI JANARDHANA POOJARY: In broad day light the insurgents way laid the police personnel killing four officials and also injuring one. They also looted a bank. This happened not in an inaccessible terrain or forest, but in the populated town of Imphal. (Interruptions) There is an element in the population of Imphal town itself which is giving support to this insurgency. We have to find out those elements. Some years ago there was a movement for the independence of Manipur.

MR SPEAKER Come to the question

SHRI JANARDHANA POOJARY
The local political leaders had taken active part in it. Even the present-day Janata Party leaders are sympathising with it. The capacity of the present-day Janata Party Government in Manipur to deal firm with the insurgency is highly doubtful.

MR SPEAKER What is the question?

SHRI JANARDHANA POOJARY
I will come to that.

Coming to the Central Government, you know what has happened.

MR SPEAKER Please come to the question.

SHRI JANARDHANA POOJARY
The Central Government also took ten days to protest against the construction of the Karakoram highway.

MR SPEAKER You are only making a speech. Please come to the question. Otherwise, I will pass over you.

SHRI JANARDHANA POOJARY
As I submitted last time also, you know that the Chinese have been training these Mizo and Naga insurgents. In the circumstances may I know whether the hon Prime Minister is going to cancel the visit of Shri Vajpayee to China? And is there any proposal to check the insurgency in Manipur?

MR SPEAKER Is there any proposal to cancel the visit of the External Affairs Minister, Shri Vajpayee, in view of what has happened?

SHRI MORARJI DESAI I could not follow the question.

MR. SPEAKER Is there any proposal to cancel the visit of Shri Vajpayee to China?

SHRI MORARJI DESAI This visit is very essential, I think, it will not be cancelled at all.

SHRI VAYALAR RAVI Because of the location and the peculiar customs and habits of the people of that area, it was with very great difficulty that the people of this area were brought into the mainstream of Indian democracy and the mainstream of the Indian situation. Unfortunately after the change of Government political instability has set in creating suspicions of all type.

MR SPEAKER Please come to the question.

SHRI VAYALAR RAVI When you are dealing with the whole situation of this area, you have to always take into consideration the peculiar situation prevailing in that part and see that those people are brought into the mainstream of Indian polity.

SHRI MORARJI DESAI This suggestion is noted.

WRITTEN ANSWERS TO QUESTIONS

बहिषों के पुर्जे बनाना जाना

* 146 श्री राय सात राही

श्री कचक सात

श्री हेमराज जैन

क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि क्या बहिषों के पुर्जे बनाने वाले कारखानों की स्थापना करने बहिषों के उत्पादन में वृद्धि की जा सकती है तथा इस मुद्दा पर सरकार की क्या प्रतिक्रिया है?

उद्योग मंत्री (श्री जार्ज कर्माखोल) देन में बहिषों के पुर्जे बनाने के बारे में लगाकर देन में कलाई बहिषों के उत्पादन में वृद्धि की जा सकती है। विन्तु बहिषों के पुर्जों में वृद्धि और टिकाऊपन निहित होने के कारण इनका निर्माण करने के लिए उच्च कोटी की मूल्यमत्ता बड़े किस्म नियन्त्रण और सांघा बनाने की उच्च कोटी की औद्योगिकी आवश्यकता होती है, अतः बहिषों के प्रत्यक्ष-प्रत्यक्ष पुर्जों का उत्पादन करने के लिए स्वतन्त्र बारखाने लगा देने से ही बहिषों से तत्काल सभी पुर्जों का उत्पादन प्राप्त कर देना सम्भव नहीं है। तदनुसार सरकार ने सगठित और लघु उद्योग दोनों ही क्षेत्रों में बहिषों तैयार करने और बहिषों के पुर्जों का उत्पादन करने के लिए कारखाने स्थापित करने हेतु स्वीकृत प्रावधानों के अन्तर्गत अनेक परियोजनाओं की स्वीकृति प्रदान की है जिसके अन्तर्गत बहिषों के पुर्जों के उत्पादन में प्रगामी रूप में देखीकरण किया जायेगा।

Pong Dam Project

*352 SHRI GURCHARAN SINGH
TOHRA:

SHRI BASANT SINGH
KHALSA:

Will the Minister of ENERGY be pleased to state:

(a) whether Pong Dam project is likely to be completed during the current year; if so, by what date;

(b) the expenditure incurred thereon so far;

(c) whether all the oustees of that project have been provided with compensation and resettled, if not, the reasons therefor;

(d) the number of oustees still in continued unauthorised occupation of the land for which they have already been paid compensation and the reasons for not removing them from the unauthorised occupation;

(e) whether Government have issued any directive to the Pong Dam authorities recently to get the illegal oustees evicted immediately, if so, the outcome thereof; and

(f) whether there is a grave danger of these unauthorised occupants being washed away by rising water and if so, what immediate steps are being taken in the matter?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to (f). The Pong Dam was completed in June, 1974. The total expenditure incurred upto 30-6-1978 is Rs. 249.65 crores.

The total compensation awarded in respect of land, acquired for the Pong Dam reservoir was Rs. 3,729 lakhs out of which an amount of Rs. 3,618 lakhs has been disbursed upto the end of June, 1978. Following are the details of resettlement of the Pong Dam oustees by way of allotment of land in the Rajasthan Canal Project area:

Total number of oustees . . . 16,100

Number of oustees whom allotment has been made . . . 9,135

Cases pending with Deputy Commissioner, Colonisation, Bikaner, for allotment of land

633

Cases which were earlier filed in default and are under scrutiny with the Deputy Commissioner, R & R for final disposal

1,275

Cases which are ripe for issue of eligibility certificates . . .

94

Cases which are stated to have been hit by rule 5 (3) for non-presentation of application for allotment to the allotting authority within 3 months from the date of issue of eligibility certificates . . .

1,828

Cases in which the oustees have not applied for allotment and can do so within 4 months from the last date of receipt of compensation . . .

1,964

Cases which have gone by default because they did not apply in time

1,171

The number of oustees who are in occupation of the land for which they have been paid compensation is 228. This figure varies with the level of water in the reservoir. When the level in the reservoir increases, the number of illegal occupants goes down, and increases when the level of water goes down. The Government of Himachal Pradesh has been informed by the Project Authorities regarding the eviction of these persons.

The Deputy Commissioner, Kangra at Dharamasala has formed a Committee headed by the Deputy Commissioner, Rehabilitation and Resettlement, to deal with the question of getting the illegal oustees evicted.

There is no danger to the oustees as long as they stay at higher reaches of the reservoir.

छोटे सीमेंट संवनों का बायात

*355. श्री हुसैन कब्र कलवात : क्या कच्ची मंजी छोटे सीमेंट संवनों के बायात के बारे में विनांक 12 अप्रैल, 1978 के अन्तर्गत प्रश्न संख्या 6675 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या छोटे सीमेंट संवनों के बायात के प्रश्न पर विचार करने के लिए कोई सम्बन्धित दल गठित किया गया है ;

(ब) यदि हा, तो क्या दल ने सभी पहलुओं पर विचार करके अपना प्रतिवेदन प्रस्तुत कर दिया है; और

(ग) यदि हा, तो उन पर सरकार द्वारा कब तक कार्यवाही किये जाने का विचार है?

उद्योग मंत्री (श्री आर्च कर्नाटीक): (क) से (ग) भारत सरकार न नमू सीमेंट संयंत्रों की स्थापना हेतु आर्थिक प्रोत्साहनों व प्रौद्योगिकी के क्षेत्र में निवारण करने हेतु कमजोर कार्यकारी बलों का गठन किया है। आर्थिक प्रोत्साहन संबंधी कार्यकारी बल में अपनी रिपोर्ट प्रस्तुत कर रही है, जो सरकार के विचारार्थ है। प्रौद्योगिकी संबंधी कार्यकारी बल की रिपोर्ट का भी प्रारंभ ही प्रारंभ रूप में आने की प्रतीति है। सरकार दोनों रिपोर्टों पर विचार करेगी और यथासंभव उन पर उपयुक्त नियम लेगी।

Demand and Production of Paper

*358 SHRI A R BADRI NARAYAN Will the Minister of INDUSTRY be pleased to state

(a) the total requirement of paper of all categories in the country,

(b) the total overall production in the several factories, public and private and

(c) how is the shortfall proposed to be made up?

THE MINISTER OF INDUSTRY (SHRI GEORGE FERNANDES) (a) The total requirement of all categories of paper is estimated to be about 850 lakh tonnes for 1978-79

(b) The overall total production of all categories of Paper in the country has been 788 lakh tonnes during 1977 of which 754 lakhs tonnes has been in Private Sector and 034 lakh tonnes in Public Sector

(c) Additional capacity is being set up in the Public and Private Sectors to increase the production of common varieties of Writing and Printing Papers Government have also allowed the facility of import of second hand equipment for small paper mills. These steps are expected

to result in continuous growth of capacity to enable production to keep pace with future demand If found necessary, Government will also import common varieties of writing and printing paper

कोयला नैसीकरण परियोजना के लिए यूरोपीय आर्थिक समुदाय के करार

*359 श्री राम लाल गुजराती : श्री अटल बिहारी वरेल

क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि -

(क) क्या भारत और यूरोपीय आर्थिक समुदाय के बीच संयुक्त कोयला नैसीकरण परियोजना प्रारंभ करने के बारे में कोई करार हुआ है,

(ख) यदि हा, तो तत्संबंधी मुख्य बातें क्या हैं, और

(ग) इससे कोयले के उचित उपयोग में कितनी सहायता मिलेगी और परिणामस्वरूप उसके प्रयोग में कितनी कमी होगी?

उद्योग मंत्री (श्री आर्च कर्नाटीक): (क) से (ग) विज्ञान तथा प्रौद्योगिकी विभाग भारत सरकार और यूरोपीय आर्थिक समुदाय के प्रतिनिधियों के बीच हुई अनेक बैठकों के परिणामस्वरूप, जिनमें बी०एच०ई०एल० के प्रतिनिधि भी भाग लिया था, भारत और यूरोपीय आर्थिक समुदाय ने कोयला नैसीकरण की एक संयुक्त परियोजना कार्यान्वित करने के लिए एक करार किया है। यह एक बहुत ही महत्वपूर्ण बात है क्योंकि विश्व और प्रौद्योगिकी में एक संयुक्त कार्यक्रम के लिए यूरोपीय आर्थिक समुदाय के माध्यम से विकास के विकास द्वारा किया गया यह पहला करार है।

भारत की ओर से बी०एच०ई०एल० को उनकी बाल समुदाय तथा विकास परियोजनाओं, कोयला नैसीकरण और इस क्षेत्र में धनसहायता को ध्यान में रखते हुए परियोजना को कार्यान्वित करने की प्रमुख जिम्मेदारी सौंपी गई है। एक उपयुक्त नैसीकरण प्रक्रिया का विकास करने के लिए बी०एच०ई०एल० का उद्देश्य इसे विकसित विद्युत कार्यक्रमों (साइकल) में लागू करने का है, जिसकी कार्यक्षमता अधिक है और इससे पंजी लागत भी कम होती है। इससे पेट्रोलियम ईंधनों, जिसका उपयोग औद्योगिक और अन्य प्रयोजनों में होता है, के स्थान पर कोयला नैस का प्रयोग किया जा सकेगा। कोयला-नैसीकरण के संबंध में संयुक्त अध्ययन बी०एच०ई०एल०, भारत और नेशनल कोल बोर्ड, ग्रेट ब्रिटेन और बर्गंड कोस्टल, बी०एच०ई०एल०, पश्चिम जर्मनी, जो कमीशन आर यूरोपीय कम्युनिटी के परामर्शदाता हैं, के विशेषज्ञों द्वारा किया जाएगा। बी०एच०ई०एल० और दो सहायी संगठनों के बीच एक संयुक्त कार्य

कार्यक्रम निश्चित किया गया है। बी०एच०ई०एल० विभिन्न प्रकार के कोयले के लिए सामग्री का मूल्यांकन, हिस्से पुर्जी और गैसीकरण पद्धतियों और साथ ही गैसीकरण हेतु कोयले की उपलब्धता के अनुमानों, उत्पादों के रूप में बाजार में इसकी मांग और इसके धार्मिक मूल्यांकन के संबंध में अध्ययन करना, ई०ई०सी० के सहयोगी गैसीकरण प्रक्रिया को इष्टतम बनाने और उपलब्ध कोयला स्रोतों का तकनीकी निरीक्षण करने के बाद वाणिज्यिक पैमाने पर इसे लागू करने के निहितार्थों पर अपना ध्यान केन्द्रित करेंगे। इस कार्यक्रम से विभिन्न प्रकार के उपयोगों के लिए धातु उपयुक्त प्रक्रियाओं और डिजाइनों का चयन करने के लिए तकनीकी धार्मिक प्राकट्यों के सामने आने की प्रतीक्षा है।

कोयला गैसीकरण तकनीक समुक्त साइकल प्लांट्स और मैकेनो हाइड्रोडायनेमिक (एम०एच०डी०) विद्युत जनित प्रणालियों के लिए इस तकनीक का उपयोग करने की सम्भावनाओं को उद्घाटित करेंगी जिससे धातुगत विद्युत जनित प्रक्रिया में काफी धार्मिक तापीय दक्षता आयेगी। यद्यपि परम्परागत स्टीम साइकल में भारत में लगभग 30 प्रतिशत और विकसित देशों में 40 प्रतिशत तापतापीय दक्षता है लेकिन समुक्त साइकल प्लांटों से इनके लगभग 45 प्रतिशत तक और एम०एच०डी० में यहाँ तक कि 55-60 प्रतिशत तक बढ़ने की प्रतीक्षा है। इसका धर्म उपलब्ध कोयले का और अच्छा उपयोग करना होगा और अनुसंधान तथा विकास कार्यक्रम धार्मिक दृष्टि से उचित सिद्ध होगा।

हिमालय के विकास के लिए 'हिमालय' नीति बनाना

*360 श्री० राज्यमंत्री सिंह क्या योजना मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार ने अपने चुनाव घोषणापत्र में कहा था कि हिमालय क्षेत्र जैसे पिछड़े और उपेक्षित क्षेत्रों के विकास के लिए एक विशेष योजना तैयार की जायेगी,

(ख) क्या हिमालय के विकास के लिए सरकार का विचार कोई 'हिमालय नीति' तैयार करने का है, और

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

प्रधान मंत्री (श्री मोरारजी देसाई): (क) घोषणापत्र में यह कहा गया था कि उत्तर-पूर्वी क्षेत्र, जम्मू और कश्मीर, हिमालय के क्षेत्र, रेगिस्तानी क्षेत्र और कुछ धार्मिक जैसे पिछड़े और उपेक्षित क्षेत्रों के लिए विशेष योजनाएँ तैयार की जाएँगी।

(ख) और (ग) हिमालय का क्षेत्र एक जैसा नहीं है, और उसमें बहुत विस्तृत क्षेत्र आता है। उसमें ऐसे राज्य शामिल हैं जो पूरी तरह से हार्डी क्षेत्र हैं और ऐसे राज्य भी शामिल हैं जो धार्मिक रूप से पहाड़ी हैं और धार्मिक रूप से

पहाड़ी नहीं हैं। इस पूरे क्षेत्र के लिए एक ही विकास योजना तैयार करना न तो जरूरी है और न ही व्यवहारिक है। परन्तु पहाड़ी क्षेत्रों के विकास के लिए विशेष ध्यान दिया जा रहा है, और ऐसे विकास के लिए धनराशि निर्धारित की जा रही है।

केन्द्रीय योजना महासभा के धाबटन में इन क्षेत्रों को प्राथमिकता दी जाती है। नाबालिग फार्मों के अंतर्गत धर्म राज्यों को सहायता प्रार्थित करने से पहले जो राज्य बिलकुल पहाड़ी हैं उनके लिए सहायता पहले से अधिकृत कर दिए जाते हैं। जो राज्य धार्मिक रूप से पहाड़ी हैं, उनमें राज्य योजना में पहाड़ी क्षेत्रों के लिए एक धर्म उपयोजना बनाई जाती है। ऐसी उप-योजनाओं से स्कीमों के लिए, राज्य योजना में से धाबटनों के अलावा, विशेष केन्द्रीय सहायता दी जाती है।

1978-83 की योजना के प्रारूप में, यह नीति जारी रखने का प्रस्ताव है। ये कार्यक्रम स्थानीय स्वायत्तता, कृषि-विकास और सामाजिक-सांस्कृतिक दशाओं के विशेष रूप से अनुकूल बनाए जाएँगे। नए कार्यक्रमों का उद्देश्य जनसंख्या के गरीब वर्गों को सीधे लाभ पहुंचाना है। ऐसी स्कीमों की प्राथमिकता दी जाएगी जिससे अधिक रोजगार पैदा हो और जो स्थानीय समाजों के अधिकतम उपयोग पर आधारित हो।

दिल्ली न्यायालयों से मुकदमों का वापस लिया जाना

*361. श्री० चतुर्नभ :

श्री जगदीश प्रसाद माधुर :

क्या नुह मंत्री यह बताने की कृपा करेंगे कि दिल्ली के न्यायालयों से ऐसे कितने मामले हैं जिनके वापस लिये जाने के लिए दिल्ली प्रशासन ने, मार्च, 1977 से कार्यवाही की है?

नुह मंत्री (श्री० राज्यमंत्री (श्री० धर्मिक मामलों) : 1-3-77 से 31-7-78 तक की अवधि में दिल्ली के न्यायालयों से 727 मामले वापस ले लिये गये हैं।

Journalists accompanied Prime Minister during his visit to U.K.

*363 SHRI K. LAKKAPPA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether attention of Government has been drawn to a report from London in the Times of India dated 18th June, 1978 regarding Prime Minister's visit to Britain and

making reference to a big contingent of journalists who accompanied him.

(b) if so, the details of the journalists, their organisations and the nature of facilities provided to them by Government and

(c) the reaction of Government of India to the report and particularly to the references about journalists?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L K ADVANI) (a) Yes, Sir

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

(c) Considering the number of newspapers in the country and the diverse interests represented by them as well as the importance of the visit of the Prime Minister, the number of journalists who accompanied the Prime Minister cannot be considered large. Government do not have any doubts about purpose served by the journalists who accompanied the Prime Minister.

Statement

The following 15 journalists accompanied the Prime Minister on his tour to Belgium, U K and U S A

S No	Name	Organisation	Status
1	Shri D V Gandhi	Samachar Bharati (Hindi News Agency)	Chief Editor
2	Shri B P Agarwal	Hindustan Samachar (Hindi News Agency)	General Manager
3	Shri Chandulal Chandrakar	Hindustan (Hindi)	Editor
4	Shri Shantilal Shah	Gujarat Samachar (Gujarati)	Editor
5	Shri V K Madhavan Kutty	Matrubhoomi (Malayalam)	Correspondent
6	Shri D K Joshi	Samaj Cuttack (Oriya)	Correspondent
7	Shri N C Rajkhowa	Dainik Assam (Assamese)	Correspondent
8	Shri N Rama Mohan Rao	Andhra Jyoti (Telugu)	Editor
9	Shri Hiranmay Karlekar	Hindustan Times (English)	Chief Editor
10	Shri Vishwa Bandhu Gupta	Sun (English)	Editor
11	Shri Virendra Mohan	UNI (English News Agency)	Correspondent
12	Shri Barun Sen Gupta	Ananda Bazar Patrika (Bengali) Calcutta	Correspondent
13	Shri M S Madhusoodanan	Kerala Kaumudi (Malayalam)	Chief Editor
14	Shri Purn Singh Azad	National Solidarity (English)	Editor
15	Shri Durga Prasad Chaudhury	Nav Jyoti (Hindi) Jaipur	Editor

Pressmen shown against Sl Nos 9 to 15 went on their own and the rest were paid only one way airfare by the Government from New Delhi to New York

National Coal Stocking Policy

3339. SHRI D. AMAT.

SHRI DHIRENDRA NATH
BASU:

Will the Minister of ENERGY be pleased to state:

(a) whether a study group has been set up to formulate a National Coal Stocking Policy; and

(b) if so, what is the composition of this group and what are the terms of reference?

THE MINISTER OF ENERGY
(SHRI P. RAMACHANDRAN): (a)
No, Sir.

(b) Does not arise.

**Respirators Developed by CMRS,
Dhanbad**

3340. SHRI NATVERLAL B.
PARMAR: Will the Minister of
ENERGEY be pleased to state:

(a) whether it is a fact that the Central Mining Research Station (CMRS), Dhanbad, has developed respirators for protecting workers exposed to gas and dust;

(b) if so, the broad characteristics of the respirators; and

(c) the time by which these will be available for the workers?

THE MINISTER OF ENERGY
(SHRI P. RAMACHANDRAN): (a)
to (c). The information is being collected and will be laid on the Table of the House.

**Number of Industries closed and
taken over**

3341. SHRI B. P. KADAM;

SHRI G. S. REDDI:

SHRI DRONAM RAJU
SATYANARAYANA:

Will the Minister of INDUSTRY be pleased to state:

(a) total number of industries closed down, due to sickness, mal-

practices or some other reasons during 1977-78;

(b) total number of persons rendered unemployed due to such closure;

(c) how many of these industries have been taken over by the Government;

(d) what Government propose to do in case of other industries; and

(e) whether Government have any scheme to employ such persons rendered jobless due to closures?

THE MINISTER OF STATE IN
THE MINISTRY OF INDUSTRY
(SHRIMATI ABHA MAITI): (a) to
(c) and (e). The Industry-wise information regarding the industrial units lying closed in the country and details pertaining to them are not centrally maintained in this Ministry. However, information which is centrally collected by the Ministry of Labour on factories registered under the Factories Act, 1948, which are lying closed for long or short duration is given in standard tabulated forms published in the Indian Labour Journal which is a monthly publication of the Labour Bureau, Government of India. Copies of the publication are available in Parliament House Library.

The management of fifteen industrial undertakings was taken over under the Industries (Development & Regulation) Act, 1951 during the financial year 1977-78.

Whenever management of industrial undertakings is taken over under the Act, all possible efforts are made to protect the interests of labour by the authorised person or authorised body of persons. The interests of labour are also kept in view whenever plans for rehabilitation of such industrial undertakings are worked out.

(d) Government have announced the policy on sick industry on

15-5-1978 Under this policy, take-over of management under the Industries (D&R) Act is only one of the alternative courses of action open to Government. Other alternatives, such as merger of a sick industrial undertaking with a healthy one, restructuring of management, reconstruction of capital by conversion of loans granted by financial institutions into equity etc. will be explored before management intervention is resorted to.

D.P.C. Meeting

3342 SHRI MAHI LAL Will the MINISTER OF DEFENCE be pleased to refer to the reply given to Unstarred Question No 1162 dated 1-3-78 and state

(a) whether the Ministry has decided to hold a DPC meeting for the regular promotions of different categories of employees without framing the Recruitment Rules in the pretext name of maintaining so called efficiency of work

(b) if so the justifications for the same in view of reply given to part (d) of the above cited question

(c) whether it is a fact that this irregular and unjustified DPC meeting is being held just to please a particular category of employees of JCB at the cost of other categories of employees, and

(d) if so, the name of the category which is being unduly favoured and justifications thereof?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM) (a) Promotion on regular basis to some Group 'A' and also Group 'B' (Gazetted) posts will be made by holding DPC meetings on the basis of the Recruitment Rules and they exist at present

(b) It has been considered necessary to fill the existing vacant Group 'A' and 'B' (Gazetted) posts under the 1969 rules because the rules have been under suspension since 1972 and

the revised rules which will be finalised at a future date should not be given retrospective effect to the detriment of employees who become due for promotion during the intervening period

(c) No, Sir

(d) Does not arise

वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद् पर मध्य प्रदेश में राष्ट्रीय प्रयोगशाला की स्थापना

3343 श्री सरयू बाबू
श्री छविराव शर्मा
श्री बलराम सिंह कापुर

क्या विज्ञान और औद्योगिक मंत्री यह बताते की कृपा करेंगे कि

(क) क्या अजित बन सम्प्रदा के विकास के लिये वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद् द्वारा मध्य प्रदेश में कोई प्रयोगशाला स्थापित किये जाने का विचार है,

(ख) यदि हाँ, तो उसका व्यौरा क्या है, और

(ग) यह कार्य कब तक आरम्भ किया जायेगा?

प्रधान मंत्री (श्री मोरारजी देसाई) . (क) और (ख) जी, हाँ। मध्य प्रदेश में वैज्ञानिक एवं औद्योगिक अनुसंधान परिषद् के अन्तर्गत प्रयोगशाला स्थापित करने से संबंधित एक प्रस्ताव सी० एस० धार्डी० धार० की शासी सभा द्वारा स्वीकृत किया गया है।

(ग) इस मामले पर योजना आयोग के साथ अग्रिम कार्यवाही की जा रही है। अभी हाल में राज्य सरकार के साथ प्रयोगशाला के लिये स्थान का चयन करने के लिये बातचीत की गई थी। आशा की जाती है कि राज्य सरकार द्वारा भूमि का आवंटन किया जायेगा।

Inadequate Supply of X-Ray Films

3344 SHRI AHMED HUSSAIN Will the Minister of INDUSTRY be pleased to state

(a) whether the present supply of X-Ray Films to the NE Region is inadequate to meet the requirement and growing need,

(b) what steps Government have taken so far or propose to take to make available these items sufficiently to the NE Region, and

(c) the State Government's role in this sphere and the criteria being followed in allocating the supply of these items?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) No, Sir.

(b) The Hindustan Photo Films Manufacturing Company Limited has taken over complete distribution of federal X-ray films from the 1st July 1978. It has got a Regional Office at Calcutta to take care of the demand of the North-Eastern Region of the country. It has recently also decided to open a depot at Gauhati. Besides, the Company's production of medical X-ray films is more than sufficient to meet the requirements of the country. Further, a buffer stock of three months' requirements is also being maintained to guard against disruption of supplies.

(c) The State Governments make budgetary allocations to the hospitals under their control for purchase of medical X-ray films and the Hindustan Photo Films Mfg. Co. Ltd. makes supplies thereof according to the demands made on it.

Agreement between BHEL AND KWU

3345. SHRI MOTIBHAI R. CHAUDHARY: Will the Minister of INDUSTRY be pleased to state:

(a) the details of agreements finalised between BHEL and KWU during last 3 years; broad features and conditions of agreements and how many other such world manufacturers were contacted by BHEL and whether Government have taken into consideration monopolisation position given to KWU in our country for energy projects;

(b) whether it is also a fact that Tripoli West Thermal Power Station contract was obtained in consultation with KWU and what is likely to be the profit in executing this project on the advice of these people and over-all profit in this project?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) BHEL has entered into a collaboration agreement with Kraftwerk Union (KWU) for the manufacture of Steam Turbine-Generators in the range of 200—1000 MW. The agreement was entered into on 24th August, 1978. The broad terms of the agreement are:—

Duration :	15 years
Lumpsum Payment	7.3 million DM (Net of Taxes)
Royalty :	4% for the first 5 sets, 3% for next 5 sets, 2% Beyond 10 sets. 5% for export. 4% for components separately sold or used. 2½% for components used in sets other than covered in the Agreement.
Payment terms :	3.3M DM of lumpsum and total royalty on sets sold in India to be paid in the form of components exported from India.
Training :	12,000 working man-days.
Scope of Assistance	KWU will provide documentation and training in engineering, manufacturing, quality control, erection and commissioning areas.

In addition, KWU shall also take BHEL personnel in R & D and Power Station Engineering for long period, specialists of KWU will be deputed, as required by BHEL, for assisting BHEL in the various disciplines.

The decision to collaborate with KWU by BHEL was taken by a high level Govt negotiating Committee of Secretary (Heavy Industry), Secretary (Energy), Secretary (Expenditure), Joint Secretary Economic Affairs and members of BHEL Board. The Committee considered the proposals from five organisations, chosen out of a first list of 11, e.g., BBC of Switzerland, General Electric of USA, General Electric Company of UK, Man-Allthom of West Germany/France and Kraftwerk Union of West Germany. KWU was chosen on the basis of their technical level and the scope of assistance including transfer of know-how, know-why and access to R & D as well as financial terms offered by them.

BHEL shall be taking up the manufacture of TG sets to KWU design in India and necessary facilities are being put up for this purpose. The contract does not specify that BHEL should obtain any components from KWU and as such, the question of monopolisation of KWU in India energy projects does not arise.

(b) No, Sir. The question of BHEL obtaining the Tripoli West Power Station contract in consultation with KWU does not arise as the latter themselves were competitors for the job.

The project calls for contractual obligations upto 1983 and as such a clear picture of costs is likely to emerge towards the end of the contract period.

इजिन विस्कोज काइबर और छोटे रेजे वाली कई का प्रायास

3346 श्री जर्जिलह् नाई पटेल - क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार को पता है कि इजिन विस्कोज काइबर और छोटे रेजे वाली कई के बिजनेसों से प्रायास से भारत के किसानों को बहुत अधिक नुकसान हुआ है या हो रहा है

(ख) यदि हाँ तो सरकार का इजिन विस्कोज काइबर और छोटे रेजे वाली कई के प्रायास को कब से बन्द करने का विचार है,

(ग) इनका बिजनेसों से प्रायास बन्द करने के लिए कितन-कितने, कब-कब सम्भाव्यता प्राप्त हुई है और उन में क्या लिखा है,

(घ) इस बारे में अब तक क्या कार्यवाही की गई है अबका की जानी है, और

(ङ) क्या कपडा मिल मालिक सरती कई और विस्कोज काइबर का इस्तेमाल करके उन से बने कपडों को महने खान पर बेचते हैं और यदि हाँ, तो इस बारे में सरकार ने अब तक क्या कार्यवाही

की है और यदि कार्यवाही की जानी है, तो वह कैसे और कब की जानी है ?

उद्योग मंत्रालय में राज्य मंत्री (जीलरी भाषा माली) (क) से (घ) कई और विस्कोज रेजे का प्रायास करने के विरुद्ध सम्भाव्यता विवेचन गये गये हैं। वामु कई वर्षों में कई प्रायास के लिए नये ठेके नहीं किये गये हैं। भारतीय कई उत्पादकों के प्रतिष्ठों में कई का प्रायास करने की सरकार की नीति नहीं है। जहाँ तक विस्कोज रेजे का प्रायास करने का प्रश्न है, सचिव, औद्योगिक विकास विभाग की अध्यक्षता में गठित एक उच्च-स्तरीय समिति को दीर्घकालीन प्रायास नीति निर्धारित करने के प्रश्न पर विचार करने को कहा गया है। इस समिति की रिपोर्ट की प्रतीक्षा की जा रही है।

(ङ) सूती कपडों के मस्यो में पिछले कुछ समय से स्थिरता आई गई है और विद्यमान स्थिति में कोई विशेष कार्यवाही करने की आवश्यकता नहीं है।

Inter-State Boundary Disputes

3347 SHRI DURGA CHAND Will the Minister of HOME AFFAIRS be pleased to state

(a) what are the details of the Inter-State Boundary disputes pending at present,

(b) what steps Central Government have taken to settle these disputes,

(c) whether the areas involved in these disputes remained neglected and undeveloped by the States concerned;

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

(e) whether Central Government propose to issue instructions to the State Governments in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) There have been suggestions for re-adjustment of boundaries between

- (i) Maharashtra and Karnataka;
- (ii) Karnataka and Kerala;
- (iii) Assam and Nagaland; and
- (iv) Punjab, Haryana and Himachal Pradesh.

There has also been resistance to such suggestions. It is these matters which are loosely described as boundary disputes.

(b) Government are of the view that such matters can be satisfactorily resolved only on the basis of the willing cooperation and consensus among the State Governments concerned. The Central Government would assist the concerned State Governments in arriving at such mutually acceptable solutions

(c) to (e). Though such complaints have been received in the past, the State Governments concerned had assured the Centre that there was no basis for such complaints. While no formal instructions on the subject are called for, the Central Government trust that the State Governments concerned would not allow any sense of grievance to develop in such matters.

Job Oriented Scheme for the Girl Cadets

3348. SHRI SUKHENDER SINGH: Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that the Ministry of Defence has introduced a job-oriented scheme for the girl cadets of the National Cadet Corps (NCC) and

(b) if so, the details thereof?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) and (b). Since 1963, some ex-girl cadets are being employed in the Girls Division in the NCC as whole-time cadets instructors for imparting training to girl cadets.

Some elementary training in subjects like nursing, medicare, sanitation, radio telephony etc. is also imparted to girl cadets. However, the aim of NCC is to develop qualities of leadership, character, comradeship, spirit of sportsmanship and the ideal of service in the cadets and though these qualities certainly help young cadets in whatever avocation they choose for themselves, NCC training is not specially meant to equip them for any specific form of employment as such.

Technical Assistance by Poland to B.H.E.L. for production of Power Equipment

3349. SHRI S. S. SOMANI: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that Poland is ready to supply complete power plants and also offered technical assistance in maintenance work and industrial cooperation in the production of power equipment in collaboration with Bharat Heavy Electricals; and

(b) if so, the details regarding this pact?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) and (b). Though Poland is ready to supply complete power plants the offer has not been accepted because BHEL manufactures complete power plants. Poland has also offered to manufacture and supply spare items of the equipment being manufactured by BHEL. Discussions in this regard are continuing and so far no contract has

been finalised Poland has offered to supply manufacturing drawings, if an order is placed on them for a minimum number of complete sets BHEL has not pursued this proposal as the technology offered by Poland is not an improvement over the present technology of BHEL

गुजरात के माइवी तथा लोनगढ़ आदिवासी लोगों पर क्या

3350 श्री छोटुबाई माहित - क्या गृह मंत्री यह बतान की कृपा करेंगे कि

(क) गुजरात के माइवी तथा लोनगढ़ आदिवासी लोगों में केन्द्रीय सरकार ने कौन सी परियोजनाएँ चलाई हैं तथा उन में से प्रत्येक पर जून 1978 तक कितनी धनराशि व्यय हुई है और

(ख) आदिवासी बस्तियों में रहने वाले लोगों के लिये कौन सी परियोजनाएँ पूरी हो चुकी हैं और कौन सी अभी पूरी होनी हैं ?

गृह मंत्रालय में राज्य मंत्री (श्री धनिक लाल मण्डल) (क) दो एकीकृत जनजाति विकास परियोजनाएँ हैं अर्थात्—सुरत-1 और सुरत-2 जिनके अन्तर्गत गुजरात की माइवी और लोनगढ़ जनजाति क्षेत्र आते हैं। इन परियोजनाओं के लिये जन जाति उप-योजना नीति के अनुसार जिनमें राज्य योजना, केन्द्रीय अन्तः कार्यक्रम विशेष केन्द्रीय सहायता के निम्न सामित हैं एकीकृत जनजाति विकास योजनाएँ तैयार की गई हैं। विशेष केन्द्रीय सहायता किसी परियोजना से महबूद नहीं है बल्कि समस्त जनजाति उपयोजना के लिये दी जाती है। राज्य सरकार ने सूचना दी है कि निम्नलिखित राजिया मार्च 1978 तक खर्च की जा चुकी है—

सुरत —1	लोनगढ़	49.07 लाख रु०
सुरत —2	माइवी	95.90 लाख रु०

(ख) जनजाति उपयोजना के अन्तर्गत खेती और मछली का आर्थिक विकास एक उच्च प्रवृत्ति का विषय है और लोगों का कार्यक्रम जनजातियों को रोजगार देने के लिए व्यक्तिगत तथा परिवार अभिमुख कार्यक्रम है। यहाँ एक सतत प्रवृत्ति है।

Production of Cloth in Handloom Powerloom and Mill Sector

3351 SHRI VIJAY KUMAR MALHOTRA. Will the Minister of INDUS TRY be pleased to state

(a) the total number of workers employed and total production of cloth in meters in (1) Handloom (2)

Powerloom (3) Mills Sector during the last three years

(b) the breakup in cloth production between pure natural fibre (like cotton, silk etc) and mixed blend fibres (including synthetics) in the total production during the last three years in the said three sectors, and

(c) total amount of fixed capital invested in the Handloom Powerloom and mill made sectors during the last three years?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI MATI ABHA MAITI) (a) to (c) The information is being collected and will be laid on the Table of the House as soon as possible

Setting up of Passenger Car Units

3352 SHRI K A RAJAN Will the Minister of INDUSTRY be pleased to state

(a) whether Government have a proposal under consideration to set up a passenger car manufacturing units, and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI MATI ABHA MAITI) (a) and (b) The proposal for the manufacture of passenger cars in the public sector was considered by the Government in 1972 and it was decided at that time not to proceed with the implementation of the project Government are presently considering various proposals including the participation of the public sector for upgradation of the passenger car industry

Cinema House in Panjabi Bagh

3353 SHRI CHATTUR BHUJ Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether there is no Cinema house in the agglomeration comprising Punjabi Bagh Extension, DDA Janta Flats, Paschumpuri,

(b) if so, whether Government are considering any proposal to provide a cinema house in these areas; and

(c) the likely time by which the cinema house will be opened?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

Setting up of a Watch Factory in Hills of U.P.

3354. SHRI T. S. NEGI: Will the Minister of INDUSTRY be pleased to state:

(a) whether there is a proposal to locate a branch of HMT watch factory in the hills of U.P.; and

(b) if so, details of the same?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI MATI ABHA MAITI) (a) An H.M.T. assisted watch assembly unit has been set up in Bowani, Nainital District.

(b) 60,000 H.M.T. watches were assembled in this unit in 1977-78; 82,000 H.M.T. watches have been assembled in 1978-79 (up to end July). The unit is managed by U.P. Digital Limited, a subsidiary of the U.P. State Industrial Development Corporation.

Shortage of Accommodations

3355. SHRI RAMA CHANDRAN KADANNAPPALLI: Will the Minister of DEFENCE be pleased to state:

(a) whether there is an acute shortage of married accommodation for the JCOs and their equivalents in the other services, and hiring an accommodation of their specification is just impossible when the Government sanctions to hire such accommodation is only Rs. 300/- per mensem whereas, the rate for hiring the accommodation on reimbursement basis for the service officer have been increased from Rs. 800/- to Rs. 1000/-; and

(b) if so, the reasons for not issuing suitable instructions to the Director of

Military Estates to give back those class II type of quarters of JCOs specification for the use of JCOs only (in R. K. Puram Sector II) which are presently being allotted to the service officers knowing well that they are too much below the specification laid down for the officers?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) It is fact that there is a shortage of married accommodation for the JCOs and their equivalents. Action is in hand to improve the position. The difference in rental ceilings arises out of difference in entitlement of plinth area of accommodation.

(b) The houses in Sector II of R.K. Puram are type IV houses with a plinth area of 935 s.ft. and have been taken on pool for allotment to service officers though they are without servants quarters and garages. These houses cannot be allotted to JCOs who are entitled to houses with plinth area of 800 s.ft.

Enquiry into the drowning of Dredger Lord Willington

3356. SHRI VAYALAR RAVI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government have ordered a judicial enquiry into the drowning of Dredger Lord Willington; and

(b) if so, how far the enquiry has proceeded and its findings?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) and (b). Director General, Shipping has ordered the institution of judicial enquiry and the Chief Judicial Magistrate, Cochin, has decided to have the first hearing on 29th August, 1978.

Setting up of an H.M.T. Unit at Kolhapur

3357. SHRI R. K. MHALGI: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that the Central Government and the State

Government of Maharashtra have proposals under consideration to start an H.M.T. unit for watch assembling at Kolhapur;

(b) if so, and at what stage the served proposals stand and when it is likely to be commissioned; and

(c) what is the total outlay of each of the project and the break-up of the share of centre and the State Government?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): (a) to (c). An H.M.T. assisted watch assembly unit has been sanctioned for establishment at Kolhapur. The project, with an investment of Rs. 26 lakhs, will be set up by the Western Maharashtra Development Corporation, an undertaking of the Government of Maharashtra. The Technical Service Agreement has been concluded with H.M.T. Preliminary work for construction of the project is in progress. The project is expected to be commissioned next year.

Talk regarding 'Women in Indian Politics'

3358. SHRI M. ARUNACHALAM: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether he is aware of a talk about 'Women in Indian Politics' broadcast in External Service of A.I.R. in early June, 1978;

(b) the reasons why no mention was made about Mrs. Gandhi, the only woman Ex-P.M. of this country even though her contemporaries were mentioned;

(c) whether the omission was deliberate and intentional; and

(d) if so, is there any standing order to that effect?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) Yes, Sir.

2212 LS-3.

(b) It is not correct to say that the talk does not refer to Smt. Indira Gandhi, the former Prime Minister. The talk specifically mentions about India coming to have a woman Prime Minister in 1966.

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

Allotment of House sites to officers of Andaman Administration

3359. SHRI MANORANJAN BHAKTA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the policy in regard to allotment of house sites to officers of Andaman Administration stationed in Port Blair Municipal area;

(b) how many class I and class II officers have been allotted house sites within Port Blair Municipal area during last three years and how many were allowed to build houses while holding posts in the Administration;

(c) how many of such officers already sold out such house sites allotted to them and how many have further applied for sale permission; and

(d) how many of them are still enjoying Government accommodation even after they have built their own houses on Government allotted house sites?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) No separate policy has been laid down for allotment of house sites to the officers of Andaman and Nicobar Administration. However, house sites are allotted on the basis of priorities laid down by the Administration in 1967.

(b) to (d). No class I and class II officers have been allotted house sites within the Port Blair Municipal Area during the last three years. One Permanent tehsildar, who is now on deputation to a Class II post, was allotted a house site in July 78 in exchange of

an unsuitable house site which had earlier been allotted to him. He has not yet constructed the house.

Shortfall of Industrial production due to shortage of Power Coal And Labour unrest

3360. SHRI MADHAVRAO SCINDIA: Will the Minister of INDUSTRY be pleased to state:

(a) whether due to shortage of power and coal and also labour unrest there have been shortfalls in the Industrial Production during the last six months;

(b) if so, the actual assessment made by the Government; and

(c) the industries which have been hard hit with and also the steps proposed to be taken to increase production?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI MATI ABHA MAITI): (a) Yes, Sir.

(b) and (c). Shortfalls in production can also be due to several factors other than shortage of power and coal and labour unrest, e.g. slack demand, shortage of raw materials, lack of finance, etc. It is difficult to make an assessment of production losses due to these factors, either individually or collectively.

According to figures collected by the Directorate General of Technical Development in relation to selected industries in the organised sector, there has been an overall positive growth trend during January—May, 1978. Within this overall picture of positive growth, some industries have shown a stagnant or declining trend while others have been positive growth.

Steps have been taken to improve power generation both by creation of new capacity and maximising generation from existing plants. Steps have also been taken to improve availability of coal, e.g. import of explosives, better

availability of railway wagons, movement of coal by sea, increased road transport and better coordination among various authorities concerned with coal production.

Need for Assistance to Shipping Industry

3361. SHRI MOHINDER SINGH SAYIANWALA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether his attention has been drawn to a news item in the *Hindustan Times* of 21st May, 1978 where a spokesman of the shipping industry has said that if necessary help might not be given, the damage to the shipping industry would be irreparable; and

(b) if so, what is the Government's reaction thereto?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Yes, Sir.

(b) The question of affording relief to the shipping companies to tide over their liquidity problems is under urgent consideration.

हिन्दी फिल्म प्रिटों का निर्यात

1762. श्री सुरेन्द्र झा सुपन: क्या सूचना और प्रसारण मंत्री यह बनाने की कृपा करेंगे कि:

(क) क्या यह सच है कि हिन्दी फिल्म निर्यातों में बहुत लोकप्रिय हो गई है और हिन्दी फिल्मों के प्रिट विदेशी सिनेमा हॉलों में प्रदर्शन के लिए निर्यात किए जाते हैं; और

(ख) यदि हाँ, तो गन तीन वर्षों में कितने फिल्म प्रिटों का निर्यात किया गया तथा इनके नाम क्या हैं और किन देशों को इनका निर्यात किया गया?

सूचना और प्रसारण मंत्री (श्री लाल कुमारी साहवाणी): (क) और (ख). सूचना एकत्रित की जा रही है और उसकी लोक सभा की बैठक पर रख दिया जायेगा।

Repairs of National Highway Nos 5 and 42

3363 SHRI PADAMCHARAN SAMANTASINHERA. Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) whether it is a fact that Orissa Government has been representing for special repairs of National Highway Nos 5 and 42,

(b) if so when and what is the total amount involved,

(c) what action has been taken upto date, and

(d) the amounts provided to special repairs of National Highway during the last three years, yearwise?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM) (a) to (c) Five estimates for special repairs to National Highway No 5 and National Highway No 42 (Roads and Bridges) aggregating Rs 11 121 lakhs were received from the Government of Orissa. Out of these 2 estimates amounting to Rs 110 lakhs have already been approved. Two estimates amounting to Rs 406 lakhs have been returned to the State Government unapproved for the reason that the items of work covered thereby have not been considered urgent/have already been provided for in the related revised original estimate sanctioned recently. The final view in regard to the 5th estimate amounting to Rs 5 958 lakhs has not yet been taken.

(d)

1975-76 Rs 10 98 lakhs

1976-77 Rs 15 74 lakhs

1977-78 Rs 9 78 lakhs

Supply of Power to Industries in M.P.

3364 SHRI RAJ KESHAR SINGH. Will the Minister of ENERGY be pleased to state

(a) whether his attention has been drawn towards news item entitled

'Power cut hits M.P textile units' published in the National Herald dated the 19th July, 1978;

(b) if so, reasons for the power crisis,

(c) value of production loss suffered due to power cut, and

(d) the steps taken to ensure regular and sufficient power to the industries in M.P. in future?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN) (a) Yes, Sir

(b) Main reason for lower generation of energy during first half of July 1978 has been the increased forced outages of thermal generating units

(c) Although shortfall in power availability does affect production, it is not possible to estimate the value of production loss suffered due to power shortage as there are number of other factors like availability of raw materials labour situation etc. which also affect production

(d) The power availability position in the State improved with the re-commissioning of the thermal units during 2nd half of July 1978. Steps are also being taken to increase power availability by maximising generation from the existing power stations by improving their performance and by addition of new generation capacity. A 200 MW unit is scheduled to be commissioned at Satpura TP Station during the current year.

दूरदर्शन केन्द्र में कृषकों को आमन्त्रित करने के लिए मानवध्वज

1365 श्री नवाब सिंह चौहान क्या सुचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि

(1) दिल्ली के दूरदर्शन केन्द्र में पिछले तीन वर्षों के दौरान कौन कौन से कृषक आमन्त्रित किए गए

(2) दूरदर्शन केन्द्र में कृषकों को आमन्त्रित करने का क्या मानवध्वज

(ग) अन्य प्रगतिशील कृषकों को आमन्त्रित न करने के क्या कारण हैं ;

(घ) क्या इस मामले की जांच करने के लिए सरकार का विचार संसद सदस्यों की एक समिति गठित करने का है ; और

(ङ) कृषक कार्यक्रम प्रस्तुत करने वाले अधिकारियों की शैक्षणिक अर्हताएं क्या हैं और वे कितने समय से यह कार्य कर रहे हैं ?

सूचना और प्रसारण मंत्री (श्री लाल कृष्ण आडवाणी) : (क) जुलाई, 1975 से जुलाई, 1978 तक की अवधि के दौरान आमन्त्रित किए गए कृषकों का व्यौरा सभा पटल पर रखे गये विवरण में दिया गया है । [ग्रन्थालय में रखा गया । देखिये संख्या एल टी—2612/78]

(ख) और (ग). भाग लेने वाले व्यक्ति वास्तविक कृषक होने चाहिए जिन के उदाहरण से दर्शकों को कृषि की प्रगतिशील पद्धतियाँ अपनाने की प्रेरणा मिल सके । इस बात का पूरा प्रयास किया जाता है कि दूरदर्शन के कार्यक्रमों में यथासम्भव अधिक से अधिक प्रगतिशील कृषकों को शामिल किया जाये । इस प्रकार के व्यक्तियों और नई प्रतिभा का पता करने में स्थानीय अधिकारियों और अन्य विशेषज्ञों से परामर्श किया जाता है ।

(घ) जी, नहीं ।

(ङ) सूचना इस प्रकार है :—

(1) श्री एच० आर० सलूजा, प्रोग्राम एक्जीक्यूटिव (650—1200 रुपए) एम० ए० (इतिहास) । इनको ग्रामीण कार्यक्रम तैयार करने के लिए पिछले 11 वर्षों से लगाया हुआ है । श्री सलूजा कृषक परिवार के हैं और इन्होंने आस्ट्रेलियन ब्राडकास्टिंग कारपोरेशन आस्ट्रेलिया से कृषि सम्बन्धी कार्यक्रम तैयार करने में विशेषज्ञता प्राप्त की हुई है । इन्होंने अन्तराष्ट्रीय प्रतियोगिताओं में कृषि संबंधी कार्यक्रमों की श्रेणियों में सर्वोत्तम कार्यक्रम तैयार करने के लिए नकद पुरस्कार और एशियन ब्राडकास्टिंग यूनियन इंटरनेशनल के दो पुरस्कार प्राप्त किए हैं । इन्होंने दूरदर्शन कृषि कार्यक्रम तैयार करने के विशेषज्ञ के रूप में विभिन्न कृषि सेमीनारों में भी भाग लिया है ।

(2) चौधरी रघुनाथ सिंह, प्रोड्यूसर (ग्रेड-2) (650—1200 रुपए) हरल इनस्टीट्यूट ऑफ जामिया मिलिया से ग्रामीण सेवाओं में डिप्लोमा (स्नातक स्पाधि के समकक्ष) । इन्होंने आकाशवाणी में फार्म रेडियो रिपोर्टर के

रूप में लगभग 5 वर्ष कार्य किया है । ये अक्टूबर, 1973 से दिल्ली दूरदर्शन में कृषि दर्शन कार्यक्रम तैयार कर रहे हैं । ये कृषक परिवार से सम्बन्ध रखते हैं । इन्होंने अपना काम विस्तार अधिकारी, कृषि और पंचायत के रूप में शुरू किया था । इन्होंने भाषीय फिल्म और टेलीविजन संस्थान, पुणे से दूरदर्शन कार्यक्रम तैयार करने में प्रशिक्षण लिया है । इन्होंने विभिन्न कृषि सेमीनारों में भी भाग लिया है ।

(3) श्री एस० सी० बोस, प्रोड्यूसर (ग्रेड-2) (650—1200 रुपए) । इण्टरमीडिएट से दूरदर्शन के लिए 1959 से कार्य कर रहे हैं । इनको प्रोड्यूसर के रूप में 1975 में चुना गया था और ये 1976 से 'कृषि दर्शन' कार्यक्रम तैयार कर रहे हैं । इन्होंने भारतीय फिल्म और टेलीविजन संस्थान, पुणे से दूरदर्शन कार्यक्रम तैयार करने में प्रशिक्षण लिया है ।

Setting up of Paper Mill in Tripura

3366. SHRI KIRIT BIKRAM DEB BURMAN: Will the Minister of INDUSTRY be pleased to state:

(a) whether any difficulties have cropped up in the matter of setting up of the Paper Mill in Tripura;

(b) if so, the details thereof and whether they include one relating to Iranian collaboration in the project; and

(c) what steps are being taken by Government to go ahead with the project?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) and (b). Although the Government of Iran had evinced interest in participating in the setting up of a paper/pulp project at Tripura, the terms of such participation have not yet been settled.

(c) A feasibility study has already been carried out. A final decision on the implementation of the project

would have to be taken in the context of availability of resources and relevant priorities of the various paper projects which can be set up in the North-Eastern Region.

Illegal mining in Asansol Sub-Division Burdwan Division

3367. SHRI ROBIN SEN: Will the Minister of ENERGY be pleased to state:

(a) whether many illegal minings are in operation violating all Mining Acts, Laws and safety measures in Asansol Sub-Division of Burdwan District;

(b) whether in some places minings are also being done by these private owners on the Eastern Coalfields Ltd; and

(c) measures proposed to be taken to stop these illegal activities of these private mine owners?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). Some illegal mines were in operation in Asansol Sub-Division of Burdwan District.

(c) All illegal mining operations within Eastern Coalfields Ltd. have been stopped on 22nd July 1978 with the help of the State Government. As regards other areas the Supreme Court's Order dated 5th May 1978 dismissing the writ petition filed by the private mining operators has been brought to the notice of the State Government and they are taking action to stop illegal mining activity. Some parties have obtained orders from the Calcutta High Court staying action against them. In these cases the High Court is being moved to vacate the orders.

Shortage of Cement in Assam

3368. SHRI BEDABRATA BARUA: Will the Minister of INDUSTRY be pleased to state:

(a) whether he is aware of the acute scarcity of cement in Assam, and the very high black market price of Rs. 50 per bag prevailing for the last one year;

(b) whether the Assam Government has made request for urgent allotment of larger quantities; and

(c) what steps have been taken to supply cement to Assam?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) The cement shortage in the State of Assam is a part of country-wide shortage for cement. Due to inadequate availability, there are reports of some unsocial elements indulging in black marketing in cement in various parts of the country.

(b) Yes, Sir.

(c) The quarterly average despatches of cement to the State of Assam during the last five years has been of the order of 34,000 tonnes. During the period January, 1977 to March, 1978, the quarterly average despatches of cement to the State has been of the order of 45,000 tonnes. For the period July-September, 1978 the State has been allocated a quantity of 50,000 tonnes. It has not been possible to allot additional quantity due to overall non-availability of cement.

Supply of cement to Assam has suffered on account of inadequate availability of wagons and Railway restrictions on movement of cement beyond Farakka. Arrangements have been made with the Central Inland Waterways Corporation, Calcutta to move cement to Gauhati and Karimganj by river route. Road Freight

reimbursement has also been liberalised with a view to encourage movement by road to overcome the limitations of rail movement

Alleged Black Market by Madhaonagar Cotton Mills, Sangli

3369 SHRI BAPUSAHEB PARULEKAR Will the Minister of INDUSTRY be pleased to refer to the reply given to Unstarred Question No 8255 on the 26th April 1978 regarding black market by Madhaonagar Cotton Mills Sangli and state

(a) whether the necessary information as mentioned in the reply is collected,

(b) whether the information has been laid on the Table as mentioned in reply and if not, when it would be laid on Table, and

(c) what action Government propose to take?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI) (a) to (c) Since the letter dated 19th August 1977 from Shri V D Patwardhan, Ex Officer and shareholder of Madhaonagar Cotton Mills, referred to in para (a) of Unstarred Question No 8255 answered in the Lok Sabha on 26th April 1978, was not available in the Ministry of Industry, efforts were made to trace it out but the letter did not become available. Since address of Shri Patwardhan was not known letter dated 30th May 1978 followed by two reminders on 14th June 1978 and 10th July 1978 was sent to the Hon Member with the request to make a copy of the letter available for consideration of the points that might have been raised thereon. No reply has yet been received. If the Hon Member supplies a copy of the letter action would be taken.

Reported Mismanagement in Scooters India Limited

3370 SHRI PIUS TIRKEY. Will the Minister of INDUSTRY be pleased to state

(a) whether Government are aware of the reported mismanagement in the Scooters India Limited which is showing heavy losses since its inception,

(b) whether its equity shares have been heavily devalued and the investment of the public who bought its equity shares have become insecure and

(c) if so what are the full facts and how the Government propose to improve the working of this Public enterprise and to protect the interests of the shareholders?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI) (a) to (c) The loss suffered by M/s Scooters India Limited during the year 1977-78 was Rs 240 lakhs before depreciation. It was mainly due to under utilisation of capacity. The Company's equity share of face value Rs 10 is being quoted around Rs 5. The performance of the Company is under constant review of the Government. Implementation of several measures is in progress towards improving the performance of the Company.

Road construction between Hari Nagar Depot of Hari Nagar, Ghanta Ghar

3371 SHRI MADAN TIWARY. Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) whether it is a fact that the Road construction between Hari Nagar Depot and Hari Nagar Ghanta Ghar, New Delhi has blocked the way of hundreds of school going children through their various school buses,

(b) whether it is also a fact that the route of different DTC buses has also been diverted to some other road which is absolutely not fit for transport and may cause accident to any bus at any time; and

(c) if so, by what earliest possible time the road will be completed so that school going children may not face trouble?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) to (c) The road work between Hari Nagar Depot and Hari Nagar Ghanta Ghar is in progress. In addition, DDA is also laying sewer lines and undertaking other development works along and across this road. As a result, DTC route No. 852 has been diverted from Jail Road to a lane passing through a residential area. The road will be open to traffic after the DDA has completed their work

बिस्फी परिवहन नियम में प्रशिक्षणों को नियुक्ति

3372. श्री हरीशंकर महासे : क्या नीचहन और परिवहन यंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बिस्फी परिवहन नियम में तीन वर्ष तक प्रशिक्षण के लिए प्रशिक्षु नियुक्त किये जाते हैं;

(ख) क्या प्रशिक्षण पूरा होने के पश्चात् उन को नियम में रोजगार नहीं दिया जाता तथा उन्हें रोजगार के लिए इधर-उधर भटकना पड़ता है;

(ग) क्या इन व्यक्तियों के भविष्य के बारे में कुछ विशेष कदम उठाने का विचार है; और

(घ) यदि नहीं, तो इस के क्या कारण हैं?

नीचहन और परिवहन मंत्रालय में प्रचारी मंत्री राज्य मंत्री (श्री बाबू राम) : (क) जी, हाँ।

(ख) से (घ) वे प्रशिक्षु जिन्होंने सफलतापूर्वक प्रशिक्षण पूरा किया और केन्द्रीय प्रशिक्षण सलाहकार द्वारा 1977 तक आयोजित अखिल भारतीय व्यवसाय परीक्षणों में सफल बोनस दिए गए, को पहले ही नियम में छपा लिया गया है। 1978 अवसाय प्रयोग का परिणाम हाल ही में नियम में प्रान्त द्वारा है और अब यह सफल उम्मीदवारों को छपाने की कार्यवाही में है।

क

Filling up vacancies of Peons

3373. SHRI SANTOSHRAO GODE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) how many Peons have retired in various Central Government Offices since the imposition of ban on the recruitment of Peons and how many peons have been promoted;

(b) whether the posts thus vacated have been filled; and

(c) if not, the reasons why Government are not taking any steps to fill those vacancies?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) The information is not available in the Department of Personnel and Administrative Reforms.

(b) and (c). Since there is a ban on the filling up of vacancies of Peons; normally, the vacant posts of peons are not filled in.

Conversion of Jaisalgarh Mines BCCL into Fisheries

3374. SHRI A. K. ROY: Will the Minister of ENERGY be pleased to stated:

(a) Whether it is a fact that there used to be 30 "Gope-Mazdoors" on the surface in the days of East India Coal Company to drain out water accumulated over the mine of Jaisalgarh Bararee Colliery of the BCCL, Dhanbad, Bihar;

(b) Whether it is a fact that those mazdoors for removing water have been dispensed with and the Colliery Superintendent of Jaisalgarh has turned those "Gope" into big tank accumulating water to start cultivation of fish there, drowning the mines below that;

(c) Whether there has been any plan to turn Jaisalgarh mines into fisheries; and

(d) If so, facts in details?

THE MINISTER OF ENERGY
(SHRI P. RAMACHANDRAN): (a)
Yes, Sir.

(b) to (d). During pre-nationalisation period these Goaf-Mazdoors were engaged on the surface in the area to fill up the cracks formed as a result of subsidence, to prevent fire; filling pot-holes and cracks, etc, formed due to passage of water through goaf; to clean surface drains; to prevent rain-water going down the mine, etc. Now the surface drainage arrangement has been re-organised so that most of the water goes out of the area and whatever gets accumulated is pumped out by diesel pumps. Similarly, underground pumping arrangement has been strengthened to deal with water seepage. 14 persons are still engaged for cleaning of drains, blanketing of cracks, etc, while the remaining persons are utilised elsewhere. No one has been dispensed with. The question of cultivation of fish in the area, therefore, does not arise.

Joint High Court for Delhi and Haryana

3375. SHRI OM PRAKASH TYAGI: Will the Minister of HOME AFFAIRS be pleased to state whether with the grant of State hood to Delhi, Government would also consider the desirability of having a joint High Court of Delhi and Haryana which will be of advantage to the people of Haryana and if not, the reasons therefore?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): Government have decided to provide a Legislative Assembly and a Council of Ministers for the Union Territory of Delhi. There is no proposal to have a joint High Court of Delhi and Haryana.

Officers who completed their tenure in Central Government

3376. SHRI KISHORE LAL:
SHRI RAGHAVJI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the period of 'cooling off' for officers reverting to their parent cadre after completing their tenure in the Central Government is two to three years; and

(b) the number of officers in whose cases this period has been relaxed after 1st April, 1977 and the reasons for this relaxation in each case?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) and (b). The practice has been that officers are considered for redeputation to the Centre after they have served in their own cadres on reversion for three years. Departures are, however, made in individual cases for administrative considerations. In the period since 1st April, 1977, there have been 25 such cases.

Schemes submitted by State Governments for Welfare of S.C. and S.T.

3377. SHRI B. C. KAMBLE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the proposals each State submitted for grant under the Centrally sponsored schemes for the welfare of Scheduled Castes and Scheduled Tribes and other Backward classes in 1977-78, and for 1978-79; and

(b) which proposals of each State were accepted and which were rejected by the Union Government and the amount of grants sanctioned for each scheme in each State during the above mentioned two years?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL) (a) and (b) The Ministry of Home Affairs is administering the following six Centrally sponsored schemes for Scheduled Castes and Scheduled Tribes

- (1) Post-Matric Scholarships
- (2) Girls Hostels
- (3) Measures under the Protection of Civil Rights Act
- (4) Pre-matric Scholarships for the children of Sweepers, Scavengers etc
- (5) Coaching and Allied Schemes
- (6) Tribal Research and Training

Information in respect of these schemes for the year 1977-78 is given in the Statement laid on the Table of the House [Placed in Library See No LT 2613/78] For the year 1978-79 no amounts have been released as final proposals have not been received from the States

Apprenticeship Courses in DTC

3378 **SHRI V G HANDE** Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) what is the number of apprentices who have qualified the apprentice final examination held this year after completing the apprenticeship of three years course in various categories viz Mechanic/Motor Mechanic etc,

(b) what are the terms and conditions of various apprenticeship courses in DTC and what criteria is laid down for qualifying the final apprentice examination,

(c) whether there is a proposal under Government's consideration to provide job in DTC itself to the apprentices who have completed three years training course, and

(d) if not, what are the reasons and what alternate arrangements Government propose to take in this regard?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM) (a) Six

(b) The DTC is taking in apprentices for three years training only in the Motor Mechanic trade. According to the provisions of the Apprentices Act 1961, a candidate should have passed at least the 8th class examination and have completed 14 years of age for being taken as an apprentice. The final examination is conducted by the Central Apprenticeship Adviser.

(c) and (d) The Corporation has already absorbed all the apprentices who successfully completed the 3 year training course and qualified in the final examination conducted by the Central Apprenticeship Adviser upto the year 1977. The results of the candidates who appeared for the test in 1978 have been received in the Corporation on 1st August 1978 and steps are being taken by it to absorb the successful candidates, against the post of Assistant Fitter, subject to their being found medically fit and otherwise suitable.

Radio Station at Tura in Meghalaya

3379 **SHRI P A SANGMA** Will the Minister of INFORMATION AND BROADCASTING be pleased to refer to the reply given to Unstarred Question No 6032 on 3rd August 1977 and state

(a) whether the proposal has been included in the Sixth Plan and approved by the Planning Commission; and

(b) if so, by what time the scheme is expected to be implemented?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI). (a) and (b). The schemes proposed by All India Radio for inclusion in the Sixth Plan (1978-83) include one for the setting up of a Radio Station at Tura. However, the Planning Commission has agreed to a reduced outlay for the A.I.R. schemes. The proposals are, therefore, being reviewed with a view to retaining only those which could be accommodated within the reduced outlay. In case, the scheme for a radio station at Tura is retained, it is likely to be implemented during the Sixth Plan period.

Deputation allowance to employees of Badarpur Thermal Power Project

3381 **SHRI RAM PRASAD DLSH-MUKH:** Will the Minister of ENERGY be pleased to state:

(a) whether in the office of the Financial Adviser and Chief Accounts Officer, Badarpur Thermal Power Project, deputation (duty) allowance was paid in 5th year onwards to certain persons whereas the others were not paid;

(b) if so, the reasons therefor,

(c) whether the said allowance is admissible upto 4 years only, and whether it was paid to anybody beyond 4 years, if so, the reasons why the others were not paid during 31st March 1975 and 31st March 1978;

(d) whether the department is giving deputation (duty) allowance to some persons in the 5th year and 6th year, if so, why the others are not being paid the said allowance, when they are in the same category w.e.f. 1-4-1978; and

(e) the reasons why the SC/ST employees in the office of the Financial Adviser and Chief Accounts Officer Badarpur Thermal Power Project were sent back to their parent departments but after a short period they were taken again on deputation when

the SC/ST were not even allowed to complete their terms in each year?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to (d). In accordance with the Government Rules, the deputation (duty) allowance prior to 31-3-1978 has not been paid in the 5th year and onwards to any officer in the office of Financial Adviser and Chief Accounts Officer, B.T.P.P. except in one case. In this case the deputation (duty) allowance was allowed by Government beyond the 4th year since the tenure of the post held by the particular incumbent, as per recruitment rules, was for 3 to 5 years. In regard to the payment of deputation (duty) allowance beyond 1-4-1978, the policy followed by National Thermal Power Corporation, to whom the management of Badarpur Thermal Power Project/Station was transferred from 1-4-1978, has been to maintain a status quo till the terms and conditions are finalised. On account of maintenance of a status quo ante, 5 persons in the Office of FA&CAO, who were in receipt of deputation (duty) allowance on 31-3-1978, have been allowed provisionally to continue to draw the same beyond 31-3-1978, though they completed 4 years on or after 31st March 1978.

(e) During the last three years, nine SC/ST employees were repatriated to their parent offices. Out of these 9 employees, 6 of them got repatriated due to their personal and domestic circumstances on their own request. 2 of them were repatriated because extension to these employees beyond three years was not considered to be in the public interest and one of them was repatriated because his parent Department did not agree to further extension of his deputation beyond a period of 3 years.

Strike by Employees of Bharat Coking Coal Ltd.

3382 **SHRI P. VENKATASUBAIAH:** Will the Minister of ENERGY be pleased to state:

(a) whether two employees of M/s. Bharat Coking Coal Ltd., Dhanbad

(Bihar) undertook an indefinite hunger strike on 7-6-1978 which continued till 18-6-1978 in front of Prime Minister's Residence demanding redressal of grievances of employees in general of the Undertaking as per their charter of demands submitted earlier on 18-9-1977 with an advance notice to the P.M. and the management;

(b) whether during the hunger strike period no medical assistance was extended to them to look to their fast deteriorating condition;

(c) whether beginning from 18-9-1977, the said employees resorted to hunger strike (token) on 29th and 30th May, 1978 in front of DMD Hd Qrts, Dhanbad for a period of 48 hrs, and

(d) whether Government propose to redress their grievances and if so, to what extent and within what time?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to (c). Two office bearers of the Sampoorna Bharat Coking Coal Ltd Chalak Samiti, an unregistered union of Vehicle drivers, resorted to hunger strike in front of the Prime Minister's residence on 7-6-1978 and left the place on their own on 18-6-1978. They had earlier informed of their intention by a letter dated 30-4-1978. During the hunger strike their condition was considered to be normal and no medical assistance was necessary. Earlier these employees had staged a hunger strike in front of the office of the Chairman-cum-Managing Director of the Bharat Coking Coal Ltd. at Dhanbad for 48 hours from 29-5-1978.

(d) The said Samiti had submitted a 30 Point Charter of Demands to the Management. The main demands related to their service conditions, leave rules, categorisation of their jobs, leave travel concession, coalfield allowance, house rent allowance, etc which can be settled only during the general negotiations for revision of wages etc.

Some of the other demands relate to purely administrative matters like maintenance of vehicles, procedure for allotment of duty, legal assistance in accident cases, supply of uniforms, etc. The Company have already accepted some of these and issued necessary orders. The charter of demands also includes provision of housing, medical and credit facilities and other welfare measures which are being provided as per the Company's policy.

Arrest of persons under MISA

3383 SHRI NIRMAL CHANDRA JAIN: Will the Minister of DEFENCE be pleased to state:

(a) whether some persons were arrested under MISA or were arrested under D.I.R. on false charges of distributing political pamphlets, etc. and whether cases against most of them were withdrawn by Government and whether such persons will be considered disqualified for recruitment as employees in all defence establishments especially in Vehicle factories and gun-carriage factories because of their such detention;

(b) if old rules provide for such a disqualification, whether Government propose to revoke such rules; and

(c) if so, the time by which a decision will be taken in this regard?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) A person arrested under MISA or DIR and against whom charges were withdrawn or proved false may not be treated as unsuitable for employment in defence establishments including vehicle factories and gun carriage factories provided he has no other disqualification. The suitability of persons for employment is examined and decided individually.

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

Setting up of an Industrial Pricing Board

3384. SHRI DHARMA VIR VASISHT: Will the Minister of INDUSTRY be pleased to state:

(a) whether the Finance Ministry had worked out norms for fixing the prices of mass consumption industrial items; if so, the details of the same; and

(b) whether Government had in view the setting up of an Industrial Pricing Board analogous to the Agricultural Prices Commission, if so with what type of resources in personnel and finances?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): (a) In matters of price fixation, Government has for long seeking advice from various bodies set up for the purpose. At one stage, it was considered desirable that such bodies should adopt, to the extent possible, a common approach towards the problems of determination of fair prices. Accordingly, a set of guidelines was formulated by the Ministry of Finance and circulated to various Ministries/Departments about two years ago.

(b) The Bureau of Industrial Costs and Prices already exists to advise regarding prices of industrial goods. There is no proposal to establish a separate Industrial Pricing Board.

Service conditions of the Staff of Fort Aguada

3385. SHRI AMRUT KASAR: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether Government are aware that the service conditions of the staff working at Fort Aguada Light House in the Union Territory of Goa are oppressive and full of exploitation;

(b) whether Government are aware that the staff does not get even casual leave with prefix and suffix;

(c) whether Government are aware that there is no security of life of the staff working at the Light House and their families; and

(d) what steps Government have taken to provide better facilities to the staff of the Light House?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) No cases of oppression or exploitation of staff have come to the government notice.

(b) The staff are being allowed to prefix and suffix holidays to their casual leave.

(c) Compared to other light stations in remote areas, Aguada Lighthouse is one of the very favourably located stations with modern facilities available close-by. Adequate security arrangements exist and there is no danger to life of staff or their family members.

(d) All facilities and concessions admissible to Central Government employees are available. In addition, rent free residential accommodation and other amenities have been provided.

Bhagwati Committee Report regarding Inland Water Transport

3387. SHRI BRIJ BHUSHAN TIWARI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether specific recommendations of a national Committee headed by Shri Bhagwati regarding utilisation of Inland Vessels Development Fund for giving financial assistance to the Inland Water Transport Operators have not been implemented even after a lapse of 8 years;

(b) whether the so-called difficulties, if any, in implementing this recommendation were ever brought to the notice of the House; and

(c) who has obstructed the adoption of this financial measure, which could have gone a long way to help the growth of inland water transport?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHOND RAM): (a) to (c). The recommendation of the Committee for setting up of an Inland Vessels Development Fund was considered but could not be implemented due to constraints of resources. This difficulty was not brought to the notice of House. The matter has been reviewed and a proposal for advancing loans to entrepreneurs through Banks and other financial institutions at subsidised rates is now being processed.

राजस्थान के लिये ग्रन्थोदय योजना

3388. श्री मोतीलाल पटेल : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राजस्थान सरकार ने ग्रन्थोदय योजना को राज्य में पूरी तरह मफल बनाने के लिये केन्द्र सरकार को 151 करोड़ रुपये की एक योजना भेजी है; और

(ख) क्या यह भी सच है कि यह योजना प्रधान मंत्री के माध्यम से योजना आयोग को भेजी गई है; और यदि हाँ, तो क्या इस योजना का अनुमोदन कर दिया गया है; और यदि हाँ, तो कब और यदि नहीं तो इस के क्या कारण हैं तथा भविष्य में उसे कब तक अनुमोदित कर दिया जायेगा ?

प्रधान मंत्री (श्री मोरारजी देसाई) : (क) योजना आयोग को राजस्थान सरकार से 'ग्रन्थोदय-अन्ववर्धीय परियोजना और कार्रवाई की योजना' (ग्रन्थोदय—ग्रन्थोदय और परियोजना के अन्ववर्धीय) नामक एक स्कीम प्राप्त हुई है। राज्य सरकार द्वारा 1978-83 की पांच वर्ष की अवधि के लिए प्रस्तावित परिचय्य 187.64 करोड़ रु० आता है।

(ख) यह स्कीम राज्य सरकार से सीधे योजना आयोग को प्राप्त हुई है। राज्य सरकार के परामर्श से, इस स्कीम पर इसके सभी पहलुओं की दृष्टि से विचार करने में कुछ समय लगेगा। तथापि राज्य सरकार द्वारा 1978-79 के लिए यथा प्रस्तावित इस स्कीम के लिए 2 करोड़ रु० के प्रावधान के लिए राज्य की वार्षिक योजना पर विचार-विमर्श के समय सहमति हुई थी।

Jawans of B.S.F. and C.R.P.

3389. SHRI RAMANAND TIWARY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Jawans of the Border Security Force and Central Reserve Police (C.R.P.F.) are given extra drills and also kept in the quarter guard (Cell) as a punishment;

(b) if so, whether 30 Kilograms of earth or bricks are loaded on their backs during these drills;

(c) whether these Jawans are kept in the quarter guard (cell) for a month and they are not paid for these days; and

(d) if so, whether the constitution of India allows one punishment for one crime and if so, whether this practice does not amount to violation of the Indian Constitution?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) Under the respective Acts and Rules of the BSF and CRPF, confinement/detention in quarter guard is an authorised penalty for departmental lapses for BSF and CRPF personnel. The CRPF Rules also provide for extra drill as a minor punishment, and a person awarded with detention in quarter guard can also be awarded extra drill depending on the gravity of the offence. The BSF Rules, however, do not contain any such provision.

(b) No, Sir. This is not an authorised punishment under the respective Acts and Rules of the BSF and CRPF.

(c) Under the respective Rules of BSF and CRPF, deduction of pay and allowances for every day of confinement/detention in quarter guard is permissible if such a penalty is imposed under the relevant Acts and Rules by the competent authority. The defaulters are, however, not kept in the quarter guard more than 28 days.

(d) These punishment_s are provided under the CRPF and BSF Acts enacted by the Parliament in accordance with the provisions of the Constitution. Where the award of two penalties are permissible in the Law or Rules for the same offence as in the case of imprisonment and fine prescribed in several penal sections of the I.P.C., it does not amount to a violation of the Constitutional provisions

Transfer of properties of Collieries taken over by Government

3390. SHRI G. Y. KRISHNAN: Will the Minister of ENERGY be pleased to state:

(a) the number of cases of transfer of properties by owners found illegal, after the taken over of non-coking coal mines by Government; and

(b) what steps Government have taken against the illegal transfer of properties of collieries taken over by Government?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) and (b). Information is being collected.

Additional Highway along Bombay-Pune Highway

3391. SHRI DAJ'BA DESAI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) is it a fact that there is a proposal to construct additional Highway along Bombay-Pune Highway;

(b) if so, whether it is cleared or sanctioned if so, when the project is expected to be started; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) to (c). Pr

ly the Member is referring to the proposal of widening from 2 to 4-lane (dual 2-lane carriageway) the Panvel-Dehu Road length of the Bombay-Pune Road, National Highway No. 4 which in the Borghat reach would require re-alignment because of the existing steep slopes and sharp curves. The proposal is still in planning stage and it would be premature to give the likely date of commencement of the project. However, the Borghat reach for the first 2-lane carriageway on a new alignment is under consideration for inclusion in the 1978-83 five year plan programme subject to the outlay likely to be fixed for the plan.

Ban on Import of Literature from China

3392. SHRI JYOTIRMOY BOSU: Will the Minister of HOME AFFAIRS be pleased to state.

(a) whether there is any kind of ban or restriction on import of literature published in Peoples' Republic of China;

(b) whether he had received representations from Members of Parliament requesting him to look into the matter and ensure that there is no hindrance of such literature coming to this country; and

(c) if so, what is the present position, and whether Government want to keep the ban on which will make the relationship strain?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) There is no blanket ban on the import of literature published in Peoples' Republic of China, but entry of some specified book; and periodicals has been prohibited.

(b) Yes, sir.

(c) The position is being reviewed

दोषपूर्ण सीमेंट बितरण प्रणाली

सेन्ट्रल कोल फील्ड लिमिटेड में जनरल मैनेजर

3393 श्री रीतलाल प्रसाद वर्मा क्या ऊर्जा यंत्री यह बताने की कृपा करेंगे कि :

(क) सेन्ट्रल कोल फील्ड लिमिटेड में जनरल मैनेजरों की संख्या कितनी है और वे अपने सम्बन्धित क्षेत्रों में कब से कार्य कर रहे हैं

(ख) जनरल मैनेजरों के क्षेत्र में कितने बर्षों तक कार्यरत रहने का प्रावधान है और

(ग) ऐसे जनरल मैनेजरों की संख्या कितनी है जो एक क्षेत्र में निर्धारित धर्माद्य से अधिक समय से कार्य कर रहे हैं और इसका क्या प्रभाव है ?

ऊर्जा मंत्री (श्री पी० रामचन्द्रन) (क) सेन्ट्रल कोल फील्ड लि० में छाया महाप्रबंधकों की संख्या घाट है और वर्तमान पदधारा व्यक्ति अपने अपने क्षेत्रों में सितम्बर 1974 और जन 1978 के बीच की प्रत्येक प्रत्येक तारीखों से काम कर रहे हैं।

(ख) और (ग) महाप्रबंधकों के एक ही क्षेत्र में रहने का प्रभाव का बारे में कोई नियम नहीं है। इनका नवोदयता धर्माद्य से अधिक समय से कार्य कर रहे हैं और प्रशासनिक कारणों से दिया जाता है।

Strike in Textile Mills in Bombay

3394 SHRI P RAJAGOPAL NAIDU Will the Minister of INDUSTRY be pleased to state

(a) whether there was a strike in the textile mills run by National Textile Corporation in Bombay and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI MAJI ABHA MAITI) (a) Yes Sir

(b) Some of the demands included continuity of service for the purpose of payment of gratuity in seven mills in Maharashtra which had gone into liquidation or had been wound up under orders of Law Courts prior to nationalisation, payment of arrears of Provident Fund for re-nationalisation and post-take-over period

3395 श्री बल बल शर्मा क्या ऊर्जा यंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि दिल्ली में सीमेंट बितरण प्रणाली के दोषपूर्ण होने के कारण सन्स्थापार की बढ़ावा मिल रहा है और

(ख) यदि हा हा सीमेंट के बितरण की सरकारों द्वारा लिये जाने के क्या कारण हैं?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती प्रभाषा झाईति) (क) जी नहीं।

(ख) प्रश्न ही नहीं उठा।

दिल्ली में सीमेंट की कमी

3396 श्री लालजी झाई क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या दिल्ली में पर्याप्त मात्रा में सीमेंट उपलब्ध नहीं है तथा मकानों की मरम्मत करने के लिए भी सीमेंट नहीं मिलता

(ख) क्या दिल्ली प्रशासन की ओर से लोगों को अपने मकानों की मरम्मत करने के लिए धन दिया जा रहा है और

(ग) यदि हा तो उस सम्बन्ध में पूरे तथ्य क्या हैं ?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती प्रभाषा झाईति) (क) दिल्ली में अनुभव की जा रही सीमेंट की कमी सम्बन्ध में सन्स्थापन में मांग अधिक होने के कारण मरम्मत की जा रही मात्रा में घट रही है। पिछले 12 महीने में 1.71 करोड़ 31 लाख 477 हजार मात्रा का तुलना में 1.41 करोड़ 1.77 करोड़ मात्रा की मांग की गई है। सीमेंट में कमी के कारण मरम्मत के लिए सीमेंट की मांग बढ़ गई है। दिल्ली में सीमेंट का बितरण करने की प्रक्रिया इस समय इस प्रकार चालू है कि गरीबों के प्रयासों से कमी के लिए भी सीमेंट दान की व्यवस्था की गई है। देश के मातृ शिवाओं के मातृ से उत्पन्न कठिनाइयों को दूर करने के लिए सीमेंट के मंडल से ले जाते हैं। सीमेंट की व्यवस्था कर दी गई है।

(ख) और (ग) दिल्ली नगर पालिका निगम अधिनियम 1947 की धारा 318 के अधीन जब कभी भी जीन शीश मानाने की मरम्मत करने जरूरी हो जाता है तो दिल्ली नगरपालिका निगम के इंजीनियरिंग विभाग द्वारा नाटि जारी कर दिया जाता है।

मध्य प्रदेश को सीमेंट का आबंटन

3397. श्री छबिराम अग्रल : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश को जनवरी से मार्च, 1978 की प्रथम तिमाही के लिए 23,000 मीट्रिक टन सीमेंट आबंटित किया गया था और द्वितीय तिमाही में भी 22,000 मीट्रिक टन सीमेंट आबंटित किया गया था लेकिन रेल बैगनों के उपलब्ध न होने और रेल वातायात की कठिनाई के कारण राज्य में सीमेंट की कमी अनुभव की जा रही है और वहां कमी को दूर करने के लिए सीमेंट को ट्रकों द्वारा भेजा जा रहा है और

(ख) क्या मध्य प्रदेश ने राज्य में विश्व बैंक सहायता से आरम्भ की गई परियोजनाओं को पूरा करने तथा अन्य परियोजनाओं के लिए जुलाई-सितम्बर, 1978 के लिए 37,500 मीट्रिक टन सीमेंट की मांग की है और क्या सरकार उक्त प्रयोजन के लिए सीमेंट की पर्याप्त मात्रा में सप्लाई हेतु व्यवस्था करेगी।

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती आभा माईति) : (क) और (ख) . मध्य प्रदेश के लिए 1978 की पहली तथा दूसरी प्रत्येक तिमाही में 2.30 लाख मी० टन सीमेंट का आबंटन किया गया था जिनमें पहली तिमाही में 10,000 मीट्रिक टन तथा दूसरी तिमाही में 50,000 मीट्रिक टन के तदर्थ आधार पर किये गये आबंटन शामिल हैं। 1978 की तीसरी तिमाही से विगत पांच वर्षों की हर तिमाही में भेजे गये सीमेंट का औसत अथवा गत पांच तिमाहियों में हर तिमाही में भेजे गये सीमेंट का औसत अथवा पिछली तिमाही का आबंटन, जो भी अधिक हो उसके आधार पर, राज्यों के लिए किए जाने वाले सीमेंट के आबंटनों का युक्तियुक्त करण करने का एक निश्चय किया गया है। विगत पांच वर्षों में मध्य प्रदेश को भेजे गए सीमेंट का तिमाही औसत 1.50 लाख मी० टन था। पिछली पांच तिमाहियों में भेजा गया औसत 1.71 लाख मीट्रिक टन था। 1978 की दूसरी तिमाही में राज्य को किया गया आबंटन 1.80 लाख मीट्रिक टन था जिसमें 50,000 मी० टन का तदर्थ आधार पर किया गया आबंटन शामिल है। अतएव 1978 की तीसरी तिमाही के लिए इसी आधार पर आबंटन 1.80 लाख मीट्रिक टन नियत किया गया था। राज्य सरकार ने आबंटन को बढ़ा कर 2.50 लाख मी० टन के लिए अनुरोध किया है। जब सीमेंट की उपलब्धि में वृद्धि हो जाएगी तब अन्य राज्यों से इसी प्रकार के मिले अनुरोधों के साथ राज्य सरकार के अनुरोध पर भी विचार किया जाएगा। इसी बीच राज्य की प्रमुख परियोजनाओं के लिए सीमेंट के सम्भरण की मांनिटरिंग करने हेतु व्यवस्था कर दी गई है। कुछ हद तक राज्य को भेजे जाने वाले माल पर रेल-डिब्बों के न मिलने का भी असर पड़ा है जिसे दूर करने हेतु सीमेंट की सड़क द्वारा ढुलाई करने में आने वाले गाड़ी-भाड़े के भुगतान में उदारता बरती गई है।

Price Hike on Cycles

3398. SHRI RAJ KRISHNA DAWN:
SHRI YADVENDRA DUTT:

Will the Minister of INDUSTRY be pleased to state:

(a) whether Government are aware of the recent 10 per cent price hike of cycles, the poorman's only transport;

(b) whether Government are proposing active steps to force the manufacturer for revision of hiked cycle price; and

(c) if not, whether Government are going to give subsidy to the poorman for purchasing cycles?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): (a) Government are aware that there has been some increase in the price of cycles.

(b) The increase in price of cycles is mainly due to increased cost of raw materials and increase in excise duty. There is no price control on cycles.

(c) No such proposal is under the consideration of Government.

अप्रैल, 1977 के बाद से नियुक्त किये गये आयोग

3399. श्री हुकम देव नारायण यादव : क्या गृह मंत्री यह बताने की कृपा करेंगे कि अप्रैल, 1977 के बाद से, कितने जांच आयोग नियुक्त किए गए और उनमें कितने एडवोकेट नियुक्त किए गए तथा उनमें हरिजनों, आदिवासियों, महिलाओं, मुसलमानों तथा पिछड़े वर्गों के लोगों की संख्या कितनी-कितनी है ?

गृह मंत्रालय में राज्य मंत्री (श्री धनिक लाल मण्डल) : अप्रैल, 1977 के बाद सात जांच आयोग नियुक्त किये गये थे। सरकार तथा जांच आयोगों द्वारा 16 एडवोकेट काउंसिल के रूप में नियुक्त किये गये थे। सिवाय एक के जो मुसलमान हैं, शेष कोई हरिजन, आदिवासी, महिला, मुसलमान तथा पिछड़े वर्ग का व्यक्ति नहीं है।

Posts reserved for S.C. and S.T. lying vacant

3400 SHRI R. L. KUREEL: Will the Minister of HOME AFFAIRS be pleased to state

(a) number of posts in different cadres reserved for SC and ST still lying vacant upto date,

(b) number of posts in different cadres got de-reserved so far in various Ministries, attached and their subordinate offices, and

(c) number of persons so far appointed on *ad hoc* basis in general and number of posts given to members of general Category of staff which otherwise would have gone to members of SC and ST as per points reserved in the communal Roster during the last three years?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) The required information as on 31st July, 1978 (Group-wise A,B,C and D) is being collected from Ministries/Departments and will be laid on the Table of the House as soon as possible

(b) The required information, Group-wise (Group-A, B, C & D) relating to the last three calendar years is being collected and will be laid on the Table of House as soon as possible

(c) The required information relating to long-term vacancies is being collected from the Ministries/Departments in respect of the last three calendar years and will be placed on the Table of the House as soon as possible

Wagon Production

3401 SHRI C. K. JAFFER SHARIEF: Will the Minister of INDUSTRY be pleased to state:

(a) the total production of Railway wagons in the country during the year 1977-78;

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(b) the production target for the current year, and

(c) how far it will meet the demand of railway wagons by the industry and agriculture?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI) (a) Total production of wagons in the country during the year 1977-78 was 12,388.5 wagons in terms of four-wheeler units

(b) Production target for the current year is 10,000 in terms of four-wheeler units, which is expected to be raised to 13,000

(c) The production of wagons by the Industry is regulated in relation to the budget allocation to Railways. The annual procurement of wagons by the Railways is based on their assessment of replacement required and the needs of traffic.

New Licences Issued to Companies

3402 PROF SAMAR GUHA: Will the Minister of INDUSTRY be pleased to state

(a) whether new licences have been issued to companies which earned annual profits over rupees 10 crores during the year 1977-78 and thereafter,

(b) if so, names of such companies; and

(c) the reasons for issuing fresh licences to these companies?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI) (a) (to (c)). There is no provision for indicating the annual profit earned by the applicant company in the proforma prescribed for applying for an Industrial Licence under the provisions of Industries (Development and Regulation) Act, 1951. As such, statistics relating to industrial licences granted to companies, which earned annual profits over

Rs. 10 crores, are not centrally maintained in the Secretariat for Industrial Approvals.

Full details of all Industrial Licences including the name of the party, etc. are published in "Weekly Bulletin of Industrial Licences, Import Licences and Export Licences" and "Monthly List of Letters of Intent and Industrial Licences". Copies of these publications are available in the Parliament Library.

Industrial Licences are issued on the basis of merits of the application after taking into consideration the techno-economic features of the proposal, capacity approved/installed, demand, applicant's experience and suitability, foreign collaboration, if any, involved, savings outgo of foreign exchange, etc.

Setting up of low temperature Carbonisation Plant at Ranchi

3403. SHRI AMARSINH V. RATHAWA: Will the Minister of ENERGY be pleased to state:

(a) whether Government propose to set up a low temperature carbonisation plant in Ranchi;

(b) if so, the main features thereof; and

(c) whether it will be set up with the collaboration of any country or with Indian technology?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) to (c). At present, no such proposal is under the consideration of the Government.

Wages earned by Employees of District Industrial Centres

3404. SHRI S. R. DAMANI: Will the Minister of INDUSTRY be pleased to state:

(a) the work carried out by district industrial centres so far and the

additional employment and production created thereunder; and

(b) the monthly or daily wages earned by those served by the centres?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): (a) and (b). The Scheme of District Industries Centres came into operation from May, 1978. The personnel to run these centres viz. the General Manager and the Functional Managers are being recruited and trained. The activities of the centre are being identified in the context of the local resources and needs. Since these activities have just commenced, it is too early to obtain the desired information.

Demand of Maharashtra Government for controlled cloth

3405. SHRI D. B. PATIL: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that the demand of Maharashtra Government for controlled cloth for 1977-78 was not met fully;

(b) if so, the reasons thereof; and

(c) what was the demand of each State for controlled cloth in 1977-78 and to what extent that demand was fulfilled?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): (a) to (c). State-wise allocations of controlled cloth are based on population in relation to a production level of 400 million square meters in a year. Actual allotments to each State are determined on this basis after taking into account the actual variety-wise production.

New Item, captioned Industrial Climate Murky

**3406 SHRI K LAKKAPPA
SHRI M RAM GOPAL
REDDY**

Will the MINISTER OF INDUSTRY be pleased to state

(a) whether his attention has been drawn to an interview given by Shri G D Birla on 9th July, 1978 to the *Financial Express* that foreign investment prospects are bleak, as published in the *Indian Express* of 10th July, 1978, and

(b) if so, Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI) (a) Yes Sir

(b) Government do not share the views expressed by Shri G D Birla

Criteria for inviting Press Correspondents at Press Conferences addressed by Ministers

**3407 SHRI L L KAPOOR
SHRI R K MHALGI**

Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether Information Officers attached to each Minister have been inviting Press Correspondents to Press Conferences addressed by Ministers, Government officials and foreign visitors,

(b) whether they discriminate in selecting correspondents, and

(c) if not, why the invitations for such press conferences are being sent to only a few correspondents and neglect a large number of correspondents who regularly visit the Press Information Bureau?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L K ADVANI) (a) Yes, Sir

(b) No, Sir For Press Conferences addressed by Ministers, all accredited

to the Government of India are invited without any discrimination

(c) Does not arise

Ex-gratia payment for Air Force Personnel

3408 SHRI DHIRENDRANATH BASU Will the Minister of DEFENCE be pleased to state

(a) whether it is a fact that Government have decided to increase the ex-gratia payment from Rs 42,000/- to Rs one lakh for the Air Force personnel since November, 1977, and

(b) if so, the number of Air Force personnel who have received the enhanced ex-gratia payment?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (PROF SHER SINGH) (a) Yes, Sir The enhanced amount is admissible to the families of Armed Forces personnel and civilians paid from Defence Services Estimates who die as a result of accident to the aircraft while travelling by Service Aircraft as passengers or members of aircrew in the course of the performance of their official duties

(b) The families of five deceased Air Force Officers have so far received an ex-gratia award of Rs 1 lakh each

Overhauling of Ministry of Industry

3409 SHRI SURENDRA BIKRAM Will the Minister of INDUSTRY be pleased to state

(a) what steps he has taken to overhaul the Industry Ministry

(b) what effects this overhauling is expected to bring towards more efficient working of the department; and

(c) whether overhauling has resulted into surplus of manpower or requirement of more manpower in the industries Department?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): (a) to (c). Streamlining of the working of the Ministry with a view to making it an effective tool in achieving the objectives set out in the Policy Statements announced by Government from time to time, consistent with the need for economy, is constantly under review of this Ministry.

Shifting of Offices of Coal India Ltd. from Calcutta

3410. SHRI DILIP CHAKRAVARTY: Will the Minister of ENERGY be pleased to state:

(a) whether the Central Government is contemplating to squeeze the Calcutta offices of Coal India Ltd. and its subsidiary companies by shifting work-load functions;

(b) whether there is any move for reduction of staff by way of transfer from the Calcutta offices of Coal India and its subsidiary companies;

(c) if so, what is the reason and what will be the basis;

(d) whether he received representations from workmen's organisation of Coal India and its subsidiary Companies, Calcutta, in connection with their very old unsettled issues; and

(e) if so, what action is being taken in this matter?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) No, Sir.

(b) and (c). A review of the staff strength in the Calcutta Offices of Coal India Ltd. and its subsidiaries in relation to the work load has been carried out. Wherever it is found that there are surplus workers, they are being deployed in areas where the services could be better utilised. Efforts will be made to see that the employees do not suffer undue hardship.

(d) Yes, Sir.

(e) wherever possible, the grievances have been settled by Coal India Ltd.

Certain grievances which are basic in nature can be taken up only at the time of general revision of wages and wage structure.

Bombs discovered near Gulbarga

3411. SHRI RAJSHEKHAR KOLUR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there has been any progress in the investigation into the reported recovery of four bombs (grenades) with army markings near the Gulbarga Railway Station and also under a railway bridge on Central Railway on 18th and 19th April, 1978; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL). (a) and (b). Intensive enquiries, by the investigation officers, into the recovery of these practice grenades, have not furnished any clue. In the circumstances, the Railway Police, Bangalore have treated the matter as closed.

Setting up of a Committee on Centre-State Fiscal Relations

3412. PROFESSOR P. G.

MAVALANKAR:

SHRI CHITTA BASU:

SHRI SHYAM SUNDAR GUPTA;

SHRI MUKHTIAR SINGH MALIK:

SHRI G. M. BANATWALLA:

SHRI K. MALLANNA:

SHRIMATI PARVATHI KRISHNAN;

SHRI M. KALYANASUN-DARAM:

SHRI DHARMA VIR VASISHT:

Will the Minister of PLANNING be pleased to state:

(a) whether a high powered Committee of the National Development Council has been constituted to deal

with the problem of Centre-State financial and fiscal relations and patterns

(b) if so, full details thereof, and

(c) whether the said Committee has met for the purpose and if so, where and how many times and with what deliberations and decision?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) to (c) In pursuance of the resolution adopted by the National Development Council a Committee with the Deputy Chairman Planning Commission as the Chairman and the Union Finance Minister and the Chief Ministers of all States as Members has been set up to discuss fiscal arrangements in the light of the Draft Five Year Plan 1978-1983 which would *inter alia* review the Gadgil Formula and the scope of Centrally sponsored schemes

The times of reference of the Committee are as follows

1 To review fiscal arrangements between the States and the Centre having regard to the provisions of the Constitution in the light of the larger role to be assigned to State Governments in the next five years in development planning and execution and *inter alia*

(a) to review the working of the Gadgil Formula and to recommend such changes in this formula as appear necessary,

(b) to review the scope of Central and Centrally sponsored schemes in sectors primarily within the responsibility of the States in the context of the criteria laid down by the NDC and to recommend such changes as appear necessary

2 To advise on mobilising national resources at all levels adequate for financing both plan and non-plan developmental outlay in the period 1978-83"

The first meeting of the Committee is being convened on 21st and 22nd August, 1978

Setting up of District Industrial Centres in Orissa

3413 SHRI SARAT KAR Will the Minister of INDUSTRY be pleased to state

(a) whether the Central Government has sanctioned establishment of district industries centres in the 13 districts of the Orissa State

(b) whether the Centre has also extended facilities to provide all the requisite inputs to small entrepreneurs and artisans at the district level under one roof so that they may not have to run from one agency to another for availing various assistances for implementing their projects, and

(c) if so the details regarding the assistance of Central Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI) (a) Yes Sir

(b) and (c) The Industrial Policy announced in Parliament on 23.12.1977 emphasised the need for vigorous development of Cottage and Small Scale Industries widely dispersed in rural areas and small towns. Industry had so far clustered round metropolitan cities and other large towns contributing to haphazard growth of towns and had created regional imbalances. So much so that more than 60 per cent small scale units in the country are accounted for 50 urban centres including the four metropolitan areas of Delhi, Bombay, Calcutta and Madras. It is to correct these imbalances that the new policy envisages setting up of District Industries Centres in each District in the country to act as a single administrative authority to give all clearances and provide all promotional support and guidance both to existing as well as prospective entrepreneurs

The District Industries Centres are authorised to accord the necessary clearances to the entrepreneur under one roof. The functions of the District Industries Centres include economic investigation of the district's potential for development including its raw material and other resources, preparation of feasibility reports for suitable projects, assistance in procuring raw materials, machinery and equipment and credit arrangements with financial institutions and banks. The centres will also assist the entrepreneurs in the marketing of their products by giving them market information, guidance, identifying marketing outlets and identify programmes for research, extension and entrepreneurial training. One of the major activities of the District Industries Centres will be to promote rural and cottage industries by closely liaising with the Khadi & Village Industries Commission, Handicrafts, and Handlooms Directorates and the rural development Blocks.

Each District Industries Centre is headed by a General Manager and Seven Functional Managers in the following disciplines:

1. Economic Investigation
2. Machinery & Equipment
3. Research, Extension and Training
4. Raw Materials
5. Credit
6. Marketing
7. KVI, RIP and RAP

The programme is a Centrally sponsored scheme implemented by the State Governments/UT Administrations through their Industries Departments. Central financial assistance @Rs. 5.00 lakhs non-recurring and 75 per cent of the recurring expenditure limited to Rs. 3.75 lakhs per District Industries Centre will be available.

महाराष्ट्र में तापीय बिजली घरों से बिजली का उत्पादन

3414. श्री के.क.राव बोसने : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय महाराष्ट्र में कितने तापीय बिजली घर काम कर रहे हैं तथा उनकी बिजली उत्पादन की क्षमता क्या है और उन पर कितनी लागत आई है, और

(ख) इस समय योजना किन्नी बिजली का उत्पादन होता है और केन्द्रीय सरकार का विचार महाराष्ट्र में कितने तापीय बिजली घर लगाने का है ?

ऊर्जा मंत्री (श्री पी० रामचन्द्रन) : (क) इस समय महाराष्ट्र में नीचे लिखे ताप-विद्युत केन्द्र काम कर रहे हैं। इनमें से प्रत्येक प्रतिष्ठापित क्षमता का तथा पूँजीगत लागत का उल्लेख उनके सामने किया गया है —

केन्द्र का नाम	प्रतिष्ठापित क्षमता (मेगावाट)	पूँजीगत लागत (लाख रुपए)
1. नासिक	280	4830.55
2. कोराडी	480	10965.88
3. पारस	92.5	1317.39
4. धुनावन	62.5	1397.37
5. पारनी	60	1920.98
6. चापरखेडा	90	1093.72
7. बलारसाह	18	253.98
8. ट्राम्बे	330	33 करोड़ (अनुमानित)
9. बोला (रेलवे)	40	उपलब्ध नहीं
10. कोराडी यूनिट 5	200	हाल ही में शुरू किया गया है, पूँजीगत लागत को अभी अंतिम रूप नहीं दिया गया है।

(ख) इस समय महाराष्ट्र में दोस्त वैदिक उत्पादन 44 मिलियन यूनिट है जिसमें से 22 मिलियन यूनिट उत्पादन ताप विद्युत ताप केन्द्रों से, 20 मिलियन यूनिट जल-विद्युत केन्द्रों से तथा 2 मिलियन यूनिट न्यूक्लीयर विद्युत केन्द्रों से होता है। केन्द्रीय सरकार द्वारा महाराष्ट्र में ताप विद्युत केन्द्र स्थापित किए जाने का कलहाल कोई प्रस्ताव नहीं है। तथापि, पश्चिमी क्षेत्र के सभी राज्यों को साथ देने के लिए केन्द्रीय क्षेत्र में, मध्य प्रदेश में कोरना में 2100 मेगावाट की चारम क्षमता वाला एक सुपर ताप-विद्युत केन्द्र स्थापित किया जा रहा है। महाराष्ट्र राज्य भी इन केन्द्र में विद्युत का अपना हिस्सा प्राप्त करेगा।

पिलबुझा के पावर लूम एंजोमिशन को धाने की सप्लाई

3415 श्री मूल चन्द्र वर्मा . क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) पिलबुझा के पावर लूम एंजोमिशन को प्रति माह कितनी मात्रा में धाना सप्लाई किया जाता है ,

(ख) मोस कितनी मात्रा में व्यपत होती है

(ग) इनबारे में अन्य म्योरा क्या है ?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती आशा माईति) (क) भूक धाने के मूल्यों और बितरण पर कोई हाननी नियन्त्रण नहीं है अतः किसी भी एंजोमिशन का धाने की पूर्ति करने का प्रश्न ही नहीं उठता ।

(ख) और (ग) प्रश्न ही नहीं उठाते ।

देवरिया, उत्तर प्रदेश में उद्योगों की स्थापना

3416 श्री रामधारी शस्त्री क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या देश के सर्वाधिक पिछड़े प्रभाग और विशेष कर पूर्वांचल के विकास के लिए कोई गैस औद्योगिक योजना बनाई जा रही है

(ख) यदि हा तो उसकी सक्षिप्त रूपरेखा क्या है और

(ग) उत्तर प्रदेश के देवरिया जिले में कौन-कौन से विभिन्न उद्योग स्थापित किए जाएंगे तथा किन-किन स्थानों पर ?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती आशा माईति) (क) लघु तथा ग्रामीण उद्योग स्थापित करने के लिए उद्योगियों को एक ही स्थान पर सभी सेवाएं तथा सुविधाएं देने के लिए भारत सरकार ने जिला उद्योग केंद्रों की योजना प्रयोजित की है । आगामी 2 वर्षों में देश के सभी जिलों को इस योजना में शामिल करने का प्रस्ताव है तथा 215 जिले सम्मिलित किए जा चुके हैं । इस योजना से देश के पिछड़े हुए जिले/क्षेत्रों तथा उमरी-पूर्वों क्षेत्र को भी लाभ पहुंचेगा ।

(ख) जिला उद्योग केंद्र लघु उद्योगों को उचित योजनाओं का पता लगाना, सम्भाव्यता रिपोर्ट तैयार करना, मशीनरी तथा उपकरणों के सभरण हेतु प्रबंध करना, कच्चे माल, ऋण सुविधाएं तथा विपणन हेतु विभिन्नियों और विस्तार सेवाओं की व्यवस्था जैसी सेवाओं तथा मदद की व्यवस्था करेंगे । जिला उद्योग केंद्र एक बहुप्रबन्धक के अधीन होगा जिसकी सहायता के लिए 4 से 7 कार्यकारी प्रबन्धक तथा अन्य सहायक कर्मचारी होंगे । कार्यकारी प्रबन्धक नामनिर्दिष्ट विषय देखेंगे, अर्थात् प्राथिक प्रबंधन, मशीनरी तथा उपकरण, अनुसंधान विस्तार, तथा प्रसिद्धि, कच्चा माल, ऋण, विपणन तथा कुटीर

उद्योग विद्यमान और धाई पी तथा प्रार ए की कार्य-योजना को जिला उद्योग केंद्र योजना के साथ दिया जाएगा और उन योजनाओं की सभी सुविधाएं और प्रोत्साहन जिला केंद्रों के अधीन उपलब्ध होंगे ।

(ग) देवरिया जिला इस जिला उद्योग केंद्र योजना में सम्मिलित कर लिया गया है जा मई 1978 में प्रारम्भ की गई है । जैसे ही जिला उद्योग के प्र ऋण करना शुरू कर देगा एक तकनीकी प्राथिक सर्वेक्षण किया जाएगा और यह उस जिले में उन नए उद्योगों का पता लगावेगा जिनको विकास बड़ा संभव है ।

देवरिया जिले में कप्तानगञ्ज में कुदकुल बनाने के लिए एक प्राथम्यता जारी किया गया है । वर्ष 1978-79 में 10 लघु औद्योगिक एकको स्थापित किए जाने की संभावना है ।

भारी उद्योगों की तुलना में लघु उद्योगों को प्रोत्साहन

3417 श्री कृष्णानन्द सिंह दाबब क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार भारी उद्योगों की तुलना में लघु तथा कुटीर उद्योगों को प्रोत्साहन देने की किसी योजना पर विचार कर रही है, और

(ख) यदि हा, तो उसकी रूपरेखा क्या है ?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती आशा माईति) (क) और (ख) सत्र में 23-12-1977 को घोषित की गई औद्योगिक नीति में ग्रामीण क्षेत्रों तथा छोटे नगरों में व्यापक रूप से ऐसे हुए लघु तथा कुटीर उद्योगों का काफी विकास करने की आवश्यकता पर बल दिया गया है । औद्योगिक विकास में असंतुलन को ठीक करने तथा ग्रामीण और कुटीर उद्योगों को सार्वभौम रूप से बढ़ावा देने हेतु नई नीति में देश के प्रत्येक जिले में प्राथम्यता के रूप से जिला उद्योग केंद्रों को स्थापित करने की व्यवस्था है ताकि व भारी उद्योगों के लिए एक ही स्थान पर सभी आवश्यक सहायता तथा मार्ग-दर्शन की व्यवस्था कर सके तथा एकमात्र प्रशासनिक प्राधिकरण के रूप में सभी स्वीकृतियां दे सके ।

लघु तथा कुटीर उद्योगों को प्रोत्साहित करने के लिए सरकार द्वारा कार्यान्वित एक अन्य महत्वपूर्ण योजना लघु क्षेत्र के लिए प्रारम्भित बस्तुओं का विस्तार करने की है । केवल लघु क्षेत्र में ही विकास करने हेतु कुछ बस्तुओं के प्रारम्भ की नीति सप्रथम वर्ष 1967 में प्रारम्भ की गई थी किन्तु दस वर्षों की अवधि में तब से अब तक केवल 188 बस्तुओं का ही प्रारम्भ लघु क्षेत्र के लिए किया गया था जब कि सन् 1977 में नई उद्योग नीति की घोषणा की गई थी सरकार ने उस सूची को बढ़ा कर 504 बस्तुओं तक किया जिसमें राष्ट्रीय औद्योगिक वर्गीकरण के अनुसार 807 उपाद शामिल हैं ।

USSR offer to enrich natural uranium for India

3418. SHRI KANWAR LAL GUPTA:

SHRI VASANT SATHE:

SHRI C. K. CHANDRAPPAN:

Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether it is a fact that an informal offer has been made by USSR to enrich natural uranium for India;

(b) if so, details thereof and the reaction of the Government of India thereto; and

(c) the latest attitude of U.S.A. Government to supply uranium to India?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) No, Sir.

(b) Does not arise.

(c) U.S. authorities have given no indication that they will not honour their obligations under the existing Cooperation Agreement for continued supplies of enriched uranium for the Tarapur Atomic Power Station. In fact in view of the provisions of the Non-Proliferation Act they are wanting to negotiate consequential changes.

Basant Aircraft

3420. SHRI S. G. MURUGAIYAN: Will the Minister of DEFENCE be pleased to state:

(a) whether Government have stopped the orders for Basant aircraft with Hindustan Aeronautics Limited;

(b) whether Government propose to purchase helicopters from United States for agricultural spraying;

(c) if so, what are the details and reasons therefor?

(d) whether HAL proposes to wind up manufacture of Basant aircraft following the stoppage of Government orders; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI SHER SINGH): (a) Yes, Sir.

(b) It is proposed to import a suitable type of helicopter for agricultural spraying.

(c) While fixed wing aircraft, like BASANT are suitable for spraying in compact areas, helicopters are more suitable for fragmented areas on account of easy manoeuvrability. It is, therefore, proposed to have a judicious mix of both fixed wing aircraft and helicopters for this purpose.

(d) and (e) HAL have stopped further manufacture of BASANT aircraft with effect from 1st April, 1978. The question of winding up this line of manufacture will be considered in due course.

FIR's Filed against Ex-P.M.

3421. SHRI HITENDRA DESAI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) how many FIR's are filed against the ex-Prime Minister, Smt. Indira Gandhi; and

(b) will Government lay on the Table of the House copies of F.I.R.'s?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) Five.

(b) The details of the FIRs have been published in all Newspapers.

Capacity Utilization of Industries

3422. SHRI C. N. VISVANATHAN:

SHRI A. BALAJANOR:

Will the Minister of INDUSTRY be pleased to state:

(a) the extent of improvement in capacity utilisation of industries envisaged during the next two years and

the concrete steps proposed to bring about improvement;

(b) the increase in capacity or creation of fresh capacity in selected major industries envisaged during the period, both in the private and public sector; and

(c) the extent to which care is taken that the policy in this regard does not deviate from the policy for encouragement of small industries and curb on monopolists?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): (a) Fuller utilisation of existing capacity and assessment of this is a continuous exercise. The steps taken by Government to bring about improvement in capacity utilisation in industries include close monitoring and timely trouble-shooting to secure optimum utilisation, availability of requisite inputs including through imports of raw materials in a timely manner, stress on power generation and distribution, diversification, generation of exports etc.

(b) A statement showing increase in capacity in selected major industries during the next two years is attached.

(c) Apart from the restrictions and the curbs to regulate the growth of large houses as already provided in the MRTP Act, 1969 and the criteria being followed in dealing with the proposals from large houses for expansion/establishment of new undertaking under the aforesaid Act, the statement on industrial policy made before the Parliament on 23rd December, 1977 spells out the further measures undertaken by the Government in relation to the growth of large houses as also to promote the small scale sector.

Recently Government have expanded the list of items reserved for exclusive production in the small scale sector from 180 to 504 in December, 1977 and then in April, 1978 to 807. Continuous review of reserved items is being done in order to ensure adequate growth of potential in that sector. Currently, High-Powered Export Committee under the Chairmanship of Justice Rajinder Sachar is reviewing the MRTP Act, 1969 and the Companies Act, 1956. The Report is expected to be submitted to Government shortly.

Statement

Statement showing increase in capacity in selected Major Industries during the next two years.

Item	Accounting Unit	Capacity as on 1-4-78	Capacity expected by 1980-81	Increase in Capacity during next two years in			
				Public Sector	Private Sector	Total	
1	2	3	4	5	6	7	8
1. Nitrogenous Fertilizers.	Th. Tonnes	3,028	5093	1,792*	273		2065
2. Phosphatic Fertilizers.	Th. Tonnes	915	1341	396	30		426
3. Paper and Paper Board.	Th. Tonnes	1,264	1570	133	173		306
4. Newsprint	Th. Tonnes	75	230	155	..		155
5. Cement	Mill. Tonnes	22.26	30.50	4.16	4.08		8.24
6. Caustic Soda	Th. Tonnes	697.6	840.0	4.80	137.54		142.4
7. Soda Ash	Th. Tonnes	618.0	833.0	60	135		215.0

*Includes 228 Th. Tonnes of Co-operative Sector

1	2	3	4	5	6	7	8
8. Industrial Explosives	Th. Tonnes	66	106	20	20	40	
9. Commercial Vehicles	Th. Nos.	73.5	89.5	..	16.0	16.0	
10. Aluminium	1b. Tonnes	300	325	25	..	25	

Availability and consumption of electricity

3423. SHRI BALASAHEB VIKHE PATIL: Will the Minister of ENERGY be pleased to state:

(a) what is the total quantity of electricity available in the country and what is the Statewise consumption separately for agriculture, domestic and industrial use; and

(b) what is the total line losses in each of the above categories?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) The total quantity of electrical energy available in the country in 1976-77 was 85087 million units. The Statewise consum-

ption of energy by domestic, industrial and agricultural consumers separately is given in annexure. Gross energy generation during 1977-78 was 92196 million units. Statewise consumption figures in domestic, industrial and agricultural consumers during the year 1977-78 are not readily available.

(b) It is not possible to segregate the total transmission and distribution line losses on account of energy consumption by various categories of consumers. This is because the same transmission and distribution system is used for supplying power to all types of consumers. However, the total mission and distribution losses statewise for the year 1976 77 is also given in attached statement.

Statement

(All figures in million units)

S. No.	State/Union Territory	Energy Consumption			Total transmission and distribution losses
		Domestic MU	Industrial MU	Agricultural MU	
1.	Andhra Pradesh	310.53	1870.11	770.65	1208.97
2.	Assam	48.48	286.05	1.86	132.54
3.	Bihar	145.56	2921.75	449.37	1064.19
4.	Gujarat	466.74	3555.35	923.11	1235.16
5.	Haryana	137.66	878.45	719.79	514.08
6.	Himachal Pradesh	46.14	59.90	3.37	122.44
7.	Jammu & Kashmir	126.62	116.20	27.39	111.23
8.	Karnataka	460.51	3455.20	395.99	969.03
9.	Kerala	233.95	1589.64	102.78	452.49
10.	Madhya Pradesh	212.34	2896.52	227.51	865.41

1	2	3	4	5	6
11.	Maharashtra	1170.49	6709.00	918.59	2384.83
12.	Manipur	9.50	1.64	..	3.93
13.	Meghalaya	4.48	12.88	..	15.50
14.	Nagaland	13.43	0.55	..	8.31
15.	Orissa	73.43	1854.80	14.71	468.93
16.	Punjab	279.82	2127.79	972.73	792.62
17.	Rajasthan	134.50	1239.24	429.88	710.14
18.	Tamil Nadu	540.70	3377.92	1693.88	1539.92
19.	Tripura	6.81	2.45	1.18	4.62
20.	Uttar Pradesh	673.40	3995.92	1854.92	2330.79
21.	West Bengal	655.31	3873.79	68.21	752.37
UNION TERRITORIES					
a.	A & N Islands	1.92	1.31	..	1.18
b.	Arunachal Pradesh	3.88	0.57	..	2.91
c.	Chandigarh	32.34	55.88	2.10	39.25
d.	D & N Haveli	0.48	1.68	0.22	2.03
e.	Delhi	514.16	564.14	5.12	296.66
f.	Goa Daman & Diu	20.23	98.17	1.85	35.70
g.	Lakshadweep	0.80	0.02	..	0.09
h.	Mizoram	1.42	Nil	..	0.99
i.	Pondicherry	11.43	58.66	35.42	18.04

Loss to BHEL in preparing Generators for Libya

the progress made during last three years?

3424 SHRI RAMJI LAL SUMAN:
Will the Minister of INDUSTRY be pleased to state:

(a) how many times different generators were prepared in BHEL factory before despatch to Libya according to contract and what amount of losses have been incurred due to wastage which took place in BHEL factory to prepare generators according to Libyan Government specifications; and

(b) what is the programme for power generation/development of steam generators in BHEL; details and

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): (a) Under the contract with M/s Electricity Corporation Tripoli, Libya, BHEL have to supply 2 Nos. of 120 MW Turbo Generators. These generators are similar in design to the ones supplied earlier and to be supplied in future to domestic markets. Generators for supply to Libya along with their components were identified right from the beginning of manufacture. The question of different generators being prepared prior to despatch to Libya, therefore,

does not arise. The first Turbo Generator for Libya has recently been tested successfully at BHEL, Bhopal and will be shipped to Libya by end of August, 1978. The second generator is under machining and assembly and is due for testing in November, 1978. There has been no loss or wastage in the manufacture of these generators.

(b) The programme for power generation envisages an addition of 18500 MW during the plan period 1978-79 to 1982-83. Out of this, BHEL would be supplying equipment for an addition of 17500 MW which works out to about 95 per cent of contemplated addition to the installed capacity during the plan period. While this indicates the development in respect of BHEL's contribution to power generation scheme, in the technical development field for steam generators, BHEL will commence manufacturing of 500 MW sets during this period. The table below indicates the progress made by BHEL during the last three years in their contribution to power generation within the country

Year	MW Commissioned		
	Total for the country	BHEL's share	of BHEL's share
1975-76	1804	1389	77
1976-77	1707	1167	68
1977-78	1956	1895	97

Setting up of a Thermal Project at Ropar

3425. DR. BALDEV PRAKASH: Will the Minister of ENERGY be pleased to state:

(a) whether Government has received any proposal for setting up a thermal project at Ropar;

(b) if so, the date of receiving the proposal and action taken by Government thereon; and

(c) when clearance chance is being given to the project?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) Yes, Sir.

(b) An outline proposal for a 5x200 MW thermal power station at Ropar was received in the Central Electricity Authority in November, 1977. The feasibility of supply and transportation of coal is being examined in consultation with the Department of coal and the Ministry of Railways. As the feasibility report received from Punjab State Electricity Board did not contain adequate data required to assess the techno-economic feasibility of the project they were asked to furnish necessary clarifications, some of which are yet to be furnished. Punjab State Electricity Board have informed C.E.A. in July, 1978 that the project report is being revised by them and will be submitted to the Central Electricity Authority shortly

(c) The power projects already sanctioned for Punjab State are considered adequate to meet its anticipated growth in power demand upto 1982-83. For meeting the further growth in power demand for the period 1983-84 to 1988-89, a number of alternatives including the proposal for a large thermal power plant at Ropar are under examination.

सीमेंट की दुलाई के लिए बाढ़ में रियायत

3426. श्री तुषार प्रकाश :

[डा० सखीनारायण रावते :

क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने सीमेंट की दुलाई के लिए बाढ़ में रियायत देने सम्बन्धी कोई योजना बनाई है; और

(ख) यदि हाँ, तो लगभग कितनी कृपा की जाएगी?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती आशा बर्मा) : (क) और (ख). जी, हाँ। निम्नलिखित कार्रवाई जारी किए गए हैं :-

(i) जहाँ तक कोयला तथा राज्य सरकार के सरकारी विभागों की सीमेंट के संभरण का सम्बन्ध है, सक्षम प्राधिकारी द्वारा यह प्रमाण-पत्र प्रस्तुत

करने पर कि सड़क द्वारा दुलाई छोटे मार्ग से की गई है तथा साईं दर (कोटेज) से लेने के बाद ही मूलतः दूरी पर भुगतान किया है, सड़क के वास्तविक ग्राही भारों की राशि की प्रतिपूर्ति कर दी जाएगी। जिन प्रकारों में राज्य सरकारों ने स्वीकृत दूरों की प्राप्ति किया है, क्या वे दूरी भुगतान की सीमा मान ली जाएगी ?

(2) वन्य/राज्य के सरकारी विभागों से प्राप्त पाटियों को सीमेंट जेजने में निम्नलिखित मान के अनुसार सड़क ग्राही भारों की राजसहायता दिए जाने की अनुमति होगी —

(1) 350 किलोमीटर की दूरी तक प्राविचार (सरपंच) को घटा कर रेल भारों का 100 प्रतिशत,

(11) 350 किलोमीटर से अधिक तथा 500 किलोमीटर तक की दूरी। क लिए उपयुक्त दर का 125 प्रतिशत

(111) 500 किलोमीटर से अधिक की दूरी लिए ऊपर (1) की दर का 150 प्रतिशत।

Mogal Lines

3427 SHRIMATI MRINAL GORE
DR BAPU KALDATE

Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) whether the Mogal Lines are in the Financial trouble,

(b) whether the Mogal Lines propose to discontinue some of its regular services, and

(c) if so, the details thereof?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM) (a) Yes, Sir

(b) No final decision has been taken in this regard so far

(c) Does not arise

Permission for Expansion to a Multinational Blade Company

3428 SHRI JANARDHANA POO JARY Will the Minister of INDUSTRY be pleased to state

(a) whether it is a fact that a multinational blade company has been allowed to expand its capacity,

(b) if so, whether it is also a fact that this favour will cause a great setback to Indian blade manufacturers, and

(c) if so, the reasons for (a) above?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI) (a) No multinational firm has been licensed to manufacture safety razor blades in India. If the hon'ble Member however refers to Messrs Sharpedge Ltd., a concern which has connections with Messrs Hindustan Lever Limited, a multinational company the position is that this firm has applied for grant of an industrial licence for effecting substantial expansion of production of safety razor blades from 200 million nos per annum to 450 million nos per annum. Government have yet to take a decision on this application.

(b) and (c) Do not arise in view of the reply at (a) above

Arrest of Ratnakar Mahajan and Others

3429 SHRI HARI VISHNU
KAMATH

SHRI DAJIBA DESAI

SHRI R K MHALGI

Will the Minister of HOME AFFAIRS be pleased to state

(a) whether it is a fact that Dr Ratnakar Mahajan of Pune and some others were arrested on Gandhi Jayanti Day on the 2nd October, 1975 at Gandhi Samadhi, Rajghat Delhi for shouting slogans against the emergency,

(b) whether they were subsequently prosecuted before a Metropolitan Magistrate Delhi under the Defence of India Rules,

(c) whether those cases are still pending and have not been withdrawn, and

(d) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL):

(a) to (d). Dr. Ratnakar Mahajan along with ten others were arrested on 2-10-1975 from Gandhi Samadhi, Rajghat in case FIR No. 993 under section 33/69 Defence of India Rules, P. S. Darya Ganj and later convicted in the court of Metropolitan Magistrate on 21-4-1976. Subsequently, on an appeal filed by Dr. Ratnakar Mahajan and two others the High Court ordered retrial of the case. The case against Dr. Ratnakar Mahajan was finalised in the court of Metropolitan Magistrate on 27-7-1978 with the award of punishment of three months R.I. already undergone by him during trial when he remained in custody from 2-10-75 to 6-1-1976. He was released on 17-7-1978 in the court. The case against remaining two accused is still pending trial.

Maintenance of National Highway from Calcutta to Madras

3430. SHRI SHYAM SUNDAR GUPTA: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that the National Highway from Calcutta to Madras passing through Orissa is not maintained properly;

(b) if so, what are the reasons therefor;

(c) what is the amount of expenditure incurred on the maintenance of the National Highway during the last three years; and

(d) whether there is any proposal under Government's consideration to widen the National Highway; if so, what are the details thereof?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) It is being maintained satisfactorily for the

present traffic within the framework of available resources.

(b) Does not arise.

(c)	Year	Total Expenditure
	1975-76	Rs. 25.89 lac.
	1976-77	Rs. 45.98 lac.
	1977-78	Rs. 25.99 lac.

(d) The entire portion of National Highway No. 5 lying in Orissa is planned to be widened to two lanes. Fifty works costing about Rs 6.00 crores have already been sanctioned and are at various stages of progress. The major portion of this highway thus is by now already having two lane carriageway.

कोयला खानों में कोयले का उत्पादन

3431. श्री गंगा लाल सिंह: क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि किन कोयला खानों में कोयले का उत्पादन कम हुआ है तथा बाकू बर्ष के दौरान कोयले का उत्पादन बढ़ाने के लिए सरकार क्या कार्रवाई कर रही है ?

ऊर्जा मंत्री (श्री पी० राजचन्द्रन): जिन कोयला खानों में कोयले का उत्पादन कम हो गया है उनके बारे में मागी गई सूचना इस समय उपलब्ध नहीं है। बूक कोल इंडिया लि० व मिनरैनी कोलियरीज में 400 से अधिक खानों से जानकारी मागनी पड़ेगी इसलिए ऐसी सूचना तैयार करने में अत्यधिक परिश्रम और समय लगेगा। फिर भी एक विवरण साफ में सत्य है जिसमें कोल इंडिया लि० के प्रत्येक क्षेत्र और मिनरैनी कोलियरीज क० लि० में अप्रैल से जून, 1978 तक का क्षेत्रवार उत्पादन दिया गया है। जहां तक इस वर्ष उत्पादन बढ़ाने के लिए उठाए जा रहे कदमों का सवाल है सम्बद्ध सूचना नीचे दी जा रही है।—

(1) विस्कोटक पहाड़ों की कमी पूरी करने के लिए इनका धायात किया जा रहा है।

(2) उत्पादन कार्यक्रम की पुनरीक्षा करके उसमें ऐसा संशोधन किया गया है जिससे वर्ष के बीच समय में उत्पादन लक्ष्य पूरा हो जाए।

(3) कोयला कंपनियों से कहा गया है कि वे ऐसी परियोजनाओं का पता लगा कर उन्हें कार्यान्वित करें जिनमें वास्तविक उत्पादन प्रारम्भ करने में कम समय

संगता है। इनसे कोयले का अतिरिक्त उत्पादन भी हो सकेगा।

(5) रेलवे और बैंगन उपलब्ध कराने का विचार कर रहा है।

(4) उड़ीसा की कालसू बिजली बिहार भेजी जा रही है ताकि बिहार में बिजली की कमी पूरी हो सके।

(6) रेलवे और कोयला कम्पनियों ने परस्पर बलिष्ठ समझौता बनाए रखने के लिए एक समझौता बनाया है।

विचारण

क्रम संख्या	क्षेत्र का नाम	उत्पादन लाख टनों में		
		अप्रैल 78	मई, 78	जून 78
1	2	3	4	5
ईस्टर्न कोल फील्ड लि०				
1	पाण्डुरेश्वर	1 82	1 90	1 93
2	बकोमा	2 02	1 84	1 96
3	केंडा	1 39	1 25	1 38
4	कजारा	2 04	1 86	1 91
5	कुनुखोरिया	2 24	1 93	2 06
6	सतग्राम	2 21	1 99	2 11
7	धीपुर	1 70	1 53	1 31
8	दिनेरगढ़	2 04	1 89	2 04
9	सासनपुर	1 02	1 00	0 91
10	मुंगमा	2 16	2 07	2 08
		18 71	17 26	17 69
भारत कोकन कोल लि०				
11	बरोरा	1 49	1 13	1 44
12	महुवा	0 38	0 52	0 50
13	गोविन्दपुर	1 12	1 08	1 29
14	कटरास	1 65	1 69	1 81
15	सिजुधा	1 58	1 58	1 69
16	कुमुडा	1 54	1 51	1 55
17	भागबन्ध	1 49	1 41	1 38
18	कुस्टोर	0 76	0 72	0 71
19	बस्ताकोला	1 40	1 43	1 35
20	लोडगा	1 10	1 07	1 04
21	भीरा	1 36	1 33	1 24
22	बच बिस्टोरिया	0 87	0 97	0 85
23	सैन्ट्रल हरिया	0 47	0 60	0 50
		15 21	15 34	15 45

1	2	3	4	5
केन्द्रीय कोल कोस्ट लि.				
24	बडककना	2.41	2.54	2.27
25	भरगवा	1.98	2.10	1.93
26	हजारीबाग	1.88	1.78	1.72
27	नार्थ करनपुरा	1.60	1.66	1.41
28	कारगनी	3.18	3.23	3.03
29	कठारा	1.37	1.64	1.54
30	घोड़ीसा	0.63	0.75	1.03
31	मिगरीसी	2.29	2.26	2.00
		15.34	16.98	15.9
वेस्टर्न कोल कोस्ट लि.				
32	बर्धा	1.68	1.55	1.45
33	नागपुर	1.74	1.74	1.80
34	पायाखेरा	0.93	0.93	0.89
35	पेच	1.58	1.42	1.39
36	कान्हल	1.22	1.20	1.16
37	कोरवा	2.71	2.61	2.45
38	सोहागपुर	2.87	2.87	2.67
39	चिरीमिरी	2.73	2.48	2.44
40	बैकुण्ठपुर	2.06	1.91	1.72
41	झागराखड	1.35	1.31	1.27
42	ईर-बैली	0.92	0.87	0.82
		19.79	18.89	18.06
43. नार्थ ईस्टर्न कोल कोस्ट लि. सिमरेनी कोलियरीज लि. लि.				
44	कोटामुहम प्रभाग	0.35	0.64	0.81
45	सेलन्दु प्रभाग	0.33	0.52	0.77
46	बेलमपल्ली-I प्रभाग	0.58	0.33	0.52
47	बेलमपल्ली-II प्रभाग	0.71	0.35	0.71
48	मझाहारी प्रभाग	0.89	0.38	0.91
49	रामकुण्डपुर प्रभाग	1.02	0.46	1.03
50	रामगुहम-I प्रभाग	0.76	0.50	0.81
51	रामगुहम-II प्रभाग	0.23	0.82	1.21
52	रामगुहम-III प्रभाग	0.56	0.36	0.53
53	अमृगठ प्रभाग	0.13	0.15	0.19
		6.56	4.51	7.46

T.V Programme relating to Parliamentary and Legislative Work

3432 SHRI R MOHANARANGAM Will the Minister of INFORMATION AND BROADCASTING be pleased to state.

(a) the steps taken by the Madras Station of the TV to educate the people on the Parliamentary and Legislative work,

(b) whether the Bureau for Parliamentary Work, Madras, has written to them about it in 1978, and

(c) the steps taken on the representation?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L K ADVANI) (a) Madras Door darshan Kendra is putting out a Weekly Review of the proceedings in Parliament. The proceedings of the Tamil Nadu Legislature are also suitably covered in the News Bulletins

(b) and (c) One Shri R K Bala subramaniam who claims to be the Chief Executive of the Bureau of Parliamentary Work wrote to the Director, Doordarshan Kendra, Madras, suggesting a programme for educating the legislators in regard to their parliamentary duties and responsibilities. It is not considered necessary or feasible to introduce a feature on the television to educate legislators on their duties and responsibilities

Study undertaken by Polish Team re: Underutilisation of Coal Mines

3433 SHRI P S RAMALINGAM
SHRI K A RAJAN

Will the Minister of ENERGY be pleased to state

(a) whether the study of the Polish team has discovered gross underutilisation of the capacity of coal mines, and

(b) the salient features of the study and the action taken or proposed to be taken to remedy the situation?

2212 LS—5

THE MINISTER OF ENERGY (SHRI P RAMACHANDRAN): (a) and (b) The Central Mine Planning and Design Institute Ltd with Polish Collaboration has submitted a feasibility report covering a master plan for the reorganisation of mines in the Jharia coalfield of BCCCL. This report in six volumes, was received in July 1978. It recommends the division of Jharia coalfield into different mining blocks and combines both underground and opencast mining methods. It further recommends implementation of mechanised opencast mining method in the reserves lying at shallow depths. This report is intended to serve as a guide for detailed mine-planning and designing for the construction of the individual mines. The report is under study.

It is not possible to state at this stage whether there is any under-utilisation of capacity of coal mines.

मध्य प्रदेश में व्यापार केन्द्रों की स्थापना

3434 डा० लक्ष्मीनारायण पाण्डेय
जी कचकलाल हेमराव जीव :

क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या देश में (मजालय के अधीन) व्यापार केन्द्र स्थापित करने के निर्णय को भारत सरकार द्वारा विधानित किया जा रहा है,

(ख) क्या मध्य प्रदेश सरकार ने उस राज्य में ऐसे केन्द्र स्थापित करने का प्रयत्न किया है, और

(ग) यदि हा तो इस पर सरकार ने क्या कार्यवाही की है कितने केन्द्र स्थापित किये जायेंगे तथा तत्सम्बन्धी अन्य व्यौरा क्या है?

उद्योग मजालय में राज्य मंत्री (वीजति शाखा मयति) (क) जी, हाँ।

(ख) जी, हाँ।

(ग) नेपाल के साथ साथ अन्य स्थानों पर एक-एक व्यापार केन्द्र की स्थापना करने के इरादे पर विचार किया गया था तथा वित्तीय वर्ष 1978-79 के दौरान निम्नलिखित पाँच स्थानों पर व्यापार केन्द्र स्थापित करने का निर्णय किया गया है —

भुवनेश्वर (उड़ीसा)

हेबराबाद (गुजरात प्रदेश)

सहस्रबाब (गुजरात)
बीनवर (बुन्देलखंड काशीर)
बन्दीगढ़ (सब साहित्य सेवा)

**Promotions to I.A.S. and I.P.S. from
State Civil and Police Services**

3435. SHRI PURNANARAYAN
SINHA: Will the Minister of HOME
AFFAIRS be pleased to state:

1. Andhra

(a) the detailed particulars of pro-
motions of Indian Administrative Ser-
vices and Indian Police Services from
State Civil and Police services during
the years given below (in a table like
this) State-wise:—

Years	Indian Administrative Service			Indian Police Service		
	Total Promo- ted	Sch. Caste	Sch. Tribe	Total Promo- ted	Sch. Sacts	Sch. tribe
1971 to 1978						

(b) whether any quota is reserved
for the Scheduled Castes/Scheduled
Tribes in recruitment and promotions
to the IAS and IPS:

(c) if so, to what extent; and

(d) if not, what are the reasons for
not ensuring a quota for each of these
two classes?

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS
(SHRI S. D. PATIL): (a) Two state-
ments showing total number of promo-
tee officers to IAS and IPS during
1971—1978 are laid on the Table of the
House [Placed in Library See. No.
LT-2614/78] Information about the
Scheduled Castes/Scheduled Tribes
promotee officers is being collected.

(b) No, Sir.

(c) Does not arise.

(d) On the analogy of orders
applicable to promotions in Group 'A'
Central Services, Government have
decided to amend the Indian Adminis-
trative Service/Indian Police Service
(Appointment by Promotion) Regula-
tions, to provide that the eligible State
Civil and Police Service officers be-
longing to the Scheduled Castes and
Scheduled Tribes who are senior
enough in the zone of consideration so
as to be within the number of vacan-
cies for which the select lists are to
be prepared should be included in the

select lists provided they are not found
unfit for promotion to the Indian Ad-
ministrative Service and the Indian
Police Service.

Reservation of Mini Cement Plants

3436. SHRI VASANT SATHE: Will
the Minister of INDUSTRY be pleased
to state

(a) whether Director General of
Cement Research Institute has ex-
pressed certain reservations on mini
Cement plants;

(b) if so, the details thereof and the
reaction of Government thereto;

(c) State-wise break up of mini
cement plants to be set up during
1978-79 to meet the acute cement
shortage in the country; and

(d) steps taken to check malpracti-
ces and black marketing of cement in
the country and results thereof?

THE MINISTER OF STATE IN THE
MINISTRY OF INDUSTRY SHRI-
MATI ABHA MAITI: (a) and (b).
The Director General, Cement Re-
search Institute has been pointing out
the relevance and application of large
cement plants, medium cement plants
as well as mini cement plants in the
context of the existing socio-economic
framework and the need for an inte-
grated development of all of them.

(c) State-wise break-up of mini cement plant already registered is as under—

Name of the State	Number
Andhra Pradesh	2
Gujrat	5
Haryana	—
Himachal Pradesh	1
Karnataka	2
Madhya Pradesh	—
Maharashtra	1
Orissa	—
Rajasthan	6
Uttar Pradesh	1
	18

None of these plants is however likely to go into production during 1978-79

(d) Cement has been declared as an essential commodity for purposes of the Essential Commodities Act 1955 and adequate powers are available to the State Governments to take action against persons attempting to sell cement at rates higher than those fixed by the Government. The State Governments have also been requested to direct the District Authorities to initiate more positive action against offenders and also to take the initiative and keep a vigilant look out for the offenders. The Cement Manufacturers Association is also implementing a voluntary scheme to ensure that the stockists/dealers do not indulge in any malpractices. There is a continuous review of the position.

Manufacture of Industrial Gaskets in India

3437 DR VASANT KUMAR PAN DIF Will the Minister of INDUSTRY be pleased to state

(a) whether the manufacture of Industrial Gaskets has been sufficient

quantitatively and qualitatively to meet the demands of the Indian Industries

(b) whether about 7 more such industries using indigenous technology have catered satisfactorily to the demand of the Industrial Gaskets,

(c) whether at present the Government is embarked upon a policy to give the manufacturer of Industrial Gaskets Large Scale expansion on inflated figures of demands by interested big industrialists and

(d) whether the Government has carried out a survey about the production of Industrial Gaskets by the existing small scale units and the estimated requirements of the country to justify introduction of this item with the large scale sector?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI MATI ABHA MAITI) (a) to (d) A few manufacturers in the Small Scale Sector have been meeting a part of the requirement of Industrial Gaskets. Import of Gaskets for meeting specialised requirement is being allowed in absence of Gaskets of requisite specifications. Proposals have been received from medium/large scale entrepreneurs for manufacture of Industrial Gaskets and these will be examined on merits. No survey of the status of industry has been made.

Science and Technology Know-how to West Asian and African Countries

3438 DR BAPU KALDATE Will the Minister of SCIENCE AND TECHNOLOGY be pleased to state

(a) whether Government have assessed the capacity of the various Science Laboratories in India in setting science and technology know how to West Asian and African countries,

(b) whether any efforts have been made in this regard, and

(c) if so, the details thereof?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) No, Sir.

(b) and (c). Efforts have been made to explore areas of technology transfer to some of the West Asian and African countries. Expert teams from some countries of the region like Algeria, Kenya, Madagascar etc. have visited India and shown interest in technology know-how in the areas of chemicals, sugar processing by small units, sugar and Khandasari and small scale industry and pharmaceuticals. Similarly, our experts have also explored the transfer of know-how to some countries of the region like Algeria, Mauritius, Tanzania, Egypt, Kenya etc. in several areas where processes developed by the laboratories have become available for commercialisation.

Winding up the Commission of Inquiry into large Industrial Houses

3439. SHRI AMAR ROY PRADHAN Will the Minister of INDUSTRY be pleased to state:

(a) whether Government propose to wind up the Commission of Inquiry into large industrial houses appointed in 1970; and

(b) if so, what are the details thereof; and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): (a) and (b). The term of the Commission of Inquiry into Large Industrial Houses appointed in 1970 has been extended till 17-2-1979.

Formulation of a new Energy Policy

3440. SHRIMATI PARVATHI KRISHNAN: Will the Minister of ENERGY be pleased to refer to the reply given to Unstarred Question No. 8948 on the 3rd May, 1978 regarding formulation of a new energy policy and state:

(a) whether the said working group has submitted its report; and

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

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) No, Sir.

(b) Does not arise.

Bank credit problems of Small Scale Industries

3441. SHRI K. RAMAMURTHY: Will the Minister of INDUSTRY be pleased to state:

(a) the main recommendation of the Report of the High Powered Committee headed by the Development Commissioner for small scale industries which went into the question of bank credit problems of small scale industries. and

(b) when Government propose to implement them?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): (a) and (b). A statement is laid on the Table of the House [Placed in Library Sec. No. LT-7615/78].

H.A.L., Kanpur

3442. SHRI SHIV NARAIN SARSONIA: Will the Minister of DEFENCE be pleased to state:

(a) whether H.A.L., Kanpur has stopped manufacturing AVRO 748 and Basant Aircrafts and if so, since when;

(b) whether 2367 Engineers are still on the pay roll of the factory; and

(c) the name and number of aircrafts manufactured by them after the factory stopped manufacturing those aircrafts?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (PROF. SHER SINGH): (a) H.A.L., Kanpur has stopped manufacturing Basant

aircraft with effect from 1st April, 1978. The production of HS-748(M) aircraft is likely to continue till 1982-83.

(b) There are 394 executives and 2,939 workmen on the pay roll of the factory.

(c) No new aircraft has yet been manufactured in replacement of Basant. Action is being taken to entrust a suitable project.

Rise in Prices of Tyres

3443. SHRI M RAM GOPAL REDDY. Will the Minister of INDUSTRY be pleased to state:

(a) whether the prices of tyres have gone up by 20—30 per cent during the last six months;

(b) if so, whether Government have permitted the manufacturers to increase the prices; and

(c) if so, the reasons therefor and what steps have been taken to check the prices of the tyres?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): (a) to (c). The tyre manufacturing companies raised the prices of various categories of automobile tyres and tubes manufactured by them in the last week of March 1978 to the extent of roughly 10 per cent for rayon tyres, 2.5 per cent for nylon tyres and 2.5 per cent for tubes. Subsequently certain companies effected a further increase in prices of certain categories of automobile tyres and tubes manufactured by them owing to sharp increase in the price of natural rubber. The subsequent increase ranges from 0.01 per cent to 15.7 per cent in respect of automobile tyres and from 3 per cent to 15 per cent in respect of automobile tubes.

2. The Central Government have not imposed any statutory control on prices of automobile tyres and tubes.

Therefore, permission of the Government is not required by the automobile tyre manufacturing companies at the time of raising the prices of automobile tyres and tubes.

3 The Bureau of Industrial Costs and Prices has been requested to conduct a study of the impact of increase in prices of raw materials and other inputs on costs and prices of automobile tyres and tubes charged by the various tyre manufacturing companies and submit its report which is awaited.

4. A reference has been made on 26th May, 1978 to the MRTP Commission under Section 10(a)(ii) of the MRTP Act to enquire as to whether the price rise effected by the various tyre companies in March, 1978, constitutes a restrictive trade practice under Section 37 of the said Act and whether the price rise so effected violates the provisions of the MRTP Commission's order dated the 19th April, 1976 and pass such further orders thereunder as the Commission might deem fit. The Commission has initiated a notice of enquiry on the 6th July, 1978 under Section 10(a) (ii) and Section 37 of the MRTP Act, 1969 against the companies concerned.

उद्योग और कृषि की बिजली की समस्या

3444. श्री बुधराज : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ताप बिजली घरों में विद्युत उत्पादन में भारी कमी होने के कारण बिजली की स्थिति और भी बुरा हो गई है ;

(ख) क्या इसके परिणामस्वरूप उद्योगों पर प्रतिकूल प्रभाव पड़ा है ;

(ग) क्या कृषि की सिंचाई पर भी प्रतिकूल प्रभाव पड़ा है ; और

(घ) यदि हाँ, तो इसके बारे में क्या कार्रवाई करने का प्रस्ताव है ?

ऊर्जा मंत्री (श्री श्रीरामचन्द्रन) : (क) जी, नहीं। 1976-77 की तुलना में 1977-78 के दौरान ताप विद्युत उत्पादन में कोई कमी नहीं आई है। बालू बर्ब के प्रथम चार महीनों के दौरान पिछले वर्ष की इसी अवधि की तुलना में विद्युत की उप-

लक्ष्यता में लगभग 15 प्रतिशत तक की समग्र वृद्धि हुई और विद्युत् की स्थिति में सामान्यतः सुधार हुआ है।

(ख) से (घ) उपरोक्त (क) में बताई गई स्थिति की देखते हुए ये प्रश्न नहीं उठते।

Law and Order in the Country

3445. SHRI SHANKERSINHJI VAGHELA: Will the Minister of HOME AFFAIRS be pleased to state.

(a) whether Government are aware that the law and order situation, in the recent past, in the country has deteriorated;

(b) the particular reasons therefor;

(c) the number of persons arrested in each State and Union Territories during the calendar year 1978 upto the 30th June, 1978;

(d) how many of them are still in jails and how many of them have since been released on bail or acquitted; and

(e) the reasons for releasing the criminals so early and the steps taken or proposed to be taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL)

(a) and (b). Different aspects of the law and order situation in different States had been a matter of public concern. It would, however, be difficult to ascribe any particular reason because the situation varies from State to State and is also complex

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

(e) It would not be possible to give any general reasons for the release of under-trials or suspects on bail, for their release is governed by provisions of law. Convicts are, however, released only after the expiry of their sentences subject to such remissions

as they may have earned in accordance with provisions of relevant jail manuals.

Alleged Industrial Backwardness of Rajasthan

3446. SHRI NATHU SINGH: Will the Minister of INDUSTRY be pleased to state:

(a) the criteria for declaring a district in a State as an industrially backward district; and

(b) whether it is a fact that on account of low investment made by Central Government and financial institutions in Rajasthan as compared to the investment made in other States the entire State has remained industrially backward and if so, whether Central Government will declare the entire State as backward?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI MATI ABHA MAITI): (a) In pursuance of the decisions of the National Development Council Committee of the State Chief Ministers, the following set of criteria was circulated to the State Governments and Union Territory Administrations to be adopted as 'guidelines' for identification of industrially backward districts to qualify for concessional finance facilities:

(i) Per capita food-grains/commercial crops production depending on whether the district is predominantly a producer of foodgrains/cash crops. (For inter-district comparisons conversion rates between foodgrains and commercial crops be determined by the State Government on a predetermined basis where necessary).

(ii) Ratio of population to agricultural workers

(iii) Per capita industrial output (gross)

(iv) Number of factory employees per lakh of population or alternatively number of persons engaged

in secondary and tertiary activities per lakh of population.

(v) Per capita consumption of electricity.

(vi) Length of surfaced roads in relation to population or railway mileage in relation to population.

The statistical data furnished by the State Government in respect of the criteria adopted by them for the purpose of identification of industrially backward districts, were considered by the Planning Commission in consultation with the concerned Ministries. On

the basis of the data furnished generally, the districts with indices below the concerned State average have been selected as industrially backward to qualify for concessional finance facilities. So far 246 districts have been selected from the different States and Union Territories as industrially backward to qualify for concessional finance facilities.

(b) A number of Central projects in different sectors of development have been located in Rajasthan in successive plan periods. A list of projects currently under execution in Rajasthan is given below.—

Sr. No	Name of the projects	Total cost (Rs. crores)	Remarks
1.	Hindustan Machine Tools Ltd Ajmer	10.50	
2.	Instrumentation Ltd, Kota	4.50	
3.	Heavy Water Plant, Kota	54.92	
4.	Khetri Copper Project	135.36	
5.	Khetri copper complex (New Projects)		
	(a) Electrolytic refinery	7.00	
	(b) Smelter Expansion	2.00	
	(c) Aluminum Fluoride Plant	4.00	
6.	Zinc & Lead Existing Projects		
	(a) Balsaira Mines	22.05	
	(b) Rajpura Dariba Mines	45.48	
	(c) Maton (Rock phosphate project)	6.12	
	(d) Debari Zinc Smelter	29.93	
	<i>New Projects</i>		
	(e) Leach Residue Treatment facilities at Debari	6.00	
7.	Gauge Conversion of Bhatinda, Hanumangarh, Surat metre gauge line into broad gauge (142.93 Kms)	13.68	Project already completed.
	Conversion of Delhi Sabarmati metre gauge section into broad gauge (934 Kms).	108.00	An approved work. in 1977, however, only a token provision was made because of paucity of funds.
8.	Rajasthan Atomic Power Station	165.55 (estimated)	

The financial institutions provide assistance to entrepreneurs in Rajasthan on the same basis as in other States. The investment of financial institutions is dependant on the extent of entrepreneurial activity generated.

16 districts of Rajasthan have already been declared as industrially backward to qualify for concessional finance and other facilities. The State is already identified as an industrially backward State, and accordingly six districts have been selected to qualify for the Central Investment Subsidy Scheme.

विभिन्न एजेंसियों के कर्मचारियों के वेतन का संरक्षण

3447. श्री रामवेब सिंह : क्या सूचना और प्रसारण मंत्री यह बता सकते हैं कि

(क) क्या समाचार एजेंसियों के कर्मचारियों के वेतन आदि के संरक्षण के बारे में सरकार द्वारा संसद में दिए गए धारावासीयों की क्रियान्विति के लिए सरकार और प्रेसट्रस्ट, मनाइटीड न्यूज ट्रिब्यूनल समाचार, समाचार भारती के प्रबंधकों के बीच लिखित अथवा मौखिक समझौता हुआ है और यदि हा तो क्या इसकी क्रियान्विति के बारे में कोई रिपोर्ट प्राप्त हुई है; और

(ख) क्या सभी चार एजेंसियों को 'समाचार' द्वारा दी जाने वाली सुविधाओं को वापिस लिए जाने में बारे में कोई शिकायत प्राप्त हुई है, और यदि हा, तो सरकार द्वारा इन बारे में क्या कार्यवाही करने का प्रस्ताव है ?

सूचना और प्रसारण मंत्री (श्री सत्य कृष्ण अग्रवाणी) : (क) और (ख) जैसा कि 14 नवम्बर, 1977 को संसद में दिए गए बक्तव्य के पैरा 6 में निहित है सरकार भूतपूर्व 'समाचार' के, कर्मचारियों की परिलक्षियों का संरक्षण करने में सहायता करने और समाचार में उनके द्वारा दी जाने वाली परिलक्षियों तथा यदि वे अपनी मूल एजेंसियों में काम करते रहते तो उनको जो परिलक्षियाँ मिलती, उनके बीच के अन्तर की पूर्ति करने के लिए चार समाचार एजेंसियों को कृषि त्तीसाधार पर छः वर्ष की अवधि के लिए सहायक अनुदान देने के लिए बचनबद्ध है। इस बचनबद्धता की पूर्ति की दिशा में पहले छः महीने के लिए 17.65 लाख रुपए का अनुदान, समाचार एजेंसियों को पहले ही दिया जा चुका है। तथापि, सरकार और समाचार एजेंसियों के बीच कोई लिखित या मौखिक समझौता नहीं हुआ है।

Opening of Small Service Institute at Tirunelveli and Kanyakumari

3448. SHRI K. T. KOSALRAM: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government would examine the opening of Small Service Institute at Tirunelveli and Kanyakumari for the development of Small Scale and Rural Industries as these districts have immense agricultural and fishery resources; and

(b) whether Government would consider the establishment of a branch of SSI to facilitate intensive promotional work in the village and taluk levels?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) and (b) Under the present Industrial Policy, high priority is being given to the effective development of cottage and small industries which are dispersed in rural areas and small towns of the country. The focal point of development of small scale and cottage industries is shifting from cities and State capitals to the districts. To implement this Policy, district industries centre are being set up in every district according to a phased programme. This will facilitate intensive promotional work in the villages and at taluk levels. The Government of Tamil Nadu is setting up 8 D.I.Cs. with Central assistance and these will include Tirunelveli and Kanyakumari. The SISIs will provide full technical support to the DICs in the effective implementation of this programme.

Breaches at National Highway No. 7

3449. SHRI G. NARSIMHA REDDY: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that on National Highway No. 7 between Hyderabad, and Nagpur at a distance of about 250 K.M. from Hyderabad, the road breaches at Kupthi Ghat

during rainy season every year resulting into closing the traffic for some days;

(b) whether it is also a fact that the same highway which passes through Adilabad District is narrow at most of the places, being B.C. area during rainy season the vehicles cannot cross there as they get stuck up and the traffic becomes jammed; and

(c) if so, what action Government have taken and in how much period the said road will be made traffic worthy without traffic jam during rainy season?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Presumably, the Member is referring to the Kadam bridge and its approaches at Km 251.40 of the Highway from Hyderabad. The road breached during July 1978 mainly due to the narrow waterway of an old bridge having low level approaches. The traffic was restored within 24 hours. The road had also breached during 1973 and 1976.

(b) The National Highway No. 7 passing through Adilabad District is single lane at some places. B.C. soil on the shoulders of the pavement does cause some inconveniences to the traffic using this National Highway during rainy season but no major hold-ups have been reported.

(c) A new high level bridge over River Kadam along with high level approaches is included in the programme of works to be sanctioned during the current Plan. Works costing Rs. 15,63,700/- for widening part of the single-lane to double-lane has already been sanctioned. The work of widening the balance single-lane sections in this stretch is also being considered for execution in the current Plan 1978-83.

Diversion of Ships to Kandla Port

3450. SHRI ANANT DAVE: Will the Minister of SHIPPING AND TRANSPORT be pleased to state:

(a) whether it is a fact that there is great congestion at Bombay Port and ships are not cleared for three months in some cases;

(b) whether it is also a fact that other ports available for speedy disposal of ships like Kandla port are not allowed to avail the facility by Government; and

(c) whether Government have looked into this aspect and propose to divert the ships to Kandla port for early clearance?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) There has been congestion at Bombay Port for the past few months. The position regarding the date of earliest ship waiting in the past few months is given below—

Position as on	Date from which earliest ship waiting
1-5-1978	9-4-1978
1-6-1978	27-4-1978
1-7-1978	16-5-1978
1-8-1978	15-7-1978

(b) No Sir.

(c) The ships are already being diverted to other major ports including Kandla port to relieve congestion at Bombay.

Ex-Serviceman's Air Link Transport Company

3451. SHRI SAMAR MUKHERJEE: Will the Minister of DEFENCE be pleased to state:

(a) whether Government are aware that the Union Government-financed

Ex-Serviceman's Air Link Transport Company(P) Ltd. at Calcutta Airport has reduced its fleet of vehicles from 14 to 5 during the last year resulting in a heavy fall in earnings and retrenchment of workmen;

(b) whether Government would apprise us after a thorough enquiry why the conditions have deteriorated all of a sudden at the Calcutta Airport Unit of the above mentioned Transport Company;

(c) whether Government are aware that Service Conduct Rules have not yet been framed at the Ex-serviceman's Air Link Transport Company (P) Ltd., Calcutta; and

(d) what is the policy of Government for regulating the services of ex-servicemen engaged in the aforesaid company?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) to (d). The Ex-Servicemens Airlink Transport Services Pvt. Ltd has been registered as a private limited company under the Companies Act 1956 with its headquarters at Delhi. It has several branches including the one at Calcutta. The Company is not financed by the Union Government. As part of its usual business dealings, the Syndicate Bank, however, had afforded overdraft facilities to this company.

The Calcutta Branch of the Company initially had a fleet of 11 vehicles to which another 3 vehicles were added to meet requirements arising out of a particular contract, thus raising the total of vehicles to 14. Of these vehicles 3 were subsequently found to be not required and another 2 coaches were withdrawn in June/July 1978. Further, another 4 second-hand vehicles, which were found to be uneconomical to maintain, were disposed of under the directions of the Delhi High Court. Thus, a total of 9 vehicles were reduced from the company's fleet of vehicles bringing down the total number of vehicles to 5.

On account of expiry of a contract and non-cooperation on the part of the employees of the Company, business turnover of the company declined resulting in losses. While no retrenchment has been effected, some of the employees of the company resigned their posts and the services of some were terminated on disciplinary grounds.

2. The issues relating to mismanagement of the affairs of the company were raised in a number of petitions filed in the High Court of Delhi. In Petition No. CA 222/75 of 1975, the High Court directed that the DGR will function as an Administrator of the Company and if he is unable to perform the functions of Administrator himself, he will appoint a nominee in writing, who will take charge of the affairs of the company and will submit report regarding the affairs of the company month by month. In compliance with these directions of the High Court, Director General Resettlement of the Ministry of Defence has taken over as Administrator of the Company. In view of this, at this stage, there does not arise any necessity for Government to interfere in the administration of the Company.

3. The Company has framed Service Rules for its employees. Government is not concerned with regulating the services of the employees of this company, which is a private concern.

खादी ग्रामोद्योग प्रायोग, बम्बई का वित्त पोषण कार्यक्रम

3452. श्री राम नरेश कुमलकाः : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या खादी ग्रामोद्योग प्रायोग, बम्बई ने कम परिष्करण उद्योग के गैर-सरकारी एकाई को ऋण तथा अन्य सुविधाएं देने के लिए उत्तर प्रदेश खादी ग्रामोद्योग बोर्ड के वित्त पोषण की व्यवस्था की है ; और

(ख) यदि हां, तो 1977-78 के दौरान उत्तर प्रदेश, से ऐसी कितनी सहायता की मांग की गई की तथा उत्तर प्रदेश में ऐसे प्रत्येक एकक को कितनी राशि उपलब्ध कराई गई ?

उद्योग मंत्रालय में राज्य मंत्री (जीमती आभा माईती) : (क) और (ब) : जी, हाँ 1977-78 में 50 पी० बायी प्रामोद्योग बोर्ड द्वारा फल परिरक्षण उद्योग के अन्तर्गत निजी एककी तथा सहकारी समितियों के लिए 5 57 लाख रुपये के ऋण तथा 58 हजार रुपये की अनुदान के रूप में समेकित मांग की गई थी बायी तथा प्रामोद्योग बोर्ड ने निजी एककी के लिए 97,000 रु० ऋण के रूप में और 16,250 रु० अनुदान के रूप में नियत किए थे। इनमें से 45,000 रुपये ऋण में तथा 8250 रु० बरेली, लखनऊ, अलीगढ़ तथा ब्राह्मणपुर में स्थित विद्यमान एककी के लिए अनुदान के रूप में थे। एक प्रस्तावित नये एककी के लिए भी बजट 52,000 रुपये तथा 8,000 रुपये ऋण तथा अनुदान के रूप में स्वीकृत किए गए थे।

Shifting of Cement Factory earmarked for Basohli in Jammu

3453 DR. KARAN SINGH: Will the Minister of INDUSTRY be pleased to state:

(a) whether there is a proposal of shifting the Cement Factory earmarked for Basohli in Jammu region to some other area; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) No, Sir.

(b) Does not arise.

बीडी उद्योग में मूल्य वृद्धि

3454 श्री धर्मन सिंह बसौरिया : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार को पता है कि बीडी उद्योगपतियों ने बीडी का मूल्य बढ़ा दिया है ;

(ख) यदि हाँ, तो क्या सरकार ने ऐसी मूल्य वृद्धि को रोकने के लिए कोई-कदम उठाए हैं, और

(ग) यदि नहीं, तो उसके क्या कारण हैं ?

उद्योग मंत्रालय में राज्य मंत्री (जीमती आभा माईती) : (क) जी, नहीं।

(ख) और (ग) प्रश्न ही नहीं उठना।

Supply of Town Gas to Industrial and Domestic Sector in Delhi

3455. SHRI SUBHASH CHANDRA BOSE ALLURI: Will the Minister of ENERGY be pleased to state:

(a) whether the Coal technology cell of the Central Mine Planning and Design Institute, Ranchi has proposed a blue print for high pressure coal gasification for supplying town gas to the industrial and domestic sector in the Capital; and

(b) if so, the main facts thereof?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) Yes, Sir.

(b) A pre-feasibility study report was prepared by Central Mine Planning and Design Institute in September, 1977, which conceives feasibility of locating a high pressure coal gasification plant at Delhi including necessary transmission and distribution pipelines for town-gas supply to both industrial and domestic sectors. The capital outlay on gas generation is estimated at Rs. 70 crores and for transmission and distribution Rs. 51 crores. This techno-economic study is under examination.

Terminal benefit to workers of Beas-Sutlej Link Workers, Talwara

3456. SHRI BHAGAT RAM: Will the Minister of ENERGY be pleased to state:

(a) whether the Co-ordination Committee of Beas-Sutlej Link workers of Talwara had drawn Government's attention towards discrimination while giving terminal benefit to the workers;

(b) how many workers got terminal benefit and the number of those who did not get the same;

(c) whether there is a great resentment among the workers against this discrimination and the Co-ordination Committee has started agitation; and

(d) whether Government purpose to give terminal benefit to the remaining workers?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) Government is not aware of any discrimination in the grant of benefits under the rules, to the workers.

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

Inclusion of Nepali Language in eighth Schedule of Constitution

3457. SHRI K. B. CHETTRI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the names of States where Nepali has been recognised as one of the official languages;

(b) the names of States who have already adopted resolutions in their respective Assemblies to include Nepali in the Eighth Schedule of the Constitution; and

(c) what is the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) Nepali is used as an additional official language in the three Hill Sub-divisions, namely, Darjeeling, Kurseong and Kalimpong of the Darjeeling District in West Bengal. Nepali is also one of the 3 official languages adopted by Sikkim (the other two being Bhutia and Lepcha).

(b) West Bengal, Sikkim and Tripura.

(c) The Government are of the view that no useful purpose would be served by enlarging the Eighth Schedule. However, the Government's endeavour is to encourage the development of cultural and literary heritage of all languages irrespective of their inclusion in the Eighth Schedule.

सरकार के नियंत्रणाधीन औद्योगिक एकक, उनकी संख्या और उन को लाभ

3458. श्री राज किशन: क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि:

(क) केन्द्रीय सरकार के नियंत्रणाधीन इस समय (मार्च, 1978 तक) औद्योगिक एकक की कुल संख्या कितनी है और उन एकको में कुल कितने व्यक्तियों को पूर्णकालिक रोजगार मिला हुआ है;

(ख) क्या उक्त एकक काफी हानि देने के बाद गलत कुछ वर्षों से लाभ में चल रहे हैं और यदि हाँ, तो तत्सम्बन्धी व्याख्या क्या है; और

(ग) वर्ष 1975-76 से 1977-78 तक इन एकको की हुए लाभ हानि का व्याख्या क्या है?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती शारदा झाईती) (क) से (ग) केन्द्रीय सरकार के औद्योगिक तथा वाणिज्यिक उपक्रमों के कार्य-संचालन के बारे में वर्ष 1976-77 की वार्षिक रिपोर्ट के अनुसार जिसका प्रकाशन सरकारी उद्यम-व्यवहारी द्वारा किया जाता है, 1-4-77 को केन्द्रीय सरकार के स्वामित्व और प्रबन्ध वाले एकको की कुल संख्या 145 और इन एकको में कुल 15,75,067 व्यक्तित्व काम कर रहे थे इन एकको में राष्ट्रीय स्तर नियम और उसकी सहायक मितियों में कार्य करने वाले कर्मचारियों की संख्या शामिल नहीं हैं जिनमें वर्ष 1976-77 के दौरान लगभग 2 लाख कर्मचारी सेवारत थे वर्ष 1977-78 की वार्षिक रिपोर्ट अभी प्रकाशित नहीं हुई है इन वार्षिक रिपोर्टों की प्रतियां सचिव के पुस्तकालय में उपलब्ध हैं।

केन्द्रीय सरकार के अधीन पिछले कुछ वर्षों में सरकारी क्षेत्र के उपक्रमों को कर का भुगतान करने के पश्चात् हुआ लाभ नीचे दिया गया है —

(करोड़ रुपये में)

वर्ष	कर के पश्चात् लाभ
1969-70	(-) 5
1970-71	(-) 3
1971-72	(-) 19
1972-73	18
1973-74	64
1974-75	184
1975-76	129
1976-77	240

उपर्युक्त तालिका से स्पष्ट है कि पिछले कई वर्षों से सम्पूर्ण रूप से वे एकक लाभ में चल रहे हैं और लाभ में वृद्धि होती रही है। वर्ष 1977-78

के लिए अलग-अलग कम्पनियों के नाम तथा हानि के प्रांकड़ों को सेवा-परीक्षा के बाद ही अन्तिम रूप दिया जाएगा, जिसके सितम्बर-अक्तूबर, 1978 तक पूरा हो जाने की आशा है फिर भी, वर्ष 1974-76 तथा 1976-77 में केन्द्रीय सरकार के प्रत्येक उपक्रम को हुआ लाभ बताने वाली तालिकाएँ सभा पटल पर रखी हैं [अन्वय में रख दी गईं]। देखिए सच्चा एस-टी-2616 /78]। अनुबन्ध-1 में लाभ कमानेवाले उद्यमों की सूची तथा अनुबन्ध-2 में उन उपक्रमों की सूची दी गई है जिन्हें हानि हो रही है।

Compensation to shareholders of Nationalised Coal Mining Companies

3459. SHRI SHAMBHU NATH CHATURVEDI: Will the Minister of ENERGY be pleased to state:

(a) whether Government have received representations against the arbitrary and irrigational manner in which compensation has been determined for payment to shareholders of nationalized coal mining companies;

(b) whether it has varied between 0.0064 per cent and 126 per cent of the book value of the share; and

(c) if so, how these disparities are explained and how does Government propose undo the injustice done particularly to the small shareholders?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) Yes, Sir.

(b) and (c). The amount granted to the ex-coal mine owners on nationalisation of the coal mines has not been computed on the basis of the share-holdings in the company, but on the basis of evaluation of the assets of the mines by a team of Experts.

Recovery of amount for the misuse of IAF Aircraft

3460. SHRI BALDEV SINGH JAS-ROTHIA: Will the Minister of DEFENCE be pleased to state:

(a) in view of the Shah Commission report, what steps have been

taken for the recovery of amount from persons for the misuse of IAF aircraft on 25th June, 1975, with names of persons and the amount; and

(b) what steps have been taken so far that such misuse is not repeated in future?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) and (b). The matter is under consideration.

Indo-French Nuclear Cooperation

3461. SHRI EDUARDO FALEIRO: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether French Government have offered to cooperate with India in the nuclear sphere; and

(b) if so, the broad details of the proposal and reaction of Government thereto?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (b). Letters were exchanged in July, 1965 between Commissariat A 1 'Energie Atomique, France, and the Atomic Energy Commission of India constituting an agreement for cooperation in the field of peaceful uses of atomic energy between the two countries. This agreement is in force and co-operation has been proceeding in a satisfactory manner.

Inquiry against Research Officers in Directorate of Industry

3462. SHRI BIRENDRA PRASAD: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that enquiry is being conducted against some senior officers by the anti-corruption department in the Delhi administration including the research officer Directorate of Industry; and

(b) whether prima facie cases have been found out against those officers

and what action Government propose to take against them?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) and (b), A case FIR No. 1 dated 3rd January, 1978 under sections 468/471/420/120-B of the Indian Penal Code and under section 5(2) of the Prevention of Corruption Act has been registered against a Research Officer and an Inspector in the Industries Department.

Complaints regarding loss incurred by Coal India Ltd.

3463 SHRI AGHAN SINGH THAKUR Will the Minister of ENERGY be pleased to state:

(a) whether it is a fact that the loss of Rs. 80 crores incurred by Coal India Limited during 1977-78 is mainly because of mismanagement;

(b) whether Government received complaints against the high officers of the Coal India Limited;

(c) if so, what action has been taken so far against these complaints; and

(d) what action is being taken to reduce such loss in future?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a) The loss incurred by Coal India Ltd. during 1977-78 is mainly due to the fact that the administered price of coal does not cover the full cost of production.

(b) and (c). Complaints against officers of Coal India Ltd., as and when received, are looked into and wherever necessary, departmental action is taken in consultation with the Central Vigilance Commission.

(d) A committee has recently gone into the question of economies in the

cost of production of coal and improving of efficiency of coal production. The implementation of recommendations of the Committee is expected to lead to some reduction in losses in a phased manner.

भारतीय प्रशासनिक सेवा के अधिकारियों के ह्यूमरी के स्वागत

3464. श्री अमन राम जायसवाल : क्या गृह मंत्री यह बताने की कृपा करेंगे कि

(क) क्या भारतीय प्रशासनिक सेवा के उन सभी अधिकारियों का उनके मूल राज्यों में भेजने का निर्णय कर लिया गया है जो केन्द्र में प्रतिनियुक्ति पर अपनी सेवा के 10 वर्ष पूरे कर चुके हैं,

(ख) यदि हाँ, तो कब और उनकी संख्या क्या है और उनमें से प्रत्येक ने अपनी प्रतिनियुक्ति के उस वर्ष किम किम नारीश का पूरा किया है,

(ग) उनमें से कितने अधिकारी अपने मूल राज्यों का पत्रों की भेजे जा चुके हैं, और

(घ) क्या अधिकारियों ने सरकार में उपर्युक्त याजना को वापस लेने का निर्णय किया है और यदि हाँ, तो उन पर सरकार की क्या प्रतिक्रिया है ?

गृह मंत्रालय में राज्य मंत्री (श्री एस. जी. पाटिल) : (क) भारतीय प्रशासनिक सेवा के अधिकारी केन्द्र में निर्दिष्ट पदावधियों के लिए अवर सचिव तथा उससे ऊपर के स्तर के पदों पर कार्य करते हैं, जिसकी समाप्ति पर उन्हें साधारणतया उनके मूल राज्यों को वापस भेज दिया जाता है। हाँ, हाँ, पदावधि नियम की सचिव तथा अवर सचिव स्तर के अधिकारियों पर लागू करने का निर्णय किया गया है। इस निर्णय को क्रमिक रूप में कार्यान्वित किया जा रहा है।

(ख) और (ग). एक विवरण संलग्न है, जिसमें अपेक्षित सूचना दी गई है।

(घ) जी नहीं, श्रीमान।

विवरण

क्रम संख्या	नाम तथा संवर्ग पद, जिस पर कार्य कर रहे थे	केन्द्र में 10 वर्ष पूरे करने की तारीख	संवर्ग को प्रत्यावर्तन की तारीख
1	2	3	4
	सर्वश्री		
1.	डा० अजीत मजूमदार (बिहार), सचिव, योजना आयोग	21-6-69	
2.	जी० सी० बवेजा (गुजरात), डी० जी०, बी० पी० ई०	30-9-77	6-6-78
3.	बलबीर बोहरा (हिमाचल प्रदेश), सचिव, पेट्रोलियम	3-2-77	राज्य को प्रत्यावर्तन के आदेश जारी किये जा रहे हैं।
4.	जी० जगतपति (मध्य प्रदेश), अध्यक्ष, डी० बी० सी०	19-4-69	24-4-1978
5.	टी० एन० चतुर्वेदी (राजस्थान), मुख्य आयुक्त, चण्डीगढ़	26-6-77	5-6-78
6.	टी० एन० लक्ष्मीनारायणन् (तमिल नाडु), महानिदेशक, ई० एस० आई० सी०, श्रम मंत्रालय	10-12-77	30-6-78
7.	एम० के० के० नायर (तमिल नाडु), संयुक्त सचिव, योजना आयोग	14-9-62	दिनांक 24-9-73 से निलम्बित हैं।
8.	एस० कृष्णा स्वामी (तमिल नाडु), सचिव, रसायन तथा उर्वरक विभाग	27-4-68	राज्य संवर्ग को प्रत्यावर्तन के आदेश दिए जा रहे हैं।
9.	बी० एन० टण्डन (उत्तर प्रदेश), मुख्य सचिव, दिल्ली प्रशासन।	7-4-75	-यथोपरि-
10.	जी० के० अरोड़ा (उत्तर प्रदेश), मंत्री (आर्थिक), भारतीय दूतावास, मास्को।	22-6-75	26-4-78

Atrocities on Harijans

3465. SHRI V. M. SUDHEERAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware of the increasing number of atrocities on Harijans and Adivasis all over the country;

(b) if so, the number and the nature of the incidents State-wise during the last six months; and

(c) the steps taken by Government to protect the interests of the Harijans and Adivasis?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) to (c). Offences against members of Scheduled Castes are

punishable under the law and comes within the definition of 'Public Order' which is State subject. Substantive action under the law in such cases has to be taken by the State/U.T. Governments concerned. However, the Centre keeps in close touch with them, offers suggestions to them from time to time to expedite measures aimed at removing the basic factors responsible for such incidents and for strengthening the administrative machinery to ensure prompt and effective action in such cases and to provide protection and instil a sense of security amongst the weaker sections.

A statement showing the number and the nature of the IPC crimes registered during the period from 1st January, 1978 to 30th June, 1978 where members of scheduled castes and scheduled tribes were victims is enclosed.

Statement

Sl. No.	States	Number of Cases Registered				
		Murder	Violence	Rape	Arson	Other Offences
1	2	3	4	5	6	7
1.	Andhra Pradesh	3	1	5	..	31 (upto May)
2.	Bihar	6	17	13	26	130 (upto Feb.)
3.	Gujarat	26	78	6	16	272
4.	Haryana	3	2	8	3	9 (upto May)
5.	Himachal Pradesh	1	..	..	1	35
6.	Karnataka	2	5	1	5	51 (upto May)
*7.	Kerala	1	3	5	1	143 (upto March)
*8.	Madhya Pradesh	36	188	64	130	1883 (upto May)
*9.	Maharashtra	7	74	14	23	244 (upto May)
10.	Orissa	5	11	4	4	57
*11.	Punjab	5	2	4	1	18 (upto May)
*12.	Rajasthan	39	87	39	55	223 (upto May)
*13.	Uttar Pradesh	89	261	94	237	1980 (upto May)
*14.	West Bengal . . . . .	..	1	..	..	(upto April)
*15.	Delhi . . . . .	..	..	1	..	3 (upto May)
16.	Pondicherry . . . . .	..	..	..	1	7
17.	Goa, Daman & Diu . . . . .	..	..	1	..	..
18.	Dadra & Nagar Haveli . . . . .	..	..	..	..	12
19.	Arunachal Pradesh . . . . .	..	..	..	..	6
		223	730	260	503	5104

*Statistics for the remaining months have not yet been received.

अमृतसर दूरदर्शन केंद्र का प्रसारण क्षेत्र

3466. चौधरी बलबीर सिंह : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) जालन्धर दूरदर्शन टावर के पास ही जाने के बाद अमृतसर दूरदर्शन केंद्र का प्रसारण क्षेत्र क्या होगा ;

(ख) क्या उक्त टावर के पूरे हो जाने के बाद दिल्ली दूरदर्शन केंद्र के कार्यक्रम देखना सम्भव होगा; और

(ग) यदि हां, तो वहां से कार्यक्रमों का प्रसारण कब से प्रारम्भ हो जाएगा ?

सूचना और प्रसारण मंत्री (श्री लाल कृष्ण शास्त्री) : (क) से (ग). अमृतसर दूरदर्शन ट्रांसमीटर का सेवा क्षेत्र (8,400 वर्ग किलोमीटर), जालन्धर दूरदर्शन केंद्र के लगभग मार्च, 1979 तक बाध होने के बाद भी बर्ही रहेगा। अमृतसर दूरदर्शन ट्रांसमीटर जालन्धर से टेलीकास्ट होने वाले कार्यक्रमों को रिले करेगा। अमृतसर ट्रांसमीटर के सेवा क्षेत्र के दक्षिण दिल्ली दूरदर्शन केंद्र से टेलीकास्ट होने वाले कार्यक्रमों को नहीं देख सकते किन्तु वे दिल्ली दूरदर्शन केंद्र के उन कार्यक्रमों को देख सकेंगे जो समय-समय पर जालन्धर केंद्र से टेलीकास्ट किये जाएंगे।

Representation of Small Newspapers on Government Bodies

3467. SHRI RAM PRAKASH TRIPATHI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government propose to increase the representation of small newspapers on various Government bodies; and

(b) if so, the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) and (b). No, Sir. Representations of Associations representing small newspapers on Committees, etc., dealing with matters affecting the Press are considered on merit.

Number of Factories in Dadra and Nagar Haveli

3468. SHRI RAJE VISHVESHWAR RAO: Will the Minister of INDUSTRY be pleased to state:

(a) the number of industries in Dadra and Nagar Haveli area;

2212 LS—6

(b) how many are big and how many of them are small industries; and

(c) whether Government do not encourage cottage industry there?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) and (b). The number of industrial units in Dadra and Nagar Haveli area is 62. 59 out of these 62 units are small scale units whereas the remaining three are medium scale units. There are no big industries in the area.

(c) The presumption made by the Honourable Member is not correct.

नये शिपयार्डों का बोला जाना

3469. श्री हरमोहन बर्मा : क्या मौबहन और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार कुछ नये शिपयार्ड खोलने का है; और

(ख) यदि हां, तो उनकी संख्या कितनी है और वे किन-किन स्थानों पर स्थापित किए जायेंगे और इस बारे में कितनी धनराशि खर्च होगी ?

मौबहन और परिवहन मंत्रालय में प्रचारी राज्य मंत्री (श्री जय राम) : (क) और (ख). सरकार द्वारा नए शिपयार्डों की स्थापना के बारे में अभी तक कोई अंतिम निर्णय नहीं लिया गया है। परन्तु देश में अतिरिक्त शिपयार्डों की स्थापना के लिए, गुजरात में हजीरा और उड़ीसा में पारादीप दो निर्माण स्थलों की विस्तृत परियोजना रिपोर्टों को तैयार करने का निर्णय लिया गया है।

साहूदरा और गांधीनगर के बीच दिल्ली परिवहन निगम की बस सेवा

3470. श्री मोहन सुब्बा : क्या मौबहन और परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यमुनापार क्षेत्र में घनी आबादी के कारण प्रातःकाल तथा शाम को साहूदरा और गांधीनगर बस्तियों को दिल्ली परिवहन निगम की बसों से जाने के लिए बहुत अधिक प्रशुविधा होती है ;

(ख) यदि नहीं, तो क्या बड़ी संख्या में यात्री लाल किला और यमुना बाजार बस स्टॉप पर बसों का इन्तजार करते रहते हैं किन्तु वहां बसें नहीं रुकती ;

(ग) यदि हा, तो क्या दिल्ली परिवहन निगम के अधिकारियों ने कभी इन बस स्टापों का निरीक्षण किया है, और

(घ) यदि नहीं, तो इसके क्या कारण हैं और क्या दिल्ली परिवहन निगम के अधिकारी इस तथ्य की ओर ध्यान देंगे ?

मौजहन और परिवहन मंत्रालय में प्रचारी राज्य मंत्री (श्री बाबू राम) : (क) से (घ) यमुना पार क्षेत्र घनी आबादी वाला है तथा कभी कभी पुराने यमुना पुल की रकाबटों के कारण बस सेवाओं में बाधरोध होता है। इस क्षेत्र में निवासियों की सुविधा के लिए दिल्ली परिवहन निगम की बसों को पर्याप्त संख्या में लगाया गया है। बरगन्ना बाईं ० टी० ४०० घनेक बस सेवाओं को परिचालित किया जा रहा है।

दिल्ली परिवहन निगम के अधिकारी यमुना पार क्षेत्र की बस्तिवा में और लाम/किला यमुना बाजार स्टाप इत्यादि का दौरा करते हैं जिससे कि यातायात की शोध निकासी और स्थल की स्थिति के अध्ययन का सुनिश्चित किया जा सके। वे यमुना पार क्षेत्र की विभिन्न बस्तियों के नियमित यात्री सघों में भी सम्पर्क बनाए रखते हैं।

मुजफ्फरपुर और छोटा नागपुर में दूरदर्शन केंद्र

3471. श्री मधुसूदन प्रसाद : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि

(क) मुजफ्फरपुर दूरदर्शन केंद्र का मामान्यतः प्रसारण क्षेत्र बितना है तथा इस केंद्र के कार्यक्रम बिहार में किन्ने क्षेत्र में धनीभारि देखे जा सकते हैं और

(ख) क्या सरकार ने दक्षिण बिहार में विशेषकर छोटा नागपुर में एक दूरदर्शन केंद्र स्थापित करने का निर्णय किया है और यदि हाँ, तो तत्सम्बन्धी व्यौरा क्या है ?

सूचना और प्रसारण मंत्री (श्री लाल कुमम झाबवासी) : (क) मुजफ्फरपुर दूरदर्शन प्रेषण केंद्र 40 किलोमीटर के घेरे में सेवा प्रदान करता है जिसके अन्तर्गत 5,000 वर्ग किलोमीटर क्षेत्र आता है।

(ख) जी, नहीं। फिलहाल दक्षिण बिहार या छोटा नागपुर में दूरदर्शन केंद्र स्थापित करने का कोई प्रस्ताव नहीं है।

Amount sanctioned to National Federation of Industrial Cooperatives Ltd.

3472. SHRI BIRENDRA PRASAD: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that large amounts has been sanctioned to the National Federation of Industrial Cooperatives Ltd., New Delhi by your Ministry from time to time during the last three years;

(b) has the objectives stipulated in the grants been fully achieved;

(c) the maintenance expenditure of the NFIC Ltd. on salaries, rents and also TA/DA of the Chairman for the last three years;

(d) whether it is a fact that NFIC Ltd. has failed to submit the audited reports of Accountant General of India as per conditions of grants sanctioned for the last several years; and

(e) if so, how Government nominated Directors kept proper watch over the Government funds entrusted to this organisation and how further funds are being released?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) during the last three years following amounts (Share capital investments & grants) were released to National Federation of Industrial Cooperatives for different approved schemes:

Year	Grants (Rs in lakhs)	Share Capital Investment (Rs in lakhs)
1975-76	4.62	.
1976-77	5.76	6.00
1977-78	4.07	5.00

(b) The Federation has helped in marketing the goods produced by the Industrial Cooperatives which comprise the weaker sections of the society.

(c) The year-wise details are given below

	Heads	1975-76	1976-77	1977-78
(i) Salary		3 43 979 54	4 52 344 69	5 23 164 46
(ii) Rent		74 235 40	2 33 630 23	3 09 934 71
(iii) I A & D A to Chairman		11 310 00	3 774 00	12 212 95

(d) The Statutory auditors appointed by the Central Registrar, Ministry of Commerce & Civil Supplies and Cooperation have completed the audit for the year 1973-74 and the audit for the year 1974-75 is in progress. The audited accounts will be furnished to the AGCW&M after the completion of the audit.

(e) As soon as some deficiencies in the working of the Federation were detected the matter was taken up with the Central Registrar for conducting an enquiry into the working of the Federation. No funds have been released to the Federation during the current year (1978-79) till to-date.

Diffusion/Decentralisation of Family Control Over Business

3473 SHRI CHITTA BASU
SHRI T A PAI

Will the Minister of INDUSTRY be pleased to state

(a) whether Government have since formulated any action programme in regard to the proposed diffusion or decentralisation of the family control over business, trade and manufacturing companies, and

(b) if so, the full details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI) (a) No Sir

(b) Does not arise

Income Tax Evasion cases against Shri Kanti Desai

3474 SHRI K A RAJAN Will the PRIME MINISTER be pleased to state

(a) whether Government's attention has been drawn to the news items appearing now a-days in some of the prominent weeklies and news papers about the corruption and Income tax evasion cases against Shri Kanti Desai,

(b) if so, what are the details and Government's reaction thereto,

(c) whether the former Home Minister Shri Charan Singh's statement that his proposal for holding enquiry into allegations against Shri Kanti Desai was turned down by the Prime Minister is correct, and

(d) if so what is the reason therefor?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) Government have seen some news items alleging corruption and income-tax evasion in the case of Shri Kantibhai Desai

(b) Looking to the nature of allegations there was no cause of action on the part of Government. In any case Government can not regulate its functions on biased and baseless news-reports

(c) and (d) Yes, Sir. No enquiry was called for as there was neither any specific allegation nor a *prima facie* case.

Steps to bring WIMCO and Hindustan Lever under FERA

3475. DR. BAPU KALDATE: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that WIMCO and Lever (Hindustan Lever) have refused to abide by the provisions of FERA in diluting their share capital;

(b) if so, the reasons thereof; and

(c) what steps have been taken to bring them under FERA?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) No, Sir. The position of the two firms is as follows:

M/s. WIMCO have complied with the provisions of FERA.

In the case of M/s. Hindustan Lever, the letter of intent dated 1st July, 1977 issued to the firm under section 29(2) of the FERA by the Reserve Bank of India gives them a period of two years for reduction of the non-resident interest in the equity capital of the company to a level not exceeding 40 per cent from the date of receipt of the above letter of intent dated 1st July, 1977.

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

Files relating to Income Tax in respect of Mr. Kantibhai Desai

3476. SHRI VASANT SATHE: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the former Home Minister Mr. Charan Singh wanted probe against Prime Minister's son—Mr. Kantibhai Desai and that he had written to the Prime Minister in this regard officially;

(b) if so, furnish details and facts regarding the proposal made by the former Home Minister to the Prime Minister;

(c) whether it is a fact that some important files regarding evasion of Income Tax and other irregularities committed by Mr. Kantibhai Desai are missing/destroyed during the Janata Regime as alleged in the News Weekly 'Blitz' dated the 1st July, 1978; and

(d) what is the reaction of the Government to the various observations of serious nature made in the 'Blitz' dated the 1st July, 1978?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (b). In his correspondence with me, which is secret, the former Home Minister Shri Charan Singh had suggested an enquiry into allegations against Shri Kantibhai Desai. He had mentioned no specific allegations.

(c) and (d). Government has seen the news items in the 'Blitz' dated 1st July, 1978 under the caption "Kanti's Lost IT File." Complete records of Shri Kantibhai Desai are available with the Income Tax Department. Government have no information to substantiate the other allegations made in the news item.

Bus service in Leh-Manali Road

3477. SHRIMATI PARVATI DEVI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state whether there is a proposal to start a bus service in the Leh-Manali road; and if so, the details thereof?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): Government of India are not aware of any proposal to start a bus service on the Leh-Manali route.

जान ईश्वरदास मिल, बम्बई को लम्बाई की गई
वई का कथित रूप से चोर बाजार में बेचा जाना

3478. श्री सुकन्य बन्स कल्याण : क्या उद्योग
मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गत तीन वर्षों के
बीच भारतीय वई निगम द्वारा जान ईश्वरदास

मिल, वस्वई को सप्लाई की गई हुई चोर बाजार में बेच दी गई थी और यदि हां, तो क्या सरकार का विचार इस बारे में जांच करने का है और इस समय मिल में कितनी मात्रा में हुई की खपत होती है; और

(घ) उन फर्मों के नाम क्या हैं, जिनसे इसकी खरीद की गई थी ?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती आभा भाईति) : (क) चूंकि गत तीन वर्षों में भारतीय हुई निगम द्वारा जाम मैनुफैक्चरिंग कम्पनी लिमिटेड को काले-बाजार में हुई बेच जाने के सम्बन्ध में कोई जानकारी प्राप्त नहीं हुई है, अतः इस बारे में जांच कराने का प्रयत्न ही नहीं उठता। इस मिल की हुई की वार्षिक खपत 14,000 गांठों के लगभग बताई जाती है।

(ख) सरकार को उन फर्मों के नामों के बारे में कोई जानकारी नहीं मिलती जिन फर्मों से मिलें हुई खरीदनी हैं।

गुजरात में बिजली की कमी

3479. श्री धर्मसिंहभाई पटेल : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बिजली की कमी के कारण जनवरी, 1978 से जून, 1978 तक गुजरात के ग्रामीण और शहरी क्षेत्रों में बिजली की सप्लाई में कटौती की गई थी ;

(ख) यदि हां, तो इसकी महीनेवार औसत क्या है, जनवरी, 1978 से जून, 1978 तक गुजरात में ग्रामीण और शहरी क्षेत्रों में कितने घण्टे बिजली की सप्लाई में कटौती की गई और ऐसे कटौती करने के क्या कारण हैं ;

(ग) क्या सरकार जानती है कि बिजली सप्लाई में इस प्रकार रुकावटें आने के कारण गुजरात का सौराष्ट्र क्षेत्र में रबी की फसल और ग्रीष्म की फसलों को नुकसान पहुंचा है; और

(घ) क्या गुजरात राज्य में बिजली की कमी पूरी करने का केन्द्रीय सरकार का कोई कार्यक्रम है और यदि हां, तो वह किस प्रकार का है ?

ऊर्जा मंत्री (श्री पी० रामचन्द्रन) : (क) और (ख). व्यस्ततम घण्टों के दौरान उत्पादन की कमी के कारण, प्रणाली को अधिकतम मांग की उपलब्ध उत्पादन क्षमता के अन्दर ही सीमित रखने के लिए जनवरी, 1978 से जून, 1978 तक ग्रामीण फीडरों को रोस्टर करने की प्रणाली लागू करनी पड़ी थी। ग्रामीण फीडरों को प्रतिदिन औसत आधार पर जितनी अवधि के लिए विद्युत सप्लाई की गई उसका महीनेवार विवरण नीचे दिया जाता है :—

1978	ग्रामीण फीडरों को	औसत
जनवरी	प्रतिदिन की गई	18 घण्टे
	विद्युत की सप्लाई	
फरवरी]	वही	16 घण्टे

मार्च,	वही	20 घण्टे
अप्रैल	वही	20 घण्टे
मई	वही	20 घण्टे
जून	वही	21 घण्टे

(पहले 15 दिन)

—(दूसरे 15 दिन में कोई कटौती नहीं थी)

(ग) चूंकि ग्रामीण फीडरों को 16 घण्टे से अधिक विद्युत की सप्लाई की गई थी अतः रबी की फसलें तथा खरीफ की फसलें ग्रामीण फीडरों को ऊपर लिखे अनुसार रोस्टरिंग किए जाने से प्रभावित नहीं हो सकती थीं।

(घ) ताप विद्युत, तथा जल विद्युत केन्द्रों के कार्य निष्पादन में सुधार करके वर्तमान प्रतिष्ठापित क्षमता से अधिकतम उत्पादन करने के लिए आवश्यक कदम उठाने की सलाह राज्य सरकारों को दी गई है। इसके अतिरिक्त, चालू वर्ष के दौरान गुजरात में निम्नलिखित नई उत्पादन यूनिटें चालू किए जाने का कार्यक्रम है :—

(1) उकई	2 × 200	मेगावाट
(2) अहमदाबाद	1 × 110	मेगावाट

गुजरात में बिना बिजली पड़ी हुई हुई की गांठें

3480. श्री धर्मसिंहभाई पटेल : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गुजरात में जून, 1978 के अन्त तक हुई की अलग-अलग किस्म की लगभग तीन लाख गांठें बिना बिजली पड़ी थी तथा गुजरात ने यह मांग की थी कि भारतीय हुई निगम को हुई के इस स्टॉक को खरीद लेना चाहिये और यदि हां, तो यह मांग किन-किन की शर्तों से, कब और कैसे आई ;

(ख) क्या भारतीय हुई निगम ने हुई खरीदने के बारे में अपनी नीति बदली है अथवा कोई नई नीति बनाई है ताकि गुजरात में हुई उत्पादकों को हानि न हो और यदि हां, तो उसका ब्यौरा क्या है ; और

(ग) भारतीय हुई निगम ने इस वर्ष गुजरात से कितने मूल्य की हुई खरीदी है तथा कितने मूल्य की ई खरीदी जायेगी तथा कैसे और कब तक खरीदी जायेगी ?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती आभा भाईति) : (क) से (ग). हाल ही के महीनों में इस सम्बन्ध में गुजरात स्टेट काटन कोऑपरेटिव मार्केटिंग फेडरेशन, अहमदाबाद से अभ्यावेदन प्राप्त हुए हैं।

क्रेय नीति में जिस के अधीन भारतीय हुई निगम को केवल राष्ट्रीय वस्त्र निगम की मिलों के ही लिए

खरीद करते और समर्थक मूल्य खरीद सम्बन्धी कार्यों में भाग लेने की अनुमति है। इस निगम स्वयं कोई परिवर्तन नहीं कर सकता। फिर भी सरकार ने भारतीय ईई निगम को बाजार में हस्तक्षेप करने और दीर्घतः किस्म की घन्टों कपास के समर्थन मूल्य स्तर से उससे अधिक मूल्य पर भी खरीदारी करने के लिए निर्देश दिया है। इस निर्णय के अनुसरण में भारतीय ईई निगम ने कपास की 143 गांठें (1.43 लाख रुपये) खरीदी थी। यह (21.19 करोड़ रुपये) ए० २० लि० की मिलाके के लिए अब तक की गई 1.06 लाख गांठों की खरीद के समतोल है। भारतीय ईई निगम द्वारा गुजरात में कपास का प्रचिप्य में की जाने वाली संधाविन खरीद का इस समय कोई अनुमान नहीं दिया जा सकता क्योंकि ऐसी खरीदारी प्रत्येक बातों पर निर्भर करती है।

गुजरात में बिजली उत्पादन

3481. श्री धर्मसिंहभाई पटेल : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि

(क) इस समय गुजरात में कितनी बिजली पैदा होती है, और

(ख) गुजरात में कितनी बिजली की आवश्यकता है ?

ऊर्जा मंत्री (श्री श्री ० रामचन्द्रन) : (क) गुजरात राज्य का वर्तमान ऊर्जा उत्पादन लगभग 17 मिलियन यूनिट प्रतिदिन है। इसके प्रतिरिक्त, प्रतिदिन लगभग 20 मिलियन यूनिट ऊर्जा तारापुर परमाणु विद्युत् केन्द्र से मिलती है।

(ख) गुजरात की ऊर्जा संरक्षी वर्तमान आवश्यकता लगभग 19.00 मिलियन यूनिट प्रतिदिन है।

Utilising the Services of Civil Defence Organisation

3482. SHRI AHMED HUSSAIN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of Pilot Projects introduced in Assam, amount spent year-wise during last three years by the Centre/State and fund allotted for 1978-79, "for utilisation of Civil Defence Organisation in disaster relief" etc.; and

(b) whether in view of the special disasters, like earth-quakes etc. for

which specific training may be needed Government propose to sanction a college, thereby save the expenditure of the rural people of Assam on training under this Scheme as well as training like I.P.C. and N.C.C.?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) At the instance of the Central Government, the Government of Assam have introduced a Pilot Project in 9 selected towns for disaster relief by utilising the Civil Defence Organisation after giving them the necessary training. No expenditure was incurred on this Project during the last three years. During 1978-79, an estimated expenditure of Rs. 90,000/- is being incurred on necessary exercises. The entire expenditure incurred by the State on Civil Defence Organisation is re-imburseable by the Central Government.

(b) A state level Central Training Institute for training of Civil Defence and Home Guards including training in disaster relief already exists in the State. No new institution is proposed to be set up for the purpose

Grants to Non-Official Agencies

3483. SHRI DURGA CHAND: Will the Minister of PLANNING be pleased to state:

(a) the names of the non-official agencies to which grants are given by the Planning Commission;

(b) the amount of grant given to each such organisation during the last three years, year-wise and the purpose for which grant has been given;

(c) whether there is any proposal under the Planning Commission to curtail the grants; and

(d) if so, the details thereof?

THE PRIME MINISTER (SHRI MORARJI DESAI): (a) and (b). A

Statement is laid on the Table of the House [Placed in Library See No LT—2617/78]

(c) No, Sir

(d) Does not arise

उदयपुर, राजस्थान में लघु उद्योगों की स्थापना

3484. श्री एस० एन० सोमानी क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या राजस्थान व उदयपुर जिन में लघु उद्योग के नये एवम् की स्थापना करने के लिए केंद्रीय सरकार द्वारा किसी धनगति का नियमन किया गया है और

(ख) यदि हा तो न मन्त्रालयी व्यौरा क्या है ?

उद्योग मन्त्रालय में राज्य मंत्री (श्रीमती आशा मणि) (ख) जो नहीं ।

(ख) स्पष्ट हो नष्ट उठता ।

Alleged Black Market of Cement

3485 SHRI F P GALEKWAD Will the Minister of INDUSTRY be pleased to state

(a) whether Government are aware that cement is being sold in black market at a premium price,

(b) whether Government are aware that premium is being asked at the door of cement factories,

(c) whether there is something wrong with the distribution system of cement, and

(d) if so steps proposed to be taken in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI) (a) to (d) Due to overall inadequate availability of cement, there are reports of some unsocial elements indulging in black marketing. The cement manufacturers have been requested to exercise greater vigilance on their stockists/dealers. The State Governments have also been requested to examine whether a direct distribution system on the pattern proposed by the West Bengal Government or any other suitable mechanism for

control over distribution needs to be introduced in every state. They have also been requested to direct the district authorities to initiate more positive action against offenders and also to take initiative and keep a vigilant look out for the offenders. Cement has been declared as an Essential Commodity for purposes of Essential Commodities Act, 1955 and adequate powers are available to the State Governments to take action against persons indulging in unethical practices.

D T C Bus Service Between Delhi and Gurgaon

3486 SHRI MANOHAR LAL SAINI Will the Minister of SHIPPING AND TRANSPORT be pleased to state

(a) whether it is a fact that the DTC bus service which was started some 3-4 years back between Delhi-Gurgaon, was withdrawn because of an officer who was interested in some private company which is operating bus service between Delhi-Gurgaon,

(b) if so, what action has been taken against the officer, and

(c) whether DTC has any proposal to re-start his service to facilitate Central Government employees coming daily from Gurgaon?

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM) (a) to (c) The required information is being collected and will be laid on the table of the Sabha as soon as it is received.

Take Over of Telefunken Unit at Faridabad

3487 SHRI K A RAJAN Will the Minister of INDUSTRY be pleased to state

(a) whether Government have a proposal under consideration to take-

over the management of sick Telefunken unit at Faridabad or to merge it with a public sector undertaking; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) and (b). A series of meetings were held in the Ministry of Industry to explore possibilities of reviving this unit outside the framework of the Industries (Development and Regulation) Act, 1951, in consultation with the concerned financial institutions and the Electronic Trade and Technology Development Corporation. The efforts have so far not succeeded. There is no proposal for merger of this undertaking with any other public sector undertaking. However, Messrs. Dalmia Cement (Bharat) Limited have submitted an application under section 72A of the Income Tax Act, 1961, for merger of Messrs. Telesound (India) Limited with their company. This is being processed in accordance with the procedure laid down for the purpose.

Setting Up of Factories of Watches, Blades and Small Engineering Items in Hill Areas

3488. **SHRI T. S. NEGI:** Will the Minister of INDUSTRY be pleased to state:

(a) whether Factories manufacturing watches, blades and small engineering items can be located in hills; and

(b) if so, what steps are being taken to do so?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) Yes, Sir. There is no bar on setting up of factories for the manufacture of watches, blades and small engineering items in hills.

(b) Government is providing various facilities and incentives for pro-

motion of small scale industries in the hilly backward areas, the more noteworthy among them being:

(i) Concessional Refinance through IDBI.

(ii) Interest subsidy.

(iii) Supply of machinery on concessional terms by NSIC.

(iv) 15 per cent investment subsidy on capital investment in backward areas.

(v) Transport subsidy for hilly backward areas.

Setting Up of Paper Mill in Almora, Nainital and Garhwal

3490. **SHRI T. S. NEGI:** Will the Minister of INDUSTRY be pleased to state:

(a) whether paper mills for manufacturing paper can be established in hills with advantage; and

(b) if so, why no action has been taken to establish the same in Almora, Nainital and Garhwal?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) Generally, hilly areas are not suitable for location of paper mills, due to unsuitability of terrain, lack of infrastructure, transportation problems etc. However, they have potential for supply of cellulosic raw materials which can be utilized for manufacture of paper in mills located nearby.

(b) Industrial licences/Letters of Intent have been issued in favour of a few private entrepreneurs for establishment of paper/pulp/newsprint mills in Nainital & Garhwal Districts of U.P. No appreciable progress has been made by any of the entrepreneurs towards implementation of these projects.

Interest for the Provident Fund

3481. SHRI RAMACHANDRAN KADANNAPPALLI: Will the Minister of DEFENCE be pleased to state whether Government propose to pay interest for the provident fund of the Armed Forces personnel at par with that of State Bank of India?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): No, Sir. The return on the provident fund accumulations of the Armed Forces personnel has been kept on a favourable footing vis-a-vis bank rates on fixed deposits.

Shortage of Accommodation for the Armed Forces Personnel

3492. SHRI RAMACHANDRAN KADANNAPPALLI: Will the Minister of DEFENCE be pleased to state:

(a) whether large number of Armed Forces Personnel (particularly the Senior Personnel like JCOs and their equivalents in other services) are put to distress due to the acute shortage of married accommodation from civil quota exclusively for them; and

(b) if so, why not reserve a reasonable percentage of accommodation from civil quota exclusively for their use?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) and (b). Rules governing civil pool of accommodation provide that persons who are eligible for allotment from pools maintained by respective Departments are not entitled to allotment out of civil pool. Even then, a substantial number of houses out of the civil pool at Delhi/New Delhi have been taken over on the Defence pool for allotment to service officers and JCOs. 1325 such houses are at present held in the Defence pool. More than 2,000 persons have been provided with Defence-owned accommodation or hired houses or have been allowed to make their own arrange-

ments on rent-reimbursement basis. About 400 persons are yet to be provided with Government owned or hired accommodation. In view of the considerable shortage in the civil pool also and large number of civilian employees yet to be provided, it has not been possible for the Directorate of Estates to add to the Defence pool out of their own quota. The Defence-owned accommodation in New Delhi/Delhi will be augmented gradually under the overall plan to remove the existing deficiencies in married accommodation for service personnel all over India over a period of 13 years commencing from 1978-79. Efforts are also made to hire more houses.

Submission of Memorandum by the Cochin Port Staff Association

3493. SHRI VAYALAR RAVI: Will the Minister of SHIPPING AND TRANSPORT be pleased to state that:

(a) whether the Cochin Port Staff Association submitted any memorandum to the authorities;

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

(c) the action taken on it?

THE MINISTER OF STATE IN-CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): (a) Yes. The Cochin Port Staff Association have submitted a large number of demands to the Port Trust during the period 1975 to till date.

(b) and (c). A statement showing the demands made by the Cochin Port Staff Association and action taken thereon is laid on the Table of the House. [Placed in Library. See No. LT-2618/78].

Corruption in Model Mill of Nagpur

3494. SHRI R. K. MHALGI: Will the Minister of INDUSTRY be pleased to state:

(a) whether the Government's attention has been drawn to the news

item in "Lokmat of Nagpur (Maharashtra)" dated the 18th April, 1978 regarding alleged corruption of thousands of rupees by the purchase-committee in Model Mills of Nagpur, which comes under National Textile Corporation;

(b) whether Government have investigated the matter and with what result; and

(c) if no investigation is made so far, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) Yes, Sir.

(b) and (c). The irregularity concerned purchase of glass-wool fibre measuring 150 Sq. Ft. by the Model Mills Nagpur, Nagpur. Excess amount paid by the Mill has been recovered from the Suppliers. Further investigations in the matters are in progress.

Sick Small Scale and Cottage Industries

3495. SHRI R. K. MHALGI: Will the Minister of INDUSTRY be pleased to state:

(a) the total number of sick-units in small scale and cottage industries sector district-wise in Maharashtra;

(b) what measures are proposed for their recovery; and

(c) what may be the Central Government's assistance in that regard?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) The information is not readily available and is being obtained from the State Government.

(b) and (c). The Government have announced its policy on sick units on 15th May 1978. According to this policy, sick units in the small scale sector will be given special attention.

State Finance Corporations and commercial banks will be asked to devise a scheme for rehabilitation of sick industries in the small scale sector and assistance given by them for the revival of such units will be eligible for refinancing by the Industrial Reconstruction Corporation of India Limited or the Industrial Development Bank of India at a concessional rate of interest. Government and other purchasers of the products of small scale industry will be directed to settle dues of small scale units on priority basis and commercial banks will be asked to ensure that credit given to large scale units for working capital is applied first towards meeting dues of small scale suppliers. In order to protect the investment of technical entrepreneurs in cases where small scale units promoted by them are forced to close down for reasons beyond the control of the entrepreneurs, the possibility of evolving a suitable scheme of risk insurance for safeguarding the interest of the entrepreneurs will be examined.

Economic position of the Braithwaite

3496. SHRI P. K. KODIYAN: Will the Minister of INDUSTRY be pleased to state:

(a) whether the economic position of the Braithwaite and company has showed any improvement after its taken over by Government;

(b) if so, what are the facts thereof;

(c) if not, what is the additional investment made by Government in this company and other measures taken to improve the performance of the company; and

(d) what are the reasons for not making commendable improvements in its performance?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) and (b). Braithwaite and Co., was taken over in March, 1971. The production during 1971-72 was Rs. 530.75

lakhs. This improved to Rs. 1822 lakhs during the year 1977-78. However, the losses which stood at approximately Rs. 510 lakhs at March, 1971, accumulated to Rs 2294 lakhs for the years ending March, 1975 and Rs. 3156.05 lakhs for the year ending March, 1978.

(c) and (d). The undertakings of the company were nationalised with effect from 1st April 1975 by converting Government loans to the extent of Rs. 15 crores as equity. Further loans for 1975-76 were also funded as equity. The losses sustained by the company are attributed to the the necessity of executing old wagon orders at unremunerative prices for the Railway Board. The operations of the company have also been uneconomical due to high overheads. A number of plans for diversification are under consideration and the new orders which are now coming from the Railways have been secured at better prices

Litigations Involving Andaman and Nicobar Administration

3497. **SHRI MANORANJAN BHAKTA**, Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of Court litigations to which the Andaman & Nicobar Administration has been a party during the past three years (1) against its own employees (2) against private parties;

(b) how many have been decided in favour of the administration and how many went against the Government;

(c) the total expenditure on litigations incurred including T.A. and D.A. drawn by officials man hours and stationery drained out on account thereof; and

(d) whether any responsibility has ever been fixed on officers for misleading advices rendered; landing the administration into whirlpool of wanton litigations and if so, the punish-

ment awarded to such officers and the amount so far recovered from their salary?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) to (d). Information is being collected and will be laid on the Table of the House.

Power cut in States

3498. **SHRI MADHAVRAO SCINDIA:**
SHRI S. R. DAMANI:

Will the Minister of ENERGY be pleased to state:

(a) whether the target of 14 per cent increase in generation of energy during 1978-79 has not been achieved as planned;

(b) if so, whether it is also a fact that as a result Government have cut down the energy in some of the states;

(c) if so, the reasons thereof; and

(d) names of the States affected by the cut down?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a). The target of 14 per cent increase in generation of energy during the period April to July, 1978 as compared to generation in the corresponding period last year has been achieved, on an all India basis

(b) to (d). According to information available with us, no notified fresh energy or demand cuts have been imposed in any State, subsequent to month of April, 1978, even though in some of the States the generation is somewhat lower than the target.

Curb on unauthorised excess Production and additional Profits by Foreign Companies

3499. **SHRI MOHINDER SINGH SAYIANWALA:** Will the Minister of INDUSTRY be pleased to refer to the reply given to Unstarred Question No.

6661 on the 12th April, 1978 regarding repatriation of profits by foreign companies and state:

(a) whether some ways and means have been devised to curb unauthorised excess production and prevent the foreign companies from generation of additional profits;

(b) whether the number and names of such companies will be placed before the House and also the quantum of excess production and the amount of excess profits therefrom; and

(c) if not, the reasons for the same?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) to (c) Unauthorised excess production over licensed capacity is sought to be curbed by introduction of suitable statutory provisions in the Industries (Development and Regulation) Act, 1951. This would effectively curb generation of profits by such undertakings leading to corresponding reduction in the repatriation of such profits. It is difficult to co-relate exactly the remittance of profit by foreign companies on unauthorised excess production in a particular period especially when an undertaking is engaged, as is generally the normal case, in the manufacture of a variety of products. No estimates have been worked out by the Ministry of Industry of the amount of excess profits made through unauthorised production by foreign companies which have been repatriated.

राष्ट्रीय कपड़ा निगम के अन्तर्गत सतत कपड़ा मिलों द्वारा रुई, रंग, मशीनरी सामान का खरीदा जाना

3500. श्री हुसैनखन कछवाय : क्या उद्योग मंत्री कपड़ा उद्योग द्वारा रुई की खरीद के बारे में 22 फरवरी, 1978 के अन्तर्गत प्रश्न सख्या 275 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि—

(क) राष्ट्रीय कपड़ा निगम, मध्यप्रदेश, के अन्तर्गत सतत कपड़ा मिलों ने गत तीन वर्षों के दौरान रुई, रंग, मशीनरी सामान तथा मिलों में काम आने वाला अन्य सामान किन-किन पाटियों

से खरीदा तथा कितनी मात्रा में और कितने मूल्य का खरीदा ;

(ख) क्या यह सच है कि सामान टेंडर द्वारा खरीदा जाता है और यदि हाँ, तो नियम नै टेंडर के लिए कितनी पाटियों का पंजीकरण किया है ;

(ग) क्या ऐसी भी अनेक पाटियाँ हैं जो विभिन्न नामों से टेंडर देती हैं, यदि हाँ, तो उन के नाम क्या हैं ; और

(घ) जिन पाटियों से मास लिया जाता है उनका भुगतान किन-किन शर्तों पर किया जाता है और बख्त उद्योग नियम नै नियमों का उल्लंघन कर के ऐसे किन्तने मामलों में भुगतान किया है ?

उद्योग संचालन में राज्य मंत्री (श्रीमती आभा माईति) : (क) मासों में जानकारी काफी अधिक है और ऐसी जानकारी प्रस्तुत करने में पर्याप्त समय लगेगा । इन परिस्थितियों में मामलीय मध्यम जो विलिप्त जानकारी प्राप्त करना चाहते हैं वह बता दें । जिसका उत्तर दे दिया जायेगा ।

(ख) खरीदी जाने वाली वस्तुओं के प्रकार के अनुसार खरीद की प्रणाली भिन्न-भिन्न होती है । खास तौर पर रुई की खरीद भारतीय रुई निगम और महकानी समितियों के माध्यम से की जाती है । मशीनरी और पंजीयन उपकरणों के लिए धारक कम्पनी द्वारा मशीनरी खरीदने के लिए सम्मरणकर्ताओं के मास नय की गई शर्तों पर सहायक नियम द्वारा प्रयास दिा जाने है । मिलों में उपयोग में लाई जाने वाली स्टोर की वस्तु सामानों की खरीद अन्य वस्तुओं की खरीद सहायक नियमों में केन्द्रित कर दी गई है और इन की खरीद धाम तौर पर स्वीकृत निविदा शर्तों पर की जाती है ।

सहायक नियमों के पाम मशीनरी के लिए 99 और स्टोर की वस्तुओं के लिए 221 पंजीकृत पाटियाँ हैं ।

(ग) अभी तक ऐसा कोई मामला जानकारी में नहीं आया है ।

(घ) भुगतान सम्बन्धित पाटियों के साथ नय की गई शर्तों के अनुसार किया जाता है । मशीनरी खरीद के मामले में धाम तौर पर 10% अग्रिम राशि 80% बैंक के माध्यम से वस्तावेजों पर, 7½% मशीन बालू हो जाने पर और 2½% एक वर्षे संतोषजनक कार्य करने के बाद भुगतान करने की व्यवस्था है । अन्धकार वस्तुओं के बारे में भुगतान की सामान्य शर्तें निम्नलिखित हैं—

(I) जटिल और निष्कियत (प्रोमाइटर) किस्म की वस्तुओं के मामले में पूर्ण नकद भुगतान ;

(II) 30 से 60 दिन के उधार के बाद 100% पूर्ण भुगतान ; और

(III) संभरण पर 75 % और 30 से 60 दिन के बाद 25 % का भुगतान सम्भरणकर्ताओं द्वारा तय की गई भुगतान सम्बन्धी शर्तों के अनुसार भुगतान प्रत्यक्ष रूप से मिलों द्वारा किया जाता है ।

जिन घनेक प्रकरणों में यदि कोई हों तो, निम्नों का उल्लेखन कर भुगतान किया गया है, उन की सूचना देने के लिये राष्ट्रीय वस्त्र निगम की स्थापना लेकर खरीद सम्बन्धी समुचा रिकार्ड रखना पड़ेगा । विभिष्ट अवधि का उल्लेखन होने के कारण यह एक समय लगने वाली प्रक्रिया होगी जो निकलने वाले परिणाम के अनु-रूप नहीं होगी । इस दृष्टि से माननीय सदस्य यदि चाहें तो किसी विशेष मामले का उल्लेख करें उसके बारे में जानकारी दी जा सकेगी ।

Import of Defence Equipment

3501. SHRI AHMED M. PATEL:
SHRI S. S. SOMANI:
SHRI RAM SEWAK HA-
ZARI:

Will the Minister of DEFENCE be pleased to state:

(a) whether Government have decided to import major equipment only if the country of origin agreed to part with the technology know-how to enable its manufacture in India; and

(b) if so, the names of the countries and their reaction in this regard?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) and (b). It is Government's general policy that while procuring major and critical equipment which is not being produced in the country, and of which substantial quantities are required from other countries, efforts will be made to ensure, as far as possible, that in addition to supplying the required equipment, the concerned foreign party also agrees to transfer technological know how and to assist us in the manufacture of the concerned weapon/equipment within the country. Side by side, the possibility of

entering into buy back arrangements in respect of such equipment or its sub assemblies, parts and components manufactured in India, would also be explored.

Such a policy is being actually followed in respect of defence items and equipment obtained alike, from Eastern sources like the Soviet Union, as well as Western sources like U.K., France and Sweden. It was also made a condition in the recent negotiations with the British, the French and the Swedes about a new aircraft to replace the ageing Canberras and Hunters, and agreed to—in principle—by all three.

मुजफ्फरपुर दूरदर्शन केन्द्र का प्रसारण क्षेत्र (रेंज)

3502. श्री सुरेश झा सुपन : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) बिहार राज्य के मुजफ्फरपुर नगर में दूरदर्शन केन्द्र चालू किये जाने से बिहार के किन-किन नगरों में कार्यक्रम देखा जा सकेगा ; और

(ख) क्या वहां के क्षेत्रीय नागरिकों की प्राव-यकता को देखते हुए शिक्षा, कृषि एवं उद्योग व्यवसाय को सही दिशा में प्रेरणा देने के लिए सब प्रकार के कार्यक्रम धपनाये जा रहे हैं ?

सूचना और प्रसारण मंत्री (श्री सात कृष्ण शास्त्री) : (क) मुजफ्फरपुर दूरदर्शन प्रेषण केन्द्र 40 किलोमीटर के घेरे में सेवा प्रदान करता है । इस परिधि में घाने वाले सभी स्थानों में इस केन्द्र द्वारा टेलीकास्ट किए जाने वाले कार्यक्रम देख जा सकते हैं ।

(ख) जी, हां । इस केन्द्र से टेलीकास्ट होने वाले कार्यक्रम मुख्यतया ग्रामोन्मुखी होते हैं ।

Modification Rules regarding Personnel matters

3503. SHRI DAYA RAM SHAKYA:
Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the rules regarding personnel matters relating to Class I Officers including Secretaries and the staff framed during the British regime have not been modified basically to give the desired effect of control, equality and purpose consciousness;

(b) whether it is a fact that in the existing service rules there is no provision of disciplinary action by the Ministers, State Ministers and Deputy Ministers over the officers and staff of all grades in the respective Ministries;

(c) whether those rules are taken as a shield by the officers at many levels in non-compliance of the directions issued by a Ministry and the orders are described as political orders; and

(d) what action is being taken by Government to revise the rules and bring the executive machinery under its effective hold to implement the policies and decisions of the party controlling the Government?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): (a) Rules relating to personnel matters are amended from time to time as required.

(b) Where President is the authority competent to take action under the disciplinary rules, such action is taken under the orders, and with the approval of the Minister concerned.

(c) Does not arise in view of the reply to Part (b)

(d) Does not arise in view of the reply to Part (a).

Reflection of Debit Balances against the Account of Airman

3504. SHRI RAMACHANDRAN KADANNAPALLI: Will the Minister of DEFENCE be pleased to state:

(a) whether AFCAO is adequately manned and if so, why so many debit balances are reflected against the account of many airmen sometimes the debits back date to 5 years, 6 years and so on;

(b) whether Government contemplate to take necessary disciplinary

action against the concerned officers for their inefficiency who get escaped in the name of "clerical error", "oversight" etc. resulting into unnecessary financial hardships to so many airmen, and in this regard when quarries are raised from far off units like HQ EAC;

(c) what is the reason for the prolonged delay in replying to such queries; and

(d) whether Govt propose initiate a disciplinary action against the overall incharge of the organisations to streamline the administration?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) to (d). Government are aware of the delay, errors in accounts, and other complaints that arise from time to time. These, in turn, are largely relatable to the heavy volume of current work, together with the backlog of past cases being reviewed.

According to Air Headquarters, the present Commanding Officer of AF CAO is doing his best to improve the service provided by the Organisation.

Nevertheless, all necessary steps for a further improvement—and for minimising complaints—will be explored in consultation with Air Headquarters and the C.G.D.A

Scooter/Tonga Stand at Dr. Ram Manohar Lohia Hospital, New Delhi

3505 SHRI HARI SHANKAR MAHALE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there is a proposal under Government's consideration to provide a site for scooter/tonga stand opposite Mortuary of Dr. Ram Manohar Lohia Hospital, New Delhi, as the tongas are parked in a zigzag manner causing hardship to the visitors to various patients in the hospital and traffic congestion in R.K. Ashram Marg, New Delhi near K-Block, Clive Square;

(b) whether there is any proposal under Government's consideration to provide a site for scooter/tonga stand on the R K Ashram Marg New Delhi and also to provide a fare chart board for scooter/tonga for various destinations in Delhi/New Delhi to save the public from harassment, misguided black mailing and

(c) if not what are the reasons thereof and the remedial steps Government propose to take in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL) (a) to (c) There is at present no proposal for providing scooter/tonga stand opposite the Mortuary of Dr Ram Manohar Lohia Hospital New Delhi. The space at R K Ashram Marg is too narrow to allow for a scooter/tonga stand. A scooter cycle stand is however functioning within the premises of the hospital.

The Delhi Police on receipt of complaints from passengers is prosecuting offenders for over charging by scooter rickshaws. Some decoy teams were also detailed and such of the scooter rickshaws who refused or overcharged have been challaned.

सराय सेनाओं में भर्ती

3506 श्री रामकेशर सिंह क्या रक्षा मंत्री यह बताते की कृपा करेंगे कि

(क) क्या भारतीय सेना के सभी दलों में भर्ती के मामले में अनुसूचित जातियाँ और अनुसूचित जनजातियाँ और पिछड़े वर्गों को शामिल करके जो वेतन की हानि जनसंख्या का 80 प्रतिशत हैं किसानों के बच्चा का प्राथमिकता दी जाती है

(ख) यदि नहीं तो उस के क्या कारण हैं और

(ग) क्या सरकार का विचार लोगों के विभिन्न वर्गों की जनसंख्या के अनुपात के भारतीय सेना में कमीशन प्राप्त/वीर-कमीशन प्राप्त करने के व्यक्तियों की भर्ती के लिए कोई कदम उठाने का है, और यदि हाँ तो तत्संबंधी मुख्य बातें क्या हैं?

पूजा बंडी (बी कमलेश्वर राय) (क) से (ग) वर्तमान नीति के अनुसार, सेना में भर्ती सभी

वर्गों/जातियों/धर्म/व्यवसायों के लिए खुली है। वर्तमान में निम्नलिखित शारीरिक वैश्विक और स्वास्थ्य संबंधी मानकों का पूरा करते हैं। जहाँ तक "सभी क्षेत्रों" रेजीमेंटों में भर्ती का संबंध है, किसी विशेष जाति/क्षेत्रों/व्यवसाय के लिए कोई प्राथमिकता नहीं है। एसी रेजीमेंटों के बारे में भर्ती वेतन की हानि भर्ती योग्य पुरुष जनसंख्या के मुकाबले किसी राज्य/सब शासित क्षेत्र की भर्ती योग्य जनसंख्या के प्रतिशत पर आधारित होती है। एसी रेजीमेंटों की वर्तमान सेना की कुल संख्या का लगभग 60 प्रतिशत होती है। परन्तु कुछ ऐसी रेजीमेंटों के बारे में जिन में भर्ती जाति/वर्ग के आधार पर की जाती है। भर्ती विनिर्दिष्ट क्षेत्रों के लिए प्राथमिकता होती है। एसी रेजीमेंटों की वर्तमान सेना की कुल संख्या का 40 प्रतिशत है। इन में से कुछ रेजीमेंटों में धीरे धीरे अन्य वर्गों के व्यक्ति भर्ती करने के लिए प्रयत्न किए गए हैं परन्तु अभी तक प्रगति बहुत धीमी रही है।

2 नवनीकी बारी का छाहरक प्रकसर वर्ग में भर्ती मध्य लोक सेवा आयोग के माध्यम से की जाती है। नवनीकी बारी में भर्ती मजिस्ट्रेट सलैबेशन बार्डों द्वारा की जाती है। इन में से किसी में भी जाति वर्ग का आधार पर कोई प्राथमिकता नहीं है।

3 वर्ग में विभिन्न वर्गों के व्यक्तियों की जनसंख्या का अनुपात में भारतीय सेना में भर्ती करने का कोई प्रयत्न नहीं है।

Statement made by former Health Minister regarding replacing of Officials

3507 SHRI P K KODIYAN
SHRI P VENKATASUB-
BAIAH

Will the Minister of HOME AFFAIRS be pleased to state

(a) whether his attention has been drawn to the statement recently made by former Minister of Health to the effect that Congress minded officials in the State Governments should be replaced by Janata minded officials; and

(b) if so, whether Government agrees with this view?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S D PATIL) (a) and (b) A section of the Press reported that the former Minister of Health and Family Welfare urged the

Janata Governments in the States to replace "Congress-minded officials" by "Janata-minded servants of the people". Government has no comments in this regard.

Alleged reducing of age of a C.B.I. Officer

3508. SHRI DILIP CHAKRAVARTY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the former Vice-Chancellor of the Calcutta University illegally reduced the age of one top ranking officer of the C.B.I. in 1976;

(b) whether it is a fact that several letters were addressed to the University of Calcutta seeking clarification on the subject from the Vice-Chancellor were neither replied to nor acknowledged;

(c) whether the Government is aware of the latest position; and

(d) whether any step is contemplated by Government to find out the background story of the whole incident?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) to (d). In connection with a request for change of date of birth in his service records, an IPS officer then serving in the C.B.I. had produced his Matriculation Certificate in which his date of birth as originally recorded had been revised by the Calcutta University. As the entry relating to the date of birth in the Matriculation Certificate of the officer had been changed nearly 38 years after he passed the Matriculation Examination, a reference was made to the Calcutta University to ascertain the circumstances in which the change had been effected. The matter was under correspondence with the Calcutta University for some time. The Calcutta University Council in its meeting held on 13th April, 1978 inter-alia resolved that

as the correction in the date of birth of the officer made by the then Vice-Chancellor was not in accordance with the rules of the University, the date of birth as originally entered in the Matriculation Certificate should be restored. In view of this decision of the University the request of the officer for altering his date of birth in his service records has been finally rejected by Government.

पाकिस्तान को झररीकी हथियारों की सहायता

3509. श्री राजेश कुमार शर्मा: क्या राजा मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार को पता है कि पाकिस्तान ने संयुक्त राज्य झररीका से बड़े पैमाने पर सैनिक साज-सामान की महायता प्राप्त करने के लिए प्रयत्न आरम्भ कर दिये हैं; और

(ख) यदि हां, तो देश की सुरक्षा की दृष्टि से इस पर सरकार की क्या प्रतिक्रिया है?

राजा मंत्री (श्री जगजीवन राम): (क) और (ख) सरकार को ऐसी सूचनाएं मिली हैं जिन में यह बताया गया है कि पाकिस्तान संयुक्त राज्य झररीका से सैनिक साज-सामान प्राप्त करने का प्रयत्न कर रहा है। परन्तु ये इन पर टिप्पणी करना नहीं चाहते।

यद्यपि हम पाकिस्तान सहित घटने सभी पर्याप्तों से सख्ती संबंध बनाये रखने की श्रम करीज कर रहे हैं, फिर भी हम हर समय पूरी सैनिक तैयारी रखते हैं।

काज का उत्पादन और वितरण

3510. श्री हुकम चन्द कछवाय: क्या उद्योग मंत्री उपभोक्ता समितियों के माध्यम से काज के वितरण के बारे में 22 मार्च, 1978 के तार्विक प्रश्न मध्या 418 के उत्तर के संध में यह बताने की कृपा करेंगे कि:

(क) क्या देश में कार्यरत सभी काज मिलो ने यह निश्चय कर रहा है कि वे काज केवल अपने उन्ही एजेंटों को आर्षटि करेगी, जो निर्धारित मूल्य के अलावा 500 रु प्रति टन प्रीमियम का भुगतान करें और अगस्ट राज का भुगतान नहीं किया जाता है, तो उन्हें कोई भी आषटन नहीं किया जाता है;

(ख) देश में विभिन्न मिलों द्वारा उत्पादित काज की मात्रा का मिल-वार ब्योरा क्या है और देश के अन्दर उसकी वर्तमान आपत कितनी है; और

(ग) क्या सकेद और किताबी काज बिदेशों से आयात किया जाता है और यदि हां, तो वत

तीन बच्चों के बीरान कितनी मात्रा में ध्यात किया गया ?

उद्योग मंत्रालय में राज्य मंत्री (कुमारी आशा कृष्णि): (क) इस समय रियासती दर के छाई के सफेद कागज को छोड़कर जो मिला हुआ सिखा के सख के आर्बिट्रियो को 2,750 रुपये प्रति मीट्रिक टन की दर से दिया जा रहा है, कागज के मुख्य तथा बितरण पर कोई नियंत्रण नहीं है। अतः सरकार को कागज मिला द्वारा अपने एजन्टों से प्रीमियम बसूल किये जाने के बारे में पता नहीं है। गिर भी कागज उद्योग के लिए इकट्ठा किता एजन्टों की नियुक्ति करने पर प्रतिबन्ध लगा दिया गया है।

(ख) देश में कागज मिला में हुए उत्पादन के बारे में एक विवरण सभा पटल पर रखा है। [अन्वय-सब व गज विषय गया। इच्छित सख्या एन-टी-2619/18]। इस समय देश में उत्पन्न किया गया सारा कागज देश में खप जाता है। केवल औद्योगिक किस्मों में कुछ कागज का ही एक सीमित परिमाण में निर्यात किया जा रहा है।

(ग) निर्यात तथा छपाई के कागज का ध्यात करने पर इस समय प्रतिबन्ध लगा दिया गया है तथा पिछले 3 बच्चों में कागज का ध्यात नहीं किया गया है। केवल औद्योगिक कार्यों के लिए ही आवश्यक कुछ विशेष प्रकार के कागज की किस्मों का ही ध्यात किया जाता है।

अंगल भागपुर काटन मिल्स, राजनवगांव के प्रबंध ही और मजदूरों के बीच समझौता

3511. श्री मदन तिबारी क्या उद्योग मंत्री यह बताएँ की कृपा करेंगे कि

(क) क्या यह सच है कि आपातकाल के दौरान विनाक 21-2-1976 को महा प्रबंधक, बगल भागपुर काटन मिल्स, राजनवगांव और राष्ट्रीय मिल मजदूर संघ, राजनवगांव के बीच इस भाव्य या समझौता हुआ था कि मिल में एक युवक, 10 करघों (साथों) की जगह बार करघ (साथे) थालायेँ और स्पीनिंग में एक साइडर को की जाह तीन और बार साइडर थालायेँ;

(ख) क्या यह भी सच है कि समझौते के तुरंत बाद मजदूरों के लिए समझौते की शर्तें ज्यों की त्यों लागू कर दी गई थी लेकिन जो शर्तें प्रबंधक पक्ष के लिए निर्धारित की गई थी वे आज तक लागू नहीं की गई हैं, और

(ग) यदि हा, तो यदि प्रश्न के भाग (क) और (ख) का उत्तर सकारात्मक है, तो क्या सरकार आपातकाल के दौरान एक पक्ष के अनुरोध तः दूसरे पक्ष के विपरीत किये गये समझौते को समाप्त करने के बारे में कोई कार्यवाही करेगी ?

उद्योग मंत्रालय में राज्य मंत्री (कुमारी आशा कृष्णि): (क) से (ग) यह अनुभव किया गया था कि मध्य प्रवेश कपड़ा उद्योग में इकट्ठी

को प्रतिस्पर्धात्मक बनाये रखने के लिये मजदूर और मशीन बहुत अधिक है। मध्य प्रवेश के मूल्य मुख्य मशी की भी 10 सी० सेटी ने 1-9-1973 को एक निर्णय लागू किया था जिस के अनुसार इस धनुषात को बन्द ही रहमवावाह के अनुपात के अनुकूल लाना अनिवार्य हो गया।

इस निर्णय के अनुसरण में महामन्त्र, अंगल भागपुर काटन मिल्स राजनवगांव और राष्ट्रीय मिल मजदूर संघ (नेशनल मिल वर्क्स यूनियन), राजनवगांव के बीच 21 फरवरी, 1976 को एक समझौता किया गया था। इस समझौते में देश की अधिकतर कपड़ा मिलों की साथ प्रक्रिया के अनुसार एक काम-गार द्वारा बनाई में बार साधों (करघों) पर और कटाई में 3-4 साइडों पर काम करने की व्यवस्था थी। समझौते में कर्मचारियों के लिए अधिक मूल मजदूरी की भी व्यवस्था की गई थी। इस प्रकार कर्मचारियों का कार्यभार बढ़ जाने के कारण समझौता कार्यभार तथा अधिक मजदूरी से सम्बन्ध था। समझौते में प्रबंधकों के लिये शर्तों और उपबन्धों के बारे में कुछ भी नहीं था। देश के अन्य भागों में विद्यमान कागधार के समय कार्यभार करने के उद्देश्य से समझौते का कर्मचारियों की सहमति से निर्यातव्य किया गया था। यह तो एकरूपता का और न ही इसका "आपातकाल" से सम्बन्ध था।

कोयले का सदान

3512. श्री निर्मल चन्द्र जैन : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि .

(क) क्या यह सच है कि रेल विभाग द्वारा बैंगनो की सप्लाई के बावजूद कोयले का खदान नहीं हो सका और खानों में बैंगन बेकार खड़े रहे,

(ख) जनवरी तथा फरवरी, 1978 के दौरान बेकार खड़े रहे ऐसे बैंगनो की संख्या कितनी है; और

(ग) यह सुनिश्चित करने के लिए क्या उपाय किये गये हैं कि भविष्य में वे बैंगन बेकार न खड़े रहें और उपलब्ध होते ही तुरन्त कोयले का सदान कर दिया जाये ?

ऊर्जा मंत्री (श्री भी० रामचन्द्रन) : (क) कोल इंडिया लि० और सिंगरनी कोलियरीज क० लि० के कुछ क्षेत्रों में कोयले की सदान के लिए पिछले कुछ समय से जटिल के अनुसार बैंगन नहीं मिल रहे हैं। फिर भी कभी कभी तो ऐसी स्थिति भी आई है जब कि रेलवे द्वारा मजूर किए गए "मुक्त समय" में भी बैंगनो का सदान नहीं हो सका।

(ख) रेल द्वारा मजूर "मुक्त समय" में बैंगनो का सदान नहीं हो सका उन की ईमिक सत संस्था जनवरी व फरवरी, 1978 के दौरान क्रमशः 1137 और 1060 रेलों पर भी, धाने चलाकर उनका सदान किया गया।

(ग) कोयला जाने इस बात का प्रयास करती है कि बैंगन का सबान "मुक्त सबान समय" से ही हो जाए और जहाँ तक समय हो बैंगन बचे नहीं। देखते और कोयला कंपनियों के बीच नियमित सम्बन्ध रखा जा रहा है ताकि बैंगन निश्चित समय से कोयला खान को साइडिंग पर लया दिए जाए और सबान दिन निकलते ही मुक्त हो जाए और दिन की रोकनी से ही पूरा हो जाए।

Acquiring of Assets of Maruti Ltd.

3513. SHRI D. D. DESAI;
SHRI C. R. MAHATA;
SHRI K. A. RAJAN:

Will the Minister of INDUSTRY be pleased to state:

(a) whether Government intend to acquire the assets of Maruti Limited; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) and (b). Government are considering what is to be done with the assets and facilities of M/s. Maruti Ltd.

Sons of Soil Policy

3514. SHRI D. B. PATIL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Central Government are thinking to check the sons of soil policy (i.e. preferential treatment given to local people in connection with jobs) followed by States;

(b) if so, the reasons for it; and

(c) whether any alternative policy has been formulated by Government to the Sons of Soil Policy?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a) to (c). The National Integration Council recommendation in 1968 that in order that adequate employment opportunities are available to local people and they do not suffer from any

sense of injustice, where qualified local persons are available from amongst the people from the State, they should be given major share of the employment and employers should be requested to give effect to this objective as a matter of policy. The recommendation was forwarded to all the State Governments, all public sector undertakings and all-India organisations of employers. Some States have adopted their own definition of 'local persons' and have issued what they have described as "appeals" to industrial undertakings in their States regarding reservation of employment opportunities for such local persons. It is the considered view of the Government that this is a matter in which a reasonable balance should be struck between the constitutional right that any citizen should be able to work in any part of India and the desirability of ensuring that local candidates are not deprived of adequate employment opportunities and do not suffer from any sense of injustice.

Decision of Coal Unions to go on Strike

3515. SHRI C. K. CHANDRAPPA: SHRIMATI PARVATHI KRISHNAN:

SHRI RAJ KESHAR SINGH:

Will the Minister of ENERGY be pleased to state:

(a) whether Government are of the decision that coal mines union belonging to AITUC, CITU, INTUC and UTUC have decided to go on a one day's token strike on the 17th July, 1978 and two days on 16th and 17th August, 1978 a phased programme to press their demands for wage revision and payment of bonus for 1975-76 and 1977-78; and

(b) if so, Government's reaction to it?

THE MINISTER OF ENERGY (SHRI P. RAMACHANDRAN): (a)

and (b) Discussions with the representatives of various Central Trade Unions were held by the Minister of Energy on the 12th July during which it was agreed to restructure the bipartite Committee for coal industry to discuss issues relating to revision of wages, increase in production and other matters pertaining to the industry. Following these discussions the proposed strike on 17th July was withdrawn by the concerned Unions. Further discussions are scheduled to take place on the 11th August, 1978 in which details of the bipartite Committee are expected to be worked out.

कोयला उत्पादन के लिये विस्फोटक पदार्थों का आयात

3516. श्री 0 हवाराण साहब : क्या ऊर्जा मंत्री यह बताने को कृपा करेंगे कि

(क) क्या कोयले के कम उत्पादन के लिए विस्फोटक पदार्थों का आयात ज़रूरी है,

(ख) यदि हाँ, तो कितने मूल्य के विस्फोटक पदार्थों का आयात करने का प्रस्ताव है, और

(ग) क्या वे विस्फोटक देश में ही उपलब्ध हैं और यदि हाँ, तो इस प्रयोजन के लिए विशेषी मुद्रा खर्च करने का क्या नीति है?

ऊर्जा मंत्री (श्री पी० रामचन्द्रन) (क) विस्फोटक पदार्थों की कमी, कोयले के कम उत्पादन के कारणों में से एक है।

(ख) यह प्रस्ताव है कि मुक्त में लगभग 1.27 करोड़ रुपये के विस्फोटक पदार्थों का आयात किया जाए।

(ग) कोयले के उत्पादन के लिए मजूरों का वेसी विस्फोटक पदार्थों की कमी है इसलिए यह निर्णय किया गया है कि वेसी सप्लायमेंट्स बढ़ाने और हर स्थिति का सामना करने के लिए विस्फोटक पदार्थों का आयात किया जाए।

Uranium in Chhota Udepur Taluka of Vadodra District, Gujarat

3517 SHRI F P GAEKWAD Will the Minister of ATOMIC ENERGY be pleased to state

(a) whether an adviser to Central Geological Department, in his report submitted to the Central Government

in 1955 had indicated possibilities of about 8 tonnes of valuable Uranium in Chhota Udepur Taluka of Vadodra District, Gujarat State.

(b) whether a detailed mining survey was carried out by Government, and

(c) if so, facts thereof?

THE PRIME MINISTER (SHRI MORARJI DESAI) (a) to (c) Surveys carried out had revealed radioactive occurrences around Amba, Dungar Jhoj-Kevdi Gambia and Pipley of Chhota Udepur Tehsil or Vadodra District Gujarat. The occurrences however, were not considered economically workable and hence no feasibility studies for mining were carried out.

राजस्थान के लिये सीमेंट का कोटा

3518. श्री चतुर्भुज नया उद्योग मंत्री यह बताने को कृपा करेंगे कि

(क) 30 जन 1978 तक राजस्थान की सीमेंट का कुल कितना कोटा दिया गया और राजस्थान में सीमेंट के कितने कोटे की मांग की और राज्य के पिछड़ेपन को ध्यान में रखते हुए राज्य द्वारा विकास प्रयोजन के लिये मागे गये सीमेंट का कोटा न देने का क्या कारण है और राज्य के कोट में कितनी कमी की गई है और

(ख) क्या ग्रामीण क्षेत्रों में विकास हेतु कुबको या सीमेंट उपलब्ध करवाने और उस के वितरण के बारे में कोई योजना तैयार की गई है और यदि हाँ तो तत्संबंधी व्योरा क्या है।

उद्योग मन्त्रालय में राज्य मंत्री (श्रीमती श्यामा प्रसाद) (क) राजस्थान सरकार ने 1978 की पहली तिमाही में 3 लाख मी० टन सीमेंट तथा दूसरी तिमाही में 3.50 लाख मी० टन सीमेंट का आयात किया है। जब कि राज्य की पहली तिमाही में 1.60 लाख मी० टन सीमेंट तथा दूसरी तिमाही में 1.45 लाख मी० टन सीमेंट आयात किया गया था जिस में प्रत्येक तिमाही में 10,000 मी० टन सीमेंट का तदर्थ आयात भी शामिल है। सीमेंट के तिमाही आयात में सीमेंट की कुल उपलब्धता पर आधारित होते हैं। सीमेंट की उपलब्धता में आधार पर प्रत्येक तिमाही में वास्तविक आयात भिन्न भिन्न होता है। आयात तिमाही आयातों के लिए कोई निर्धारित कोटा नहीं है।

(ख) प्रत्येक तिमाही में राज्य को इकट्ठा सीमेंट घोषित किया जाता है। राज्य सरकार द्वारा निर्धारित प्राथमिकताओं के अनुसार विभिन्न उपभोक्ताओं से सीमेंट को बाँटना राज्य सरकार का काम है।

उत्तर प्रदेश में बुनकरों की सहकारी समितियों के पास कपड़े का जमा भंडार

3519. श्री राजेश कुमार शर्मा : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार को पता है कि उत्तर प्रदेश में बुनकरों की सहकारी समितियों के पास कपड़े का भंडार जमा हो गया है, और

(ख) यदि हाँ, तो क्या प्राथमिक बुनकर समितियों के पास जमा हुए कपड़े को खरीदने के लिए सरकार का बिचार सबसे बड़ी समिति को कोई वित्तीय सहायता देने का है ?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती शारदा भार्गव) : (क) वर्तमान में प्राप्त सूचना के अनुसार राज्य में बुनकरों की सहकारी समितियों के पास हथकरघे के कपड़े के जमा भंडार की कोई गंभीर स्थिति नहीं है। बरसत के इन महीनों में कम बिस्ती होने के कारण भंडार में कुछ कपड़ा जमा हुआ।

(ख) हाल ही में भारत सरकार ने जमा भंडार को खरब करने के लिए हथकरघा वस्तुओं की बिस्ती पर 20 प्रतिशत छूट देने की स्वीकृति दी है। प्रमुख मण्डनों (यूपीका) को वर्ष 1977-78 में प्रारंभिक बुनकर समितियों से हथकरघा वस्तु प्राप्त करने तथा उनकी बिस्ती विपणन के माध्यम से विपणन करने के लिए धन पूँजी के रूप में 50 लाख २० की वित्तीय सहायता देकर और प्रदर्शन कक्ष स्थापित करने के लिए 30 लाख २० देने की व्यवस्था करके मदद की गई है। इसके अलावा उत्तर प्रदेश राज्य हथकरघा बुनकर सहकारी समिति की विपणन के क्षेत्र में सहायता करने के लिए भारत सरकार द्वारा चालू वित्तीय वर्ष में और अधिक प्तिष्ठ प्रदान करने का प्रस्ताव है।

वर्ष 1977-78 के दौरान उत्तर प्रदेश में हथकरघा वस्तुओं का उत्पादन और इनकी खपत

3520. श्री राजेश कुमार शर्मा : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) वर्ष 1977-78 के दौरान उत्तर प्रदेश में हथकरघा वस्तुओं का कुल कितना उत्पादन हुआ ;

(ख) उक्त अवधि में कुल कितनी खपत हुई, और

(ग) उपरोक्त अवधि के दौरान हथकरघा उद्योग के विकास के लिए उत्तर प्रदेश सरकार

को कुल कितनी खपति मंजूर की गई और उसमें से कितनी राशि का उपयोग किया गया ?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती शारदा भार्गव) : (क) वर्ष 1977-78 में उत्तर प्रदेश में हथकरघा की वस्तुओं के कुल उत्पादन का अनुमान 36 करोड़ मीटर लगाया गया है।

(ख) कुल खपत का पता लगाने का कोई आधार नहीं है।

(ग) 1977-78 में हथकरघा उद्योग के विकास के लिए उत्तर प्रदेश सरकार को 312.04 लाख रुपये की खपति स्वीकृत की गई थी। यह राशि विभिन्न विकासार्थक योजनाओं के लिए दी गई थी। जिसका विस्तृत व्योरा निम्न प्रकार है —

(लाख २० में)

नियमित कपड़े (जनता कपड़ा) पर राश्वसहायता	140 37
प्रमुख सहकारी समितियों को धन पूँजी सहायता	24 00
शीर्षस्थ सहकारी समिति धन पूँजी सहायता	25 00
राज्य हथकरघा विकास निगम को धन-पूँजी सहायता	20 00
वर्षों से पूर्व तथा वर्षों के बाद की सुविधायें	22 00
गहन विकास परियोजनाएँ	48 85
नियमित उत्पादन परियोजनाएँ	10 00
हथकरघा कपड़े की बिस्ती पर विशेष छूट	21 82
योग	312.04

Shortage of Cement in Gujarat

3521. SHRI F. P. GAEKWAD: Will the Minister of INDUSTRY be pleased to state

(a) whether it is a fact that there is an acute shortage of cement in the country and particularly in Gujarat;

(b) whether Government are aware that cement is sold in black market at higher prices due to its shortage;

(c) whether Government is also aware that it causes tremendous hardship to genuine users for meeting

their needs of cement required for immediate repairs,

(d) whether it is a fact that housing activities have been considerably slowed down owing to shortage of cement and

(e) if so steps taken or proposed to be taken to improve the supply position?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI) (a) to (d) In spite of a record production of cement during the year 1977-78, there is a countrywide shortage of cement due to the demand exceeding the availability as a result of increased activities in the fields of agriculture irrigation power housing etc. There are reports of unsocial elements taking advantage of the scarcity and indulging in black marketing. It is not therefore unlikely that some of the genuine users are put to hardship in meeting their needs of cement as a result of activities of these unsocial elements. In view of the overall inadequate availability it is also likely that activities in construction of houses are affected to some extent.

(e) Government have taken the following steps to increase the availability of cement in the country —

1 The export of cement outside the country has been totally banned —

2 A quantity of 7.28 lakh tonnes of cement has been imported into the country during the period January to June 1978 and the import of a further quantity of one million tonnes has been contracted.

3 A cash incentive of Rs 30 per tonne for every tonne of additional production over the best production of each unit during the last three financial years or 85 per cent of its licensed capacity, whichever is higher has been announced,

4 Existing rules relating to freight reimbursement for road movements have been liberalised,

5 Government have also a proposal to assist the cement industry for use of captive power for production of cement during the periods of power cuts,

6 Government are also examining a proposal to assist the cement industry for the use of furnace oil for production of cement due to inadequate supplies of coal.

7 The production of the existing units is also closely monitored to see that the industry maintains an overall capacity utilization of 100 per cent.

8 The import of precalculated technology has been permitted to enable the increase of production.

9 The construction of on-going project is being expedited.

10 Government have also decided to encourage the setting up of plants at the site of or near steel plants to utilize the slag.

11 Government have decided to encourage the setting up of a large number of mini cement plant and

12 Government have also appointed a High Level Committee to make a comprehensive study of the cement industry with a view to removing the constraints in the way of optimum production.

साहूरी नमक का आयात

3522 श्री राजलाल राहोई क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि क्या साहूरी नमक के आयात पर लगा प्रतिबन्ध हटा लिया गया है और यदि हाँ तो देश में बनने वाले नमक पर उस का क्या प्रभाव पड़ेगा तथा प्रतिबन्ध हटाने का क्या औचित्य है ?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती आशा बर्मा) सूचना इकट्ठी की जा रही है और सत्र सदन पर रख दी जायेगी ।

Congestion in Yule, Halta and Ahlilar Camps

3523. **SHRI DURGA CHAND:** Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that there is heavy congestion in Yule, Halta and Ahlilar camps in Himachal Pradesh;

(b) whether there is any demand for a military regiment at Joginder Nagar;

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

(d) what action is being taken thereon?

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): (a) While there is some deficiency of accommodation for Officers and JCOs at Yul, Ahlilar and Palampur (near Halta Village) in Himachal Pradesh, there is no such shortage in respect of other ranks. Steps have been initiated to relieve existing congestion.

(b) No such demand has come to notice nor there appears to be any need for stationing a regiment there

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

Acute shortage of fibre faced by Jute Industry

3524. **SHRI YAGYA DATT SHARMA:** Will the Minister of INDUSTRY be pleased to state:

(a) whether the Jute Industry has reached a critical stage owing to an acute shortage of fibre;

(b) whether inspite of desperate efforts of mills to buy ready delivery fibre at more than the statutorily fixed maximum price, hardly any seller is coming forward and it is unlikely to be resolved until the arrival of the new crop; and

(c) if so, the steps taken or proposed to be taken by Government to meet the situation?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) No, Sir.

(b) and (c). There have not been any reports of Jute mills finding it difficult to obtain supplies of raw jute on ready delivery basis at prevailing market prices. Moreover, new crop has started coming to the market.

Proposal to switch over to Hindi in Courts

3525 **SHRI RAJ KESHAR SINGH:** Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there is any proposal to switch over to Hindi or Regional language as official language in the Supreme Court, High Court and lower Courts;

(b) if so, main points of the infrastructural work done so far in this behalf by way of translating legal books/laws/legislations and All India Reporters into Hindi/Regional languages; and

(c) if not, reasons for the same?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): (a),

(b) and (c). At present, there is no proposal under consideration of the Central Government to switch over to Hindi or regional language as official language in the Supreme Court, High Courts. However, under article 348(2) of the Constitution, read with section 7 of the Official Languages Act, 1963, the Governor of a State may, with the previous consent of the President, authorise the use of Hindi or the official language of the State, in addition to the English language, in proceedings in the High Court or for the purpose of any judgment, decree or order passed or made by the High Court for that State. So far, the

President has given his consent for the optional use of Hindi in the proceedings, judgments etc of the High Courts of Allahabad, Patna, Rajasthan and Madhya Pradesh.

The State Governments themselves take decision in respect of the language of the Subordinate Courts.

823 Central Acts have been translated into Hindi, out of which 776 translations have been published under the authority of the President under Section 5(1) (a) of the Official Languages Act, 1963. About 6,000 pages of Hindi translations of statutory rules, have also been published under section 5(1) (b) of the Official Languages Act, 1963. Under an arrangement with the State Government concerned, Central Acts are being translated into regional languages and the progress made in this behalf is as follows —

Name of the language	No. of Central Acts translations of which have been finalised
Assamese	34
Bengali	23
Gujarati	205
Kannada	49
Malayalam	124
Marathi	131
Oriya	183
Punjabi	20
Tamil	66
Telugu	57
Urdu	166

(2) A scheme for translating legal classics from English into Hindi exists. At present 6 books are being translated into Hindi.

(3) A scheme for writing original books in Hindi is also in operation. 5 books have been published and 22 are under various stages of writing, editing and printing.

(4) The Government also operates a scheme for awarding prizes to best law books written originally in Hindi. There are 10 prizes of Rs 10,000 each to be awarded every year.

(5) Reportable judgments of the Supreme Court of India are being published in Hindi every month, in a Journal entitled 'Uchchattam Nyaya'-a-ya Nirnaya Patrika', while selected judgments of the different High Courts are being published in Hindi in a Journal entitled 'Uchcha Nyayalaya Nirnaya Patrika'.

अस्पृश्यता निवारण

3226 श्री रामलाल राही क्या गृह मंत्री यह बताने की कृपा करेंगे कि

(क) क्या अस्पृश्यता के निवारण के लिये, जो एक सामाजिक बुराई है, एक सुनियोजित योजना सरकार के विचाराधीन है और

(ख) यदि हा तो तत्संबंधी स्वीकार क्या है और इसे बंद प्रियान्वित किया जायेगा ?

गृह मन्त्रालय में राज्य मंत्री (श्री ब्रजिंद लाल मच्छल) : (क) और (ख) अस्पृश्यता के निवारण के लिए कार्यवाही की योजना को अंतिम रूप दिया जा रहा है।

तकनीकी विकास महानिदेशालय के विशेषज्ञों का कार्यालय से स्थानांतरण

3527 श्री लालजी भाई क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या हाल ही में तकनीकी विकास महानिदेशालय के अनेक विभिन्न विषयों के लगभग 60 विशेषज्ञों का अन्य स्थानों पर स्थानांतरण किया गया है,

(ख) क्या इसके परिणामस्वरूप अग्रतयुक्त स्थिति उत्पन्न हो गई है और अनेक विशेषज्ञ महानिदेशालय का कार्यालय छोड़ कर देश में तथा विदेशों में अन्य पदों पर जा रहे हैं,

(ग) क्या उक्त कार्यालय में कोई विशेषज्ञ नहीं रह गये हैं जिसके परिणामस्वरूप भारी नुकसान हो रहा है, और

(ब) यह है, तो उक्त कार्यवाही के क्या कारण हैं ?

उद्योग मंत्रालय में राज्य मंत्री (श्रीमती आभा माँति) : (क) तकनीकी विकास के महानिदेशालय से हाल ही में किसी भी अधिकारी का बाह्य स्थानान्तरण नहीं किया गया है। फिर भी, जैसा कि औद्योगिक नीति विवरण में कल्पना की गई है। विकासोन्मुख आवश्यकता के अनुरूप सगठन को तैयार करने तथा छोटी पञ्चवर्षीय योजना के महत्वपूर्ण और मूलभूत उद्देश्यों के अनुरूप बनाने के विचार से अनेक अधिकारियों का सगठन के भीतर ही परस्पर स्थानान्तरण किया गया है। अधिकारियों की बदला-बदली से केवल एक घबराहट उसी उद्योग का काफी समय तक लगातार कार्य देखने की बजाय उन्हें सेवाकाल में उन्नति के अधिक अवसर भी मिल सकेंगे।

(ख) और (ग) जी, नहीं। सगठन के भीतर अधिकारियों की बदला-बदली के फलस्वरूप तकनीकी विकास के महानिदेशालय के किसी भी अधिकारी ने देश के अन्दर या विदेश में पद प्राप्त करने के लिए सगठन नहीं छोड़ा है।

(घ) प्रश्न ही नहीं उठता।

Names of Large Houses against whom Enquiries have been instituted

3528. SHRI DURGA CHAND: Will the Minister of INDUSTRY be pleased to state-

(a) the names of the large houses regarding which enquiry has been instituted about irregularities committed by them during the last three years;

(b) the names of the large houses about which enquiries are in progress at present; and

(c) what are the details of the enquiries which are in operation at present and the details of the irregularities committed by each house?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) to (c). No enquiry under the provisions of Commissions of Inquiry Act, 1952 has been instituted by the Ministry of Industry about irregularities committed by large houses during the last three years. However, the Commission of Inquiry on Large Indus-

trial Houses set up by Notification dated the 18th February, 1970 is continuing its enquiries into certain alleged irregularities stated to have been committed by 73 Large Houses as well as 60 Large Companies listed in the Industrial Licensing Policy Inquiry Committee Report and also certain irregularities alleged to have been committed by Birla Group of concerns. The Notification of 18th February, 1970 appointing this Commission gives details of inquiries to be made.

Rise in Prices of Tyres

3529. SHRI AMARSINH V. RATHAWA:

SHRI AHMED M PATEL:

SHRI SHYAM SUNDAR GUPTA:

SHRI MUKHTIAR SINGH MALIK:

SHRI G M BANATWALLA:

SHRI S. G MURUGAIYAN:

Will the Minister of INDUSTRY be pleased to state:

(a) whether some tyres and tubes manufacturers of the country have increased the prices of their products in the month of March, 1978 and if so, the reasons thereof;

(b) the names of such companies;

(c) whether the Monopolies and Restrictive Trade Practices Commission has since instituted an inquiry against them; and

(d) if so, details of the inquiry made?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) and (b). The following ten companies increased the prices of various categories of automobile tyres and tubes manufactured by them in the last week of March 1978 to the extent of roughly 10 per cent for rayon tyres,

2.5 per cent for nylon tyres and 2.5 per cent for tubes:—

- (i) M/s. Dunlop India Ltd.
- (ii) M/s. Firestone Tyre and Rubber Co., of India (P) Ltd.
- (iii) M/s. Ceat Tyres Ltd.
- (iv) M/s. Goodyear India Ltd.
- (v) M/s. Premier Tyres Ltd.
- (vi) M/s. Incheck Tyres Ltd.
- (vii) M/s. Madras Rubber Factory Ltd.
- (viii) M/s. Apollo Tyres Ltd.
- (ix) M/s. Modi Rubber Ltd.
- (x) M/s. J K. Industries Ltd.

The companies have stated that the increase in prices of automobile tyres/tubes is due to increase in the cost of various inputs such as raw materials, electricity, coal and also increase in operating expenses and excise duties

Part (c) and (d). The question regarding increase in prices effected by the tyres manufacturing companies in March 1978 was examined by Government. A reference has been made on 26th May, 1978 to the MRTP Commission under Section 10(a) (ii) of the MRTP Act, 1969 to enquire as to whether the price rise effected by the various tyre companies in March 1978, constitutes a restrictive trade practice under Section 37 of the said Act and whether the price rise so effected violate the provisions of the MRTP Commission's order dated 19th April, 1978 and pass such further orders thereunder as the Commission might deem fit. The Commission has initiated a notice of enquiry on the 6th July, 1978 against the ten companies mentioned above.

Sale of Controlled Cloth to Private Traders

3530. SHRI D. B. PATIL: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government are aware that bulk of controlled cloth instead of being made available to the consumers is being sold out to private traders by authorised agents;

(b) whether Government are aware that such controlled cloth is being sold out in open market after processing it into different variety; and

(c) if so, what measures have been taken by Government to check this mal-practice?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRIMATI ABHA MAITI): (a) to (c) Government has no specific information about bulk of controlled cloth being sold to traders and its subsequent sale in the open market after processing. However, there have been Press reports from time to time about unauthorised sale of controlled cloth to private traders but in the absence of specific details, verification of the alleged unauthorised sales is not possible. Distribution of controlled cloth within the State is the responsibility of the State Governments concerned and guidelines have been sent to them for sale of controlled cloth in a regulated manner so that the cloth reaches the vulnerable sections of the population.

Conversion of Tribals in Arunachal Pradesh

3531. SHRI ISHWAR CHAUDHRY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether reports or complaints have been received by Government that the uneducated tribals in Arunachal Pradesh are being converted as Christians by the foreign missionaries by force or by providing allurements;

(b) whether memoranda have been submitted to Arunachal Pradesh Government also by the people of various faiths; and

(c) if so, the action taken by Central Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL) (a) to (c) There are no foreign missionaries in Aurnachal Pradesh nor is there any report of any conversion by any foreign missionary in Arunachal Pradesh Government of Arunachal Pradesh have, however, received reports from time to time of conversion, being made by offering inducements A appropriate action is being taken whenever any activity in contravention of the law comes to notice

Alleged help given to Shri Sanjay Gandhi

3532 SHRI ARJUN SINGH BHADORIA Will the Minister of HOME AFFAIRS be pleased to state

(a) whether Government are aware that Major Kapil Mohan of Mohan Meakins Industries and Shri Ronak Singh of Ronak Group of Industries were Directors of Maruti Ltd and were very active during the emergency

(b) whether Government will make enquiries regarding the loans and licences given to them by various Ministries and Banks, and

(c) whether Government will ask the CBI about their roles in helping Mr Sanjay Gandhi?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL) (a) Major Kapil Mohan and Shri Raunag Singh were Directors of Maruti Ltd, It cannot, however, be said whether they were very active during Emergency as there is no positive information on the subject

(b) and (c) No, Sir

Concession to Depressed Classes of Christians and Muslims

3533 SHRI EDUARDO FALEIRO Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have received representations for extension to depressed classes of Christians and Muslims the concession available to the Scheduled Castes and Scheduled Tribes,

(b) from whom and when the said representations were received, and

(c) what steps Government contemplate in the aforesaid direction

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL) (a) and (b) Representations are being received from time to time from individuals and various organisations of Christians and Muslims

(c) The concessions available to the members of the Scheduled Castes and Scheduled Tribes fall in distinct categories by virtue of Constitutional provisions Therefore the question of extending these concessions to other depressed classes does not arise

Launching of Satellites by U.S.A and USSR at the time of Pokharan Nuclear Explosion

3534 SHRI SUKHENDRA SINGH Will the Minister of SPACE be pleased to state

(a) whether it is a fact that when India exploded a Nuclear device in 1974 at Pokharan both the USSR and USA had launched their Satellite in the space to know its details,

(b) if so, whether Government had prior information in this regard and whether Government had raised an objection thereon;

(c) whether Government are in the know of the details and information collected by these Satellites, and

(d) whether Government of India had lodged any protest over this with those countries and if not the reasons therefor?

THE PRIME MINISTER (SHRI MORARJI R. DESAI): (a) It is known

from published literature that around the time of the Pokharan nuclear explosion, both the U.S.A. and the U.S.S.R. had in orbit satellites whose orbital characteristics were such that they could be reconnaissance type spacecraft. There is no information that these satellites were launched specifically to observe Pokharan and whether observations were made.

(b) No, Sir.

(c) No, Sir.

(d) No, Sir. In the absence of any definite information the question of making any protest did not arise.

Names of Journalists who accompanied P. M. on Foreign Tour

3535 SHRI K. MALLANNA;
SHRI P. VENKATA-
SUBBIAH.

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the names of the journalists who accompanied the Prime Minister during his visit to Belgium, United Kingdom and USA;

(b) who paid for their airfare and other expenses;

(c) on what basis were they selected;

(d) how many of them were working journalists and how many were owners or proprietors of news papers;

(e) the total expenditure incurred by Government for them; and

(f) how many of them had cable authority and how many and how much use they made of the same?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI L. K. ADVANI): (a) to (f). A statement is attached.

Statement

Pressmen who accompanied the Prime Minister

S. No.	Name	Organisation	Status
1.	Shri D V. Gandhi	Samachar Bharati (Hindi News Agency)	Chief Editor
2.	Shri B P. Agatwal	Hindustan Samachar (Hindi News Agency)	General Manager
3.	Shri Chandulal Chandrakar	Hindustan (Hindi)	Editor
4.	Shri Shantilal Shah	Gujarat Samachar (Gujarati)	Editor
5.	Shri V. K. Madhavan Kutty	Matrubhoomi (Malayalam)	Correspondent
6.	Shri D.K. Joshi	Samaj, Cuttack (Oriya)	Correspondent
7.	Shri N.C. Rajkhowa	Dainik Assam (Assamese)	Correspondent
8.	Shri N. Rama Mohan Rao	Andhra Jyoti (Telugu)	Editor
9.	Shri Hiranmay Karlekar	Hindustan Times (English)	Chief Editor
10.	Shri Viswa Bandhu Gupta	Sun (English)	Editor
11.	Shri Virendra Mohan	UNI (English News Agency)	Correspondent
12.	Shri Barun Sen Gupta	Anand Bazar Patrika, Calcutta, (already in New York)	Correspondent
13.	Shri M. S. Madhuvonchanan	Kerala Kaumudi (Malayalam)	Chief Editor
14.	Shri Puran Singh Azad	National Solidarity (English)	Editor
15.	Shri Durga Prasad Chaudhury	Nav Jyoti, Jaipur (Hindi)	Editor

Those at Sl. Nos. 1 to 8 were paid one-way air-fare from New Delhi to New York in accordance with the Government's decision to provide some financial assistance to language newspapers/agencies. The expenditure in this regard borne by Government amounted to Rs. 59,336.00. The return fare and other expenses were met by the persons/organisations concerned.

Those at Sl. Nos. 9 to 15, went on their own.

The criteria of selection of newspapers at Sl. Nos. 3 to 8 was to give representation to the second highest circulated papers in languages and the inclusion of such highest circulated newspapers in the languages that could not be covered during the earlier Moscow visit of the Prime Minister. The two language agencies (at Sl. Nos. 1 and 2) were represented as such.

The journalistic status of the members of the Party representing newspapers is self-evident from the table on the previous page. As regards ownership/ proprietorship, so far as the newspapers, whose representatives were included in the party are concerned, those indicated against Sl. Nos. 10 and 14 are respectively also one of the partners and owner whereas, in the case of other newspapers, the management is run by public/private limited companies or registered societies or other individuals.

Also all of them had cable authority except those at Sl. Nos. 7 and 12. As regards utilisation of the cable authority, it may be clarified that as representatives of a free Press, they were under no obligation to fulfil any targets of coverage. However, the Government have seen the coverage, professional evaluation of which has been done by the Press Information Bureau, and have no reason to feel disappointed.

Sending of Official to U.S.A. For Advance Management Course

3536. **SHRI NIRMAL CHANDRA JAIN:** Will the Minister of DEFENCE be pleased to state:

(a) whether it is a fact that an officer from the Ministry of Defence Production, who is due to retire in April, 1979 has been sent for advance management course in USA for a period of 5 months;

(b) what useful purpose is likely to be served by such person's advanced training who likely to retire soon or in a year or two; and

(c) whether Government would on the basis of the above instance, review their policy in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI SHER SINGH): (a) to (c) The Director General of Inspection, and officer under the Department of Defence Production, was deputed to the Senior International Defence Management Course in USA. The Course was only of 4 weeks' duration. Since the officer is holding the rank of Maj. General, he can be considered for continuance in service upto the age of 56 years which in effect means that he could be considered for retirement on 30th April 1980. Thus, he is likely to serve the Organisation for a period of more than one year and nine months. All factors are duly taken into consideration before deputing an officer for training. There is, therefore, no need of reviewing the policy in this regard.

Closure of Jaipur Udyog Limited

3537. **SHRI C. K. CHANDRAPPA:** Will the Minister of INDUSTRY be pleased to state:

(a) is it a fact that due to closures of Jaipur Udyog Ltd. there was a huge financial misappropriation and 6000 workmen suffered;

(b) is it a fact that M/s. Sahu Jain group is putting a lot of pressure on Government to get back its complete control; and

(c) if it is so, the detail thereof

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI) (a) M/s Jai-pur Udyog Ltd closed down production during the period September, 1975 to April, 1976 due to financial difficulties. While the closure of the factory, no doubt, affected the workman, it cannot be said that financial misappropriation, if any, was due to closure of the factory

(b) No Sir

(c) Does not arise

समाहकार समितियों की बैठकों की कार्यवाही का समाचार देने के लिए प्रेस प्रतिनिधियों की धामन

3518 श्री नारायण सिंह चौहान क्या सूचना और प्रसारण मंत्री यह बतान की कृपा करेंगे कि

(क) क्या उनके मंत्रालय से सम्बद्ध समाचार समितियों की बैठकों की कार्यवाही का समाचार देने के लिए समाचारपत्रों तथा समाचार एजेंसियों के प्रतिनिधियों को आमन्त्रित किया जाता है,

(ख) यदि नहीं, तो प्रेस को समाचार किस कार दिया जाता है क्या यह मौखिक रूप में दिया जाता है अथवा लिखित,

(ग) गत 10 जुलाई को दिल्ली में हुई बैठक के बारे में किस अधिकारी ने समाचार प्रेस को दिया और यह समाचार क्या था तथा किस-किस समाचारपत्र और एजेंसी को समाचार दिया गया, और

(घ) क्या आकाशवाणी तथा टेलीविजन से उसका प्रसारण हुआ था यदि हा, तो कहाँ से और किस रूप में?

सूचना और प्रसारण मंत्री (श्री माता कुम्भ आशवाणी) (क) जी नहीं।

(ख) उग मंत्रालय से सम्बद्ध समाहकार समिति की बैठकों की कार्यवाहियों के बारे में समाचार पत्र सूचना कार्यालय द्वारा सरकारी प्रेस रिलीजों के माध्यम से प्रेस को भेजे जाते हैं,

(ग) 10 जुलाई, 1978 को दिल्ली में हुई बैठक के बारे में प्रेस रिलीज सूचना अधिकारी श्री सी० एच० सक्कर ने सभी समाचार एजेंसियों और प्रत्याभित प्रेस सवाददाताओं को जारी किया था। दिनांक 11 जुलाई, 1978 के प्रेस रिलीज की एक प्रति समा पटल पर रखी जाती है। [कक्षालय में रखी गयी। बेचिये सक्या एस० टी०-2620/78]।

(घ) जी, हा। आकाशवाणी ने समाहकार समिति को कार्यवाहिया 11 जुलाई और 12 जुलाई, 1978 को अंग्रेजी और हिन्दी के मुख्य समाचार बुलेटिन के माध्यम से प्रसारित की थी और दिल्ली दूरदर्शन केंद्र ने भी इसको 11 जुलाई, 1978 का अपने हिन्दी के समाचार बुलेटिन में प्रसारित किया था।

12.25 hrs.

MR. SPEAKER Now Papers to be laid on the Table

SHRI VAYALAR RAVI (Chirayinkil) Sir, before you take it up, I want to submit that the Government had announced their intention about decontrol of sugar. We want a discussion on that

MR. SPEAKER You can give a Calling Attention I will consider it

SHRI JYOTIRMOY BOSU (Diamond Harbour) The stoppage of production of cheap cloth under the new policy

MR. SPEAKER You have not given any notice Nothing will go on record

(Interruption)**

SHRI VASANT SATHE (Akola): Sir, I have given a notice of breach of privilege against Shri Jethmalani's Bill

MR. SPEAKER I have not received any notice It has not come to me

12.26 hrs.

PAPERS LAID ON THE TABLE

MERCHANT SHIPPING (PREVENTION OF POLLUTION OF SEA BY OIL) AMENDMENT RULES, 1978

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): I beg to lay on the Table a copy of the Merchant Shipping (Prevention of Pollution of Sea by Oil) Amendment Rules, 1978 (Hindi and English versions) published in Notification No. G.S.R. 906 in Gazette of India dated the 15th July, 1978, under sub-section (3) of section 458 of the Merchant Shipping Act, 1958. [Placed in Library. See No. LT-2599/78]

REVIEW & ANNUAL REPORT OF NATIONAL TEXTILE CORPORATION FOR 1976-77 AND A STATEMENT RE. REASON: FOR DELAY IN LAYING REVIEW & ANNUAL REPORT

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI-MATI ABHA MAITI): I beg to lay on the Table:—

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 61-9A of the Companies Act, 1956:—

(i) Review by the Government on the working of the National Textile Corporation Limited, New Delhi, for the year 1976-77.

(ii) Annual Report of the National Textile Corporation Limited, New Delhi, for the year 1976-77 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the documents mentioned at (1) above. [Placed in Library. See No. LT-2600/78.]

NAVY LEAVE (Amendment) REGULATION, 1978

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (PROF. SHER SINGH): I beg to lay on the Table a copy of the Navy Leave (Amendment) Regulations, 1978 (Hindi and English versions) published in Notification No. S.R.O. 220 in Gazette of India dated the 22nd July, 1978, under section 185 of the Navy Act, 1957. [Placed in Library. See No. LT-2601/78.]

NOTIFICATIONS UNDER ALL INDIA SERVICES ACT, 1951.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): I beg to lay on the Table a copy of the following Notifications (Hindi and English versions) under sub-section (2) of section 3 of the All India Services Act, 1951:—

(1) The Indian Police Service (Appointment by Promotion) Amendment Regulations, 1978, published in Notification No. G.S.R. 917 in Gazette of India dated the 22nd July, 1978.

(2) The Indian Administrative Service (Fixation of Cadre Strength) Tenth Amendment Regulations, 1978, published in Notification No. G.S.R. 921 in Gazette of India dated the 22nd July, 1978.

(3) The All India Services (Death-cum-Retirement Benefits) Fifth Amendment Rules, 1978 published in Notification No. G.S.R. 922 in Gazette of India dated the 22nd July, 1978.

(4) The Indian Administrative Service (Pay) Sixth Amendment Rules, 1978 published in Notification No. G.S.R. 923 in Gazette of India dated the 22nd July, 1978.

(5) The All India Services (Death-cum-Retirement Benefits) Fourth (Amendment) Rules, 1978, published in Notification No. G.S.R. 924 in Gazette of India dated the 22nd July, 1978.

(6) The Indian Administrative Service (Fixation of Cadre Strength) Eleventh Amendment Regulations, 1978, published in Notification No. G.S.R. 951 in Gazette of India dated the 29th July, 1978.

(7) The Indian Administrative Service (Pay) Seventh Amendment Rules, 1978 published in Notification No. G.S.R. 952 in Gazette of India dated the 29th July, 1978

(8) The Indian Forest Service (Pay) Sixth Amendment Rules, 1978, published in Notification No. G.S.R. 953 in Gazette of India dated the 29th July, 1978. [Placed in Library. See No. LT-2602/78.]

NOTIFICATION UNDER CUSTOMS ACT, 1962

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH). I beg to lay on the Table under section 159 of the Customs Act, 1962, a copy of Notification No. G.S.R. 392(E) (Hindi and English versions) published in Gazette of India dated the 31st July, 1978, together with an explanatory memorandum, regarding rate of exchange for conversion of Pound Sterling into Indian Rupees and vice versa for purposes of valuation under section 14 of the said Act. [Placed in Library. See No. LT-2603/78.]

NOTIFICATIONS UNDER CUSTOMS ACT, 1962

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGRAWAL). I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962:—

(i) Notification Nos. 152-Customs to 155-Customs published in Gazette of India dated the 9th August, 1978, together with an explanatory memorandum regarding exemption to heavy melting scrap of iron and steel when imported for use in the

electric arc furnaces from the whole of the basic and auxiliary duties and the countervailing duty in excess of Rs 255/- per tonne.

(ii) Notification No 157-Customs published in Gazette of India dated the 9th August, 1978, together with an explanatory memorandum regarding exemption to wood pulp when imported exclusively for the manufacture of paper from basic custom duty in excess of five per cent *ad-volorem*. [Placed in Library. See No. LT-2604/78.]

SHRI SAUGATA ROY (Barrack-pore): Sir, this item is not in the Order Paper. The item laid on the Table by Shri Agrawal is not in the List of Business

MR SPEAKER: It has been permitted to be laid

SHRI SAUGATA ROY: Then it should be announced.

12.27 hrs.

COMMITTEE ON PUBLIC UNDERTAKINGS

TWELFTH REPORT

SHRI JYOTIRMOY BOSU (Diamond Harbour): I beg to present the Twelfth Report of the Committee on Public Undertakings on Jute Corporation of India Ltd—Back to Back Arrangement for sale of jute to jute mills.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTY-SECOND REPORT

SHRI GIRIDHAR GOMANGO (Koraput) I beg to present the Twenty-second Report of the Committee on Private Members' Bills and Resolutions.

PETITION RE. GRIEVANCES AND DEMANDS OF CATAMARAN AND COUNTRY BOAT FISHERMEN

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I beg to present a petition signed by Sri Matanhy Saldanha, General Secretary, Goenchea Ramponkaracho Ekvott, Goa and others regarding grievances and demands of catamaran and country boat fishermen.

12.27-1/2 hrs.

MATTERS UNDER RULE 377

(i) REPORTED DECISION TO IMPORT COPRA AND COCONUT OIL

SHRI V M SUDHEERAN (Alleppey): With your permission, I rise to mention the following matter of urgent public importance in the House.

The reported decision of the Union Government to import copra and coconut oil will have disastrous consequences for Kerala's economy in general and for the lakhs of coconut growers in particular. Kerala contributes 78 per cent of the coconut production in the country. The total coconut cultivation in our country is 11 lakh hectares. But of which Kerala cultivates 8 lakh hectares of coconut. The total milling copra produced in India is about 3,43,000 tonnes; out of which Kerala's contribution is 3,34,000 tonnes. This clearly shows that coconut is the main cash crop of Kerala in which 80 lakhs of people are engaged. They are small growers. Kerala produces the main portion of the cash crops and spices to meet the requirements of the country and for earning foreign exchange. Any decision to import copra and coconut oil will definitely bring down the prices of coconut nuts and coconut oil, which will adversely affect the small coconut cultivators. This will shatter the economy of Kerala. It is evidently convinced that we produce 3,42,000 tonnes milling copra, which

is adequate to meet the domestic requirements in our country. So, there is no justification for the decision of the Union Government to import copra and coconut oil while our country is self-sufficient to meet the domestic demands. I would like to urge upon the Union Government to reconsider and revoke the reported decision to import copra and coconut oil so as to save the lakhs of coconut cultivators and the economy of Kerala.

(ii) REPORTED BLOCKING OF RIVER BHAGIRATHI BECAUSE OF A LANDSLIDE

डा० रामजी सिंह (भायलपुर): अध्यक्ष महोदय, मैं नियम 377 के प्रथम भागिरी की प्रथा में प्रवेश कर सम्बन्ध में ध्वनिमयी शोक महत्व के विषय पर वक्तव्य देना चाहता हूँ।

समाचार-पत्रों की खबरा के अनुसार उत्तरकाशी जिले में उत्तरकाशी से लगभग 40 किमी मीटर दूर गगनाशी के पास चट्टान टूटकर गिर जाने से भागीरी की प्रवाह रुक गया है और वहाँ एक कुलम झील बन गई है। हमारे उस क्षेत्र में हरमिल की बस्ती बूझ गई है। परन्तु उससे भी अधिक खतरा उत्तरकाशी से इलाहाबाद तक के गया के किनारे के क्षेत्रों के लिये हो गया है।

उत्तरकाशी नगर वाली कराया जा चुका है। 20 वर्ष पहले भी इस क्षेत्र में लुहारीनाम नामक स्थान पर इस प्रकार की झील बन गई थी। हिमालय की चट्टानें बहुत कमजोर हैं और वहाँ पर सबक निर्माण तथा जंगलों की बेरहमी से कटाई के कारण भूस्खलन एक निश्चित घटना हो गई है।

घाट वर्ष पूर्व भागीरी की दूसरी सहायक धनकनडा में भयंकर दुर्घटना हुई थी, जिसका प्रभाव गया नहर पर भी पड़ा था। पिछले वर्ष पिछोरागढ़ जिले के तवाघाट नाम स्थान पर भूस्खलन से 44 व्यक्ति मर गये थे। हिमालय में ये दुर्घटनाएँ गलत विकास नीतियों के कारण हो रही हैं, क्योंकि इन विकास कार्यों से वहाँ पर प्रकृति के साथ अनावश्यक छेड़छाड़ की जा रही है। टिहरी में भागीरी पर एक विशाल बाँध वहाँ की जनता और स्वतंत्र वैज्ञानिकों की राय के खिलाफ केवल सबसे ऊँचा बाँध बनाने के राष्ट्रीय अधिकार की तुष्टि के लिये सत्सत् पुष्टि के संरक्षण में बन रहा है। इस प्रकार की योजनाएँ पूरे देश के लिए भयंकर तबाही का कारण बन सकती हैं। घाट: सरकार को हिमालय क्षेत्र के विकास को एक 100 वर्षीय योजना बड़ा के प्राकृतिक संतुलन की सुरक्षा को ध्यान में रखकर बनानी चाहिये।

गंगोत्री क्षेत्र में देव घर के लकड़ों तीर्थ-यात्री रुके पड़े हैं और कई दिनों से सबक दूधने के कारण बड़ा रासन व अन्य आवश्यक वस्तुएँ नहीं पहुँच रही हैं ।

SHRI JYOTIRMOY BOSU: On a point of order, Sir. About the privilege motion that was pending against the *Times of India*, I was told by your secretariat that it was going to be taken up today. You better tell us when it is going to be taken up.

MR. SPEAKER: It is not a point of order.

Prof. Dilip Chakravarty.

(iii) ADVERTISEMENT POLICY OF GOVERNMENT

PROF. DILIP CHAKRAVARTY (Calcutta South): With your permission, Sir, I want to raise a very serious matter concerning the literary newspapers all over the country, under rule 377.

The advertisement policy pursued by the Government of India is hitting hard the small newspapers and particularly the literary ones. The decision by the Finance Ministry to give exemption from income-tax only Rs. 40,000 per annum spent on advertisements had led to the denial by the business houses of advertisements given to the small newspapers. Further, advertisement policy of the Government is that no newspaper which has a circulation of less than 2000 should be getting any Government advertisement has also accentuated the problem. The attention of the Finance Ministry as also the Ministry of Information and Publicity is drawn to this special problem confronting the small newspapers and particularly the literary newspapers. Before the Janata Government came to power, the small newspapers felt assured that they would be benefited by the policy but unfortunately in reality, their expectations have been belied. This requires urgent, expeditious and favourable consideration by the Government.

2212 L.S.—3.

(iv) ALLOTMENT OF RAILWAY WAGONS FOR MOVEMENT OF SALT MANUFACTURED IN TAMIL NADU.

SHRI K. T. KOSALRAM (Tiruchendur): I would like to draw the attention of the Ministry of Industry to the situation arising out of the refusal by the Salt Commissioner to recommend to the Ministry of Railways allotment of wagons for the movement of nearly 7 lakh tonnes of salt manufactured by unlicensed manufacturers in the coastal areas of Tamil Nadu in spite of the undertaking of Government as expressed in its Press Note of 23rd April, 1948 and 11 May, 1955 that under its new policy, salt produced in units covering not more than 10 acres will not be subject to any restrictions by way of storage, transport and sale and to request him to consider whether the action taken so far and proposed to be taken in the future by the Salt Commissioner does not transgress the undertaking given by Government arising from the Gandhi-Irwin Pact of 1931 to remove all discriminations as between licensed and unlicensed manufacturers of salt, the latter being in the small scale sector in the rural areas of the coast, and to spell out the measures the Minister proposes to take to ensure the expeditious movement of this salt from Tamil Nadu to the needy areas of Bihar and eastern India for the price of salt has gone up and for the lifting of the ban on exports of salt imposed last year on the basis of inadequate data provided by the Salt Commissioner.

Now, this year, the production of salt is more than 70 lakhs of tonnes as against 45 lakhs which was estimated by the hon. Minister last year in reply to my question. I am glad that the Minister of State in the Ministry of Industry, Shrimati Abha Maiti, is sitting here and, I hope, she will reply to all these points.

When the country has achieved self-sufficiency and has even an exportable surplus in salt, how does the Government explain its policy of placing import of salt under OGL from Pakistan, unless it be its intention to put down

[Shri K. T. Kosalam]

all the small scale manufacturers of salt having their units in rural villages on the coastline by not allotting them wagons for movement of their salt within the country and, at the same time, impose a ban on export of salt to neighbouring countries?

When during the last year they had allotted 8,300 wagons o Tuticorin, 1800 to Arumuganeri and sizeable number to Vedaranyam in Tamil Nadu, what are the developments that have taken place now not to allot wagons to unlicensed manufacturers of salt when there is a stockpile of nearly 7 lakh tonnes, unless it be the intention of Government to stultify the growth of small scale manufacture of salt in this country? Is it the intention of the Government that the Salt Commissioner whose office was established to nurse the growing industry in salt should be permitted to act as he likes and impose restrictions on movement of salt contrary to Government's pronounced policy?

Or, is it the intention of the present Government to annul the provisions of this sacred pact which brings to our memory the contribution, the everlasting contribution, made by our Father of the Nation and undo in the name of bringing into being Gandhian economy and promotion of small scale industries, by taking such discriminatory steps as between licensed and unlicensed salt manufacturers.

I hope, the hon. Minister will reply to this.

CONSTITUTION (FORTY-FIFTH AMENDMENT) BILL—Contd.

MR. SPEAKER: Now, we take up further consideration of the Constitution (Forty-Fifth Amendment) Bill.

Mr. Bedabrata Barua.

SHRI BEDABRATA BARUA (Kallabor): Mr. Speaker, Sir, I want to confine myself to just two points since the time at my disposal is very short I

would like to start by saying that this House should not get frightened by the false dangers on which also we have been deliberating. The real danger is not that the Constitution could be amend, because, every time an Amendment comes, the Constitutional Amendment will be discussed like the way we are discussing today, and to get the consent of the two-third majority in both Houses would never be easy. We have to do something within the limits of probabilities. There is hardly any probability, as far as I can look ahead, of a situation arising again either out of gimmicks or out of false revolutionary slogans. As I said, to get the consent of the two-thirds majority not only in the Lok Sabha but also in the Rajya Sabha is not easy...

SHRI KANWAR LAL GUPTA: I want to know, Sir, when the Minister is going to reply.

MR. SPEAKER: He will be replying after this.

AN HON. MEMBER: The time should be extended. (Interruptions)

MR. SPEAKER: It has been mentioned, and the House has accepted, that there will be no further extension. But such of those as have not been able to get a chance now, will be given a chance when clause-by-clause consideration is taken up.

SHRI BEDABRATA BARUA: The development of the political system in India, unfortunately or fortunately, is towards more regional parties. Therefore, I do not see this type of mobilisation coming in. But the real danger that I see to the country today and to its democracy is from the possibility of first declaration of Emergency by the Cabinet or by the Government. The founding fathers worked on two assumptions. One is that men in power would respect the spirit of the Constitution. They were not wrong. They were not wrong also in believing that the mass public opinion, determined to defend democracy and that type

of thing, will exist. These two assumptions are now in doubt. Many of us know, when Emergency was declared, that the provisions in the Constitution were being stretched or even misused. But we were yet to see the misuse of the powers of Emergency. That unfolded rather slowly to being with. I still believe that the vast distance between the rich and the poor is also a disuse—misuse—of the powers of the Constitution. But I and my Party will never put our weight again in favour of one single leader for the overthrow of the essence of the democratic system in our country.

SHRI DINEN BHATTACHARYA: You have committed a blunder.

SHRI BEDABRATA BARUA: If you want to amend the Constitution—Sir, I would like to draw the attention of the Minister because I am trying to make some suggestions and I think he will make a note. I am also making the suggestions to the House.

What is the use of leaving loopholes when you are amending the Constitution? There is a very big loophole. My Party is opposed to internal emergency. I am speaking as an individual before this House. I agree that there should be an internal emergency. But what is the effect of any external emergency? All its effects are internal. All that we are saying to-day and all that the government is saying to-day is that you must have one emergency and that is external emergency. Now, is it very difficult if somebody wants to do it as experience has shown? You have just to say—move your army to the frontiers, the other country moves its army to the frontier and you have provided that as soon as the threat comes, you can declare. So, the point is: all the obligation is for the Prime Minister to say or for the government to say, 'We declare external emergency.' I do not say this is only a play on words. I say all this because I have no doubt that there are risks to the Constitution of the country and if somebody

to-day decides to declare external emergency, it will have all internal consequences. Article 21 will be swept off. He will be very careful. He will not commit the mistakes that were committed last time. The Constitution will be scrapped and elections will never be held and it is well-known and it has been established that public opinion can be managed so far as the mass opinion is concerned.

After once external emergency is declared, as I would like to say that it is an external emergency, if somebody is persuaded to shoot a rifle into a speeding car, four Pakistani spies can be arrested and an external emergency can be declared. Anything can happen and things can be managed. After that, even the President can be threatened—unfortunately, I am sorry to say. Even President can be threatened with impeachment. Members of Parliament can be threatened with imprisonment. Therefore, nothing would be safe. If somebody is bad enough to do it, he can do it. Therefore there must be some institutional arrangements. Government has used the word 'rebellion' which is no arrangement at all. It has been discussed. Sir, I do all. It to take the time of the House.

I think internal emergency is doomed because nobody will have an emergency under Article 21, if he is so inclined to rule personally. But all we have provided is that the President has to take the approval of the Cabinet. Now the government knows. I have read the British constitutional practice and their practice of Cabinet functioning. It is not necessary to have a majority in the Cabinet. The Prime Minister can dismiss some Ministers. The Prime Minister can say, as Lord Asquith used to say in the Cabinet, 'Gentlemen, have you finished? It was a majority decision' or as Churchill used to say, 'Gentlemen, you have had your say; nevertheless, I accept that this is the Cabinet decision.' Therefore, the Cabinet decision is simple and it can be the decision of a strong

[Shri Bedabrata Barua]

Prime Minister. No President is possibly entitled to ask whether you had a majority in the Cabinet and whether there was a voting. Now with regard to Members of the Cabinet functioning, if a Minister disagrees with the Cabinet, he cannot even divulge it, as he has only to resign. Therefore the matter—this is my personal suggestion—should come before the Parliament, that is, this hon. House except when actual operations and shooting have started.

Emergency is not so essential as Manipur has shown. You can do it and if there is a real danger to the country, the courts will co-operate, there will be co-operation from all quarters and the country will co-operate. Preventive Detention law you have got in any case.

Every Member of Parliament must be released. No member will be in jail when it comes to Parliament and by a two-third majority it should pass it.

Every renewal of external emergency must again be passed by Parliament when the President shall release all Members of Parliament in jail.

Parliament being dissolved—Dr. Ambedkar would like to have it. Possibly in those days it was thought that the Parliament would be dissolved. Did we have the Parliament dissolved at any stage except when the Prime Minister wanted to dissolve it. Is it a very satisfactory position? Is there any instability? Can you quote any instance of instability at the Centre? In fact it tends to have stability. It is in the nature of things of Indian polity to-day that any Prime Minister can be stable. Even a Prime Minister having only one-third majority is supposed to be stable and it has been proved. Moreover, assuming that the Parliament is dissolved, the solution is clearly at hand. If the enemy attacks, obviously, the President should call upon all the Parties to form a national government and even declare emergency. There appears to be no road block to Parliament's being kept out of the pic-

ture and allowing the Prime Minister again to decide it under a different name.

I am only on the second point, that is, Art. 368. We are making it too rigid. In the world I do not think there is such a rigid constitution as the proposal has been made. Rightly we have not accepted it and no party has accepted it. This will lead to scrapping of the Constitution. If the Constitution becomes too rigid, it gets stuck. That is the experience of France and it will be the experience of anywhere else. What is the point? Who is to decide the basic features? Again playing on words. A vast area is left where the courts could say that this is the basic feature.

So, obviously the court has to decide and it must go. If the government does not agree with the court it has to go referendum and if the Government gets defeated in the referendum the government resigns. Therefore, the government has to ask the court. The people will decide on the basis judiciary vs. government or Mr. Charan Singh vs. Mr. Bahuguna. People cannot discuss every amendment. They cannot discuss clause by clause. It is impossible. If we are putting an amendment before the people there could still be judicial interpretation.

Government has proposed anti-defection law. Now, it is clear that this law could be struck down since it violates the basic democratic principles of the Constitution. Indian constitution is based on the principle of representation and not on the principle of delegation. Hence the Member of parliament is not a delegate but a representative. The Indian Constitution does not recognise political parties at all. Therefore, to impose the dictation of political parties over the government is a basic violation of the democratic character of the Constitution. We have taken away the fundamental democratic principle of the Indian Constitution by proposing the amendment. So, the court will certainly hit it down. So,

you can go about being hit everywhere. This is the most dangerous thing that you have to go to the people every week. If my leader of the party tomorrow decides that the President's son and President's son's son will become the president for ever, I resign from the party and lose my membership.

MR. SPEAKER: You are speaking on the anti-defection Bill!

SHRI BEDABRATA BARUA: If the Government wants to throw out the basic features they can do it in a very insidious manner. If tomorrow the government wants to throw out the principles of secularism from the Constitution because of its communal orientation all it has to do is to decide on a referendum. People could be aroused, communal tensions could be created and the vast Hindu majority could even be persuaded to vote for a Hindu Rashtra.

MR. SPEAKER: I am not interfering with you. Probably, you have overlooked—I am not speaking for or against—first of all it is two-thirds majority in both Houses and then only referendum comes.

SHRI BEDABRATA BARUA: Government has to resign after it is defeated in the referendum. That gives too much power to the judiciary. In fact, it becomes the final determinant in the governmental process. We have made a Constitution already very rigid, that is, we are preparing the ground for scrapping it. The Rajya Sabha is the most unsatisfactory upper House in the world. It is based on the same principles and the same politicians get represented. But the Constitution makers provided that to abolish the Rajya Sabha two-thirds majority would be required in the Rajya Sabha. So, you will have to scrap the Constitution if you want to do away with this Rajya Sabha. This is one justification already. Do you need to have more justifications.

MR. SPEAKER: The Law Minister.

SHRI H. L. PATWARY (Mangal-

doi): Sir, our name was there.....
(Interruptions)

MR. SPEAKER: We will give you a chance at the time of clause-by-clause consideration. I am sorry it is not possible now.

SHRI H. L. PATWARY: There are so many Members who want to speak.

MR. SPEAKER: To such of them, as have not been given a chance now, to the extent possible, we will try to give a chance in the clause-by-clause consideration.

SHRI A. K. ROY (Dhanbad): On a point of order, Sir. If some Members remain absent, their time should be utilised by the other Members and not by the Law Minister.

MR. SPEAKER: It would go only to his party and nobody else. This is not a point of order. The Law Minister.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): Mr. Speaker, Sir, first of all, I would like to express my gratefulness to all sections of this House for having given a very wide support to this Bill generally. I am very grateful to them and I appreciate the views that they have expressed. I am also grateful and express my thanks to the hon. Members for having said many kind words for me.

There was some heat generated and certain things said in the context of the 42nd Constitution Amendment the hon. Leader of the Opposition took pains to stress the fact that some of the provisions of the 42nd Amendment had been retained was, according to him, proof positive of the fact that the 42nd Amendment was a very good measure for the people. There were other hon. Members who said that by not rescinding the entire 42nd Amendment irrespective of the differences between one provision or the other provision of that 42nd Amendment, some credibility had

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been given to this kind of a claim that the 42nd Amendment was really a very beneficial measure for the people.

I would like to say, and it has been seen, that the people of India are very clever; they have a very strong common sense and they cannot be doped. Quite apart from the fact that the Government believes that the amendment of the Constitution is too solemn a measure to be made on the basis of publicity or propaganda value and that whether a particular amendment should be made or should not be made, is not to be decided on how it would reflect on the publicity aspect of a question, a Constitution is really concerned with the aspirations of the people, creating a mechanism to meet those aspirations of the people and it is that aspect of the matter which must be borne in mind all the time and no other aspect of the matter should be allowed to come in. But since the Leader of the Opposition has chosen to emphasise this aspect of the matter, I would like to take some time of the House to go into this claim.

SHRI B. K. NAIR (Mavelikara): What Mr. Stephen said actually was that the 42nd Amendment was not as bad as it was made out to be by the Janata Government.

MR. SPEAKER: The Minister knows that.

SHRI SHANTI BHUSHAN: Sir, at the outset I must make it clear as to what has been the approach of the Government in dealing with this matter of 42nd Amendment. If I may say so, very briefly, our attitude has been that even if a person sent to us, or sends to me a poisoned pill in a beautiful wrapper or innocuous wrapper, I would throw away the pill and yet retain the wrapper for whatever it is worth. Why should we throw even the wrapper, if some use can be made of it? In fact, I am reminded of one thing:

I had the distinction of working with a very eminent lawyer of Allahabad, Mr. Pyarelal Banerjee. Whenever he received any journal, he used to retain the wrapper, because he would not like to waste good paper for writing to other people. So, he used to retain those wrappers for the purpose of writing even important letters. People called him miserly, but he said he was saving national wealth. Even if it is a wrapper, an innocuous thing, there is no harm in retaining it, if the poisoned pill had been thrown away. That has been our attitude; and if this attitude gives comfort to the Leader of the Opposition and some other Members of this House, we do not grudge that satisfaction. We are happy that we have made them also happy.

May I now deal with the essence of the 42nd Amendment? What was the 42nd Amendment really designed to do? It would be my endeavour to show to the satisfaction of even the Leader of the Opposition, that the 42nd Amendment was a clear attempt for the establishment of an authoritarian polity in this country. There are so many provisions. Of course, some of those provisions, i.e. of the 42nd Amendment, had been annulled by another Constitution (Amendment) Bill which had been adopted by this House, by the other House and has been enacted into a law, viz the 43rd Amendment Act. The other provisions which had the tendency to bring into existence an authoritarian polity, are sought to be annulled by the Bill which is being considered by the august House today. Has anybody forgotten Article 31D which had been introduced in the Constitution for dealing with the so-called anti-national activities and anti-national associations, under which any political party could be declared as an anti-national organization and could, therefore, be debarred from participating in the political affairs of the country? I am happy that with cooperation of all sections of

the House, that Article, 31D, has been done away with already, by the 43rd Amendment Act.

Then there was an amendment in Article 74; and it has been emphasized that we have retained it. We have retained it, with a modification. But what was the real reason behind that amendment, which was made in Article 74? The reason was that there were apprehensions. It was felt that some such recommendations may be made, that even the president might find it difficult to endorse those recommendations in the first flush; and, therefore, an attempt was made to introduce a change in Article 74 and to enact an express provision that the president would be bound by the Cabinet advice, so that he might not even be able to exercise his prerogative of sending back the matter for consideration by the Cabinet. This only indicated an anxiety, that the president's intervention even to this extent, i.e. even to send back the matter for reconsideration, should not be there. That was the reason for introducing this change in Article 74. We have done away with that part of the amendment, because we are now seeking to expressly provide, by his Bill, that it shall be open to the president if he feels that the recommendation which has been made to him is, according to him, not quite proper, or that it requires reconsideration. It would be open to him; and he will have the constitutional right to send back the matter for reconsideration, to the Council of Ministers.

Then, a change was made in Article 77 which provided that it should not be within the power of the court to require the production of Rules of Business. Why? Clearly, the effort was that—of course the Rules of Business lay down a certain distribution of functions between the council of Ministers

MR. SPEAKER: How long are you likely to take?

SHRI SHANTI BHUSHAN. I am likely to take about an hour.

MR. SPEAKER: I must indicate at what time voting is likely to be there. Therefore, shall we say that the voting will be at 3 o'clock.

SHRI SHANTI BHUSHAN: At 3 o'clock

SHRI C. M. STEPHEN: While this arrangement was for second reading, for clause-by-clause consideration, we take them and discuss

MR. SPEAKER: This is the first reading. Voting on the consideration motion will be around 3 o'clock. The House is now adjourned till 2 p m

13 hrs

The Lok Sabha adjourned for lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after lunch at Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

CONSTITUTION (FORTY-FIFTH AMENDMENT) BILL—contd.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): Sir, I was dealing with the question as to whether the claim of the Leader of the Opposition that the 42nd amendment was a very beneficial measure as it was demonstrated by the fact that we had retained some of its provisions has any validity whatsoever. I might say that I am given always to understanding a case rather than overstating it. I was referring to the amendment which was made in article 77. One wonders as to what could have been the object of making that amendment taking away the power of the courts to call for, require the production of the rules of

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business. Is it not clear that the purpose of this change, of this amendment was that even when the rules of business established a certain balance among the Council of Ministers and other functionaries, if for some reason somebody has decided to disregard all that distribution of function and to take all the powers, exercise all the powers by one single individual, the courts should not be able to discover as to what had been done, as to the fact that there had been a violation of that distribution of function among the various functionaries? What other object could this provision have other than safeguarding the action of an authoritarian person who, wished to disregard all the rules which regulated the distribution of functions between the different functionaries, from coming before the watchful eye of any court?

Then, in article 102 also, an amendment was sought to be made and it has been attempted to be said that it was a very innocuous one. We have to see whether that amendment was so innocuous. Earlier the provisions of the Constitution laid down that every holder of an office of profit would be disqualified for being a member of Parliament or a state Legislature unless the office of profit had been declared either by Parliament or by the State Legislature to be one which would not disqualify the holder. A seemingly innocuous change, as it is being claimed was made in that article to say that, instead of saying that every office of profit will disqualify the holder unless it is declared to be an office which would not disqualify, we have only altered the form and said, only the specified offices of profit will disqualify and others would not disqualify. But if the matter is examined carefully and deeply, what could be the purpose? Under the old provision, Parliament had to apply its mind to the question as to whether an office of profit was one the holding of which should not disqualify a person. For

example, the office of a Minister or other offices including the one which we have created recently, namely, the Leader of the Opposition and certain other offices are offices which, on account of the nature of the functions which are allocated to those offices, should not evidently disqualify the holder of that office merely because it happens to be an office of profit. But it was substituted by a provision saying that any office of profit would not disqualify unless it is specified as an office of profit, which meant, that so long as Parliament does not apply its mind to the question of specifying a particular office as an office of profit which would disqualify, any office of profit may be created and any Member of Parliament can be given an office of profit without disqualifying, because time might lapse. It may be a long time later that Parliament may apply its mind to the problem. What could be the intention? How was it considered important? Was it not an attempt in the direction that we shall have a provision by which we may have the Members of Parliament holding offices of profit in the gift of the Government and yet they would not stand disqualified for holding those offices of profit, because Parliament may not consider the matter for a long time and until then they would continue to hold those offices?

Then, in article 103 a very vital amendment was made. Earlier the function of effectively deciding as to whether the holding of a particular office of profit would disqualify a person and what should be the period of disqualification was given to an independent authority, namely, the Election Commission. But what has been done by this great Forty-second Amendment? The effective power was taken away from the Election Commission and for some reason vested in the President. Obviously President here means the Government, Government constituted by a political party, the ruling party. So, it was considered that the Government constituted

by a political party should have the power of finally deciding it. It might consult the Election Commission, but the views of the Election Commission would not be binding on the Government. It would be finally for the Government of the day to determine as to whether a member, whether belonging to the Treasury Benches or to the Opposition Parties, had incurred disqualification in a case or not. It means, it will be decided finally by the ruling party. What should be the period of disqualification would also be for the ruling political party in power to decide! Are these things consistent with principles of democracy? Should one party have the right to decide these very important questions on which the parliamentary functioning depends? Should one party decide as to whether another person becomes disqualified or not? Or, should it be decided by an independent authority? This was another change which was made

In regard to the privileges of the Houses of Parliament again a change was made. Earlier the position was, apart from the privileges which the Members of the Houses of Parliament had immediately after the Constitution had been brought into force, namely, the privileges which were enjoyed by the Members of the House of Commons. New privileges could only be created by an Act of Parliament in which both Houses would participate, and there would be the assent of the President, so that the normal legislative procedure would be completed in the creation of new privileges. But this was also sought to be substituted saying that it would be open to a House to evolve new privileges without enacting legislation. The reason is not far to seek why a qualitative change was being made in the whole polity. It is that if anything was considered expedient or necessary in a given situation, nothing should stand in the way. If censorship of even the publication of the proceedings of Parliament was

considered necessary, there should be some way tackling it and anything that comes in the way of the establishment of an authoritarian politician.

What was done with the judiciary? The judiciary was sought to be crippled by having all kinds of provisions. This amendment indicated clearly the complete distrust of the High Courts of the country. The High Courts' power of questioning a Central law was taken away. Not merely a Central Law made by Parliament but the rules and even specific notifications issued under it, were included in the definition of Central law, so that anything done by the Central Government by way of legislation or rules or even notifications could not be questioned by the High Courts. The High Courts were distrusted

Of course, theoretically you may say that one had the right to go to the Supreme Court. I am reminded of a case in which somebody suggested a law that the right to worship should be taken away except on Mount Everest. You can say we are not taking away the right; if you want, you have to go Mount Everest to worship. Similarly, it could be said that every poor person had the right to claim relief, only he had to go to the Supreme Court. He could not have recourse to the High Courts. They had been effectively denied the power of obtaining writs against the various notifications which might be issued by the Central Government.

Article 150 had been contemplated by the Constitution for a very good reason, that there must be some independent authority to supervise and see how the accounts of the Government are being maintained, so that nothing wrong, nothing suspicious was being done. It required the maintenance of accounts in a particular manner. The question was who should decide in what manner the accounts of the Government should be maintained. The Constitution had

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vested this power in an independent authority, the Comptroller and Auditor-General. He had the effective power to decide in what form the accounts would be kept, so that whatever happened might see the light of day. But again, the Government, composed of a political party, not a specialised authority, an independent constitutional authority, was given the final power to decide in what form the accounts would be kept. One has merely to see through this to see what could have been the reason to introduce this change, why the Comptroller and Auditor-General was not trusted. That is left for one to guess.

The States were also not trusted. Article 257A was introduced. In a quasi-federal structure, how can you possibly contemplate that the Union would be entitled to send its armed forces to a State even without the consent of the State? Even this provision was introduced in the Constitution.

Article 368 was amended. Of course, eloquent speeches have been made on the proposal of the referendum, and it was said: how can there be any restriction on the two-third majority of Parliament? No amendment made by Parliament should be questionable even in the Supreme Court. The Supreme Court should not be able to sit in judgement to any extent, even the question whether procedure laid down by the Constitution for the making of an amendment of the Constitution has been followed should not be justiciable before the Supreme Court. Even in the solemn matter of amending the Constitution no check or balance was sought to be contemplated. It was said that even the Supreme Court cannot say whether the procedure, which was contemplated by the people of this country, has been complied with or not in whatever amendment was sought to be made by Parliament. And what was the intention? It is clear. There was the 39th Amendment, which was

struck down by the Supreme Court a curious amendment. It is impossible to believe one's eyes or ears when one hears about an amendment of this kind that a certain election to Parliament of a person shall be deemed to be valid, whatever might have happened, no laws will govern it, it is declared valid whatever the High Court might have said.

Then, close on the heels of the 39th Amendment, which was enacted and passed, of course struck down by the Supreme Court, came the 40th Amendment Bill, introduced in one of the Houses, saying that so far as certain functionaries are concerned, including the Prime Minister, Governors and so on, they will not be liable to be proceeded in any court for any criminal offence of any kind, committed either during the period of office or even before they occupied the office; rather, life long immunity was sought to be conferred on such persons, which looks absolutely unbelievable.

Then, in that wake, article 368 was sought to be amended to say, whatever constitutional amendment is made, nobody will have the power to question it, to go into the reasons etc. Whatever might be the infirmities etc., it shall be regarded as valid. That was the amendment to article 368 which had been made. And yet today it is being asked, why have referendum, or why should the people be permitted to make an amendment, or if there are certain features, which must be regarded as basic, how can even the people be given the power of making or authorising such amendments in the Constitution etc. I shall come to that when I deal with the question of referendum.

Then, section 59 of this beautiful 42nd Amendment Act went further. It contemplated a period of two years during which the President, which means obviously the Government, the Government of the ruling party, was given the power of modifying any

provision of the Constitution for the purpose of removing difficulties. What were the kind of difficulties which were under contemplation? What was the nature of the difficulties? Difficulties for whom? Difficulties in whose functioning? Difficulties in whose continuing in Office? This discretion for a period of two years to make any amendment, modification or change in the Constitution as was required, this authority was given to the Government to make such modifications.

Then this 42nd Amendment was not the only amendment of the Constitution which was made during the period of the internal Emergency. There were other amendments, which took away the power of the judiciary even to question on any grounds whatsoever—article 123 about Ordinance issuing power, article 352 about declaration of Emergency, article 356 about imposition of President's Rule and various other provisions—in regard to which the judgment of the President, which means the Government, shall not be questioned before any court on any ground. Of course the courts have always taken the view that when it is the subjective satisfaction of the President, the court cannot sit in appeal over the judgment of the Government and that the only ground on which it can be questioned is *mala fide*. If the reasons were wholly extraneous for any reasonable person to come to such a decision in the exercise of those powers under these provisions then only it can be considered *mala fide*. Under the amended provisions, howsoever *mala fide* or extraneous the considerations may be for the exercise of those powers, no court will be competent to go into that question.

Even for the Supreme Court to question a Central notification etc. it was said that there must be a special majority of two-thirds against one-third, a curious phenomenon, namely, where a Judge is taking a

view in favour of the Government, he will have a higher voice, he will have two votes and anybody who votes against the Government, who decides against the Government, would have a single vote. I am wondering as to whether they had in contemplation the application of a similar system to the elections, namely, that anybody who votes for the ruling party candidate will have two votes and any person voting for the opposition candidate, his vote will be counted as half. So it is not far to seek as to why, what were the directions what were the objectives of those amendments which were being made in the Constitution such an important document during the period of Emergency what they were calculated to achieve.

Now it has been said that many provisions have still been retained and therefore one considers them all right. As I said I have no objection if they have any kind of satisfaction because we do not want to look into the past too much. We are more concerned with the future. We are more concerned with giving the country a Constitution so that the abuse of power would not be possible. All right what was done in the past that is a different story. We do not want to look at that past too much and therefore if it gives them some satisfaction that some provisions have been retained I am happy that they are happy and satisfied.

SHRI VASANT SATHI (Akola) Including your manifesto

SHRI SHANTI BHUSHAN Quite right I will deal with that. Don't worry about my manifesto unless you are thinking of adopting our manifesto. You are welcome to do so. (Interruptions) These are the provisions of the 42nd Amendment which have been retained. Of course, counting 1, 2, 3, 4 simple arithmetics, you can say 18 or 19 provisions have been retained. These are the same provisions. The same concept has to be

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repeated in various clauses. For example, if you say "The census of 1971 will govern" then there are various clauses, one dealing with the Assemblies, another dealing with the Lok Sabha the third one dealing with the union territories and so on and so forth. The same thing has to be repeated everywhere so that you find the same thing in several clauses, may be four or five clauses sometimes. It has been said that about 20 or so clauses have been left untouched. These are the things which have been left untouched. By the 42nd Amendment they attempted to usher in socialism and secularism in this country adding those words to the Preamble. It is the substantive provisions of the Constitution which determine the quality of a polity which is established.

SHRI RAJ NARAIN (Rue Barely): Would you define "socialism"? You are not able to define that.

SHRI SHANTI BHUSHAN: My definition is simple. Whatever Raj Narain says is socialism because obviously you are... (Interruptions). They added two more adjectives in the Preamble viz., "socialist" and "secular",... Of course the provisions of the Constitution laid down and established a secular Constitution for this country. The Provisions of the Constitution laid down a socialist Constitution for this country. If merely by use of this adjective, they feel very happy, I do not want to deny them that happiness. I am reminded of a small child. There were some neighbouring children also they came to the house of the child and the mother of that child told the children "because they were wasting time "do some drawing, why don't you pencil a picture of a railway station?" and all the children tried to do it and the mother's own child, very young, just drew a line and brought the picture to the mother. The mother did not have the heart to say that it was not a good picture. She said, "Yes, it is a very fine picture, it is just the scene of a railway station and so on." If they

got that kind of pleasure by adding these two adjectives, I do not want to grudge them this pleasure, (Interruptions). Then three Directive principles were added to the Constitution.

SHRI VAYALAR RAVI (Chirayinkil): How will your definition of "socialism and secularism" help?

SHRI SHANTI BHUSHAN: I am coming to that. That is another thing because that is not a part of your 42nd Amendment. Then they are very happy that they added three more Directive Principles. We are happy. For anything you have done whether it will be useful or even if it is innocuous, so long as it is not harmful, we do not grudge you. We are not actuated by this consideration that Mr Sathe has done this or Mr. Stephen has done this and therefore, it must be rejected. No. If it has the least beneficial value, even if it is innocuous, we do not want to make you unhappy. Please have it retained, by all means and let us make such use of it as we can. We are not in the spirit that "Oh, Mr Sathe has done this, therefore, we must oppose it." No. (Interruptions).

They have added in the fundamental duties, to abide by the Constitution, respect to the Institutions etc. I do not know for whom it was meant. Obviously there was some conscience which was troubling some person and therefore, somebody wanted to assert that it should be important to respect the democratic institutions in this country. So, even if at this late stage this idea enters into someone's mind, we are happy and we welcome it.

Then, the other thing which was retained was the clarification that the President would be bound by the Cabinet's advice. I have already said that of course, the President is bound by the Cabinet's advice. It need not be said. That has been the view which has been held from the very beginning of the Constitution. When the controversy was raised and the distinguished Attorney-General and Mr.

Alladi Krishnaswami Iyer had determined and the country had accepted, yes, it is a constitutional Government, it is a parliamentary Government and, therefore, the advice of the Council of Ministers is binding, to make it into an express provision, what could be the purpose? The purpose could only be that he should not even have that kind of discretion which the parliamentary democracy contemplates, namely, asking for reconsideration. He is an important functionary and, therefore, if he has certain views, he should be able to appraise the Council of Ministers of his views so that the Council of Ministers may apply their mind to that question and, if necessary, reconsider the matter. But even this amount of discretion they were not prepared to give to him. It was being considered that it might give rise to a dangerous situation. Quite possibly, they might have thought and contemplated all kinds of dangers, and, therefore, they were not prepared to take the risk of what they contemplated as a danger or a potential danger or a possible danger to any body.

As regards the various articles dealing with the 1971 Census, to determine the distribution of seats to State, etc., if they are very happy that it is a revolutionary change which had been made by the Forty-second Amendment, I again would like to repeat that I would not like to grudge them their happiness because it is the function of this Janata Party Government to try to make the whole country happy, including the Opposition parties, the members of the Opposition parties.

AN HON MEMBER: Including Mr. Raj Narain.

SHRI K. P. UNNIKRISHNAN (Badagara): Why don't you make him happy?

SHRI SHANTI BHUSHAN: Don't you see that he is happy? He is always happy. If he had not always been happy, he would not have been Mr. Raj Narain.

Having dealt with the Forty-second Amendment, of course, I might also refer to a criticism, namely, that the Janata Party election manifesto has not been honoured by not bringing a Bill for the total repeal of the Forty-second Amendment. I have had occasion to deal with this question on earlier occasions. I would only like to remind the hon. Members—the House has many distinguished lawyers also—specially those distinguished lawyers if they would just care to have a look at Section 6A of the General Clauses Act. I recently had the occasion to bring a Bill in the other House a repealing and amending Bill—it is a periodical exercise—because the law provides that once the amendment of an Act has taken effect, even if you repeal the amending Act, the amendments are left untouched because the amendments have already been incorporated in the main Act. Therefore, the mere repeal of an amending Act does not have the effect of removing the amendments. That is the law, that is Section 6A of the General Clauses Act.

SHRI A. BALA PAJANOR (Pondicherry): You could put all the Sections together and repeal it.

SHRI SHANTI BHUSHAN: It was being said that even if there is something which might be even useful to the slightest extent you repeal it and re-enact it. Let it go first and bring it again later on. There would be no purpose in doing that and, therefore, it has not been done.

I have already had an occasion to say in this House that many distinguished members of this House had criticised the Forty-second Amendment and even certain committees had been constituted when the Forty-second Amendment was being considered. Even Shri Jaya Prakash Narayan had constituted a national Constitution Review Committee consisting of Shri Era Sezhiyan and Krishnan Kant who were the convenors and I also had the honour to be a

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member of that Committee. Mr. Tarunde was a member of that Committee. Even at that time, I had adopted an approach that in the Forty-Second Amendment, there might be some proposals which were innocuous and some may be slightly beneficial and, therefore, we should not object. Our purpose should not always be publicity and propaganda but a constructive exercise. Let us apply our mind to this: whatever is bad, let us reject; and whatever is not bad, let us not. (Interruptions) Even such reports were produced during the period of Emergency, even the speeches which had been made, the speeches have criticised various things. So, it is in that spirit.

PROF. R. K. AMIN: May I make a submission?

SHRI SHANTI BHUSHAN: You may make your submission later.

Then I come to the Emergency provisions. Several hon. Members have spoken about the Clauses in this Bill which deal with the Emergency provisions of the Constitution article 352 and the connected provisions. Of course, I must make one thing clear. I do not think any hon. Member of this House will oppose the Clauses contained in the Bill, for the reason that opposition to these Clauses of the Bill would mean that the original Emergency provisions must continue. (Interruptions) It is my duty to make it clear. After all, what is it that we are trying to do? We are not trying to act against liberty. We are proceeding in the direction of liberalising, namely creating safeguards making abuse difficult. I would like to claim that abuse of the Emergency powers will be made impossible by these amendments which are being proposed. Well there might be—I do not say that one might not have an honest room for difference of opinion on that score. One may say that one should proceed further. But merely saying that one should proceed further would not be a ground to oppose whatever is being done. Therefore, I appeal to

the hon. Members to support the Clauses which we have introduced in this Bill in regard to Emergency provisions.

SHRI SOMNATH CHATTERJEE (Jadavpur): With my amendment.

SHRI SHANTI BHUSHAN: Now, certain anxieties have been expressed in regard to the Emergency provisions. I am not surprised about this anxiety because the whole country has gone through a traumatic period. Of course, the fears were not exaggerated. But even if hon. Members proceed on exaggerated imaginations, I cannot blame them. I cannot find fault with them. It will only be my duty to try to clarify it for them. I would say that the provisions, the safeguards which are being introduced, are absolutely adequate. It is also important to know that any powers which are given to an executive in an orderly society, in a civilized country, are given for a particular purpose. Of course, one might say or one might contemplate that there may be some possibility of misuse of those powers. One approach may be: if there is a possibility of misuse of powers, why give any power at all, take away all the powers. Then what do we have? If proceeding on this distrust that if any authority is given to anybody by the Constitution there is a possibility of misuse and, therefore, the power may be taken away so that no misuse would be possible, then what happens?

SHRI MALLIKARJUN (Medak): Sir, on a point of clarification, Mr. Law Minister, would you focus your attention on what is meant by 'armed rebellion'? Once the armed forces rebel, where is the point of sending the Proclamation to the President to impose Emergency? What is 'armed rebellion'? This is total ignorance on the part of the Janata Government to put the term 'armed rebellion'. In a civilian country, is there any scope for that? (Interruptions) You are making a conspiracy; you are instigating the armed forces to revolt. That means.

you do not believe in democracy What is meant by 'armed rebellion'? It is a totally unacceptable term, it is intolerable for any democratic citizen

SHRI SHANTI BHUSHAN There we agree This is not armed rebellion

MR DEPUTY SPEAKER Mr Mallikarjun you have explained your point

SHRI MALLIKARJUN Once an armed rebellion is there you cannot take any decision like that to impose President's rule

SHRI SOMNATH CHATTERJEE Rebellion by Mr Mallikarjun alone will mean an armed rebellion

SHRI SHANTI BHUSHAN Sir I am quite conscious of the fact that the country does not face any danger so long as we have any Arjun in this House whether it is Mallikarjun or any other Arjun and, when I look at Mr Mallikarjun he is not merely an Arjun but he combines the qualities of an Arjun and a Bhumi also (Interruptions)

SHRI MALLIKARJUN It is not enough that you know some mythology You must be a constitutional expert also but you are not an expert in the eyes of the people Why do you use the words 'armed rebellion'?

SHRI A. RALA PAJANOR He has made a point Sir (Interruptions)

SHRI MALLIKARJUN I am not going to revolt in a village, I am going to revolt in the capital city of India

SHRI VASANT SATHE For mythology you should take lessons from Mr Raj Narain

SHRI SHANTI BHUSHAN He has taught me something during the four years we were conducting the case together

SHRI HITENDRA DESAI (Gadhra) The hon Member talks about

a stage when you will have no worry from any quarter

SHRI SHANTI BHUSHAN: There is no doubt that the abuse of emergency powers during recent years has naturally created a fear psychosis in this country and I am, therefore, not surprised that the hon Members should give vent to apprehensions of the kind to which they have given expression to But, let us coolly and dispassionately consider the question as to whether the safeguards which are sought to be provided are quite adequate or not It is not merely that the safeguards are there in Art 352 because we have also to see and consider, when we consider what kinds of safeguards are necessary and what are the consequences of a declaration of emergency If the consequences are of a particular kind, then more safeguards are necessary If the consequences are not that drastic, then less safeguards will do We have also tried to see and make an attempt, namely, to water down the consequences which an emergency can have Now, a most important consequence which played havoc in this country was because the right to life or liberty could be suspended during an emergency and therefore, there was no habeas corpus and there was nobody to question how a person had been detained, however dishonestly detained, and for what reasons he had been detained But this Bill seeks to annul all this once and for all It says that so far as the sacred rights to life or liberty is concerned, which is enshrined in Art 21, by an amendment of Art 359 it is being ensured that the right to life or liberty which was construed by the Supreme Court as the sole repository of the right to life and the right to liberty shall not be subject to any suspension even during the period of any external emergency Now this ensures, that a habeas corpus cannot be suspended in this country even during any period of emergency whether

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arising from external aggression or internal aggression so that such a large-scale clamping of people in jail and thus creating this psychosis of fear all around will not be possible hereafter.

Hereafter people cannot be terrorised by telling them, "All right, if you do something, even if it be your right to do it, you will be put in jail and you will have nobody to go to." This will not be the position.

Apart from that, the other weapon which had been used during the period of emergency, was "All right, here is the House, the two Houses of Parliament. They constitute the conscience of the nation, they constitute the voice of the nation. If that is muzzled, then, in that case, democracy cannot thrive and a fear psychosis can be brought about." Sir, if the voice of this House or the other House cannot be muzzled and if the voices of the Houses of different Legislatures cannot be muzzled, then again that kind of emergency can never be perpetrated. That is why we have tried to introduce an Article in this Constitution, that the publication of parliamentary proceedings shall be an absolute and a constitutional right of the people so that this kind of muzzling of parliamentary institutions will not be permissible. It is in this context, namely, the kind of emergency which was declared in this country, the kind of consequences which were created, the kind of the fear psychosis which had been established, the need to ensure that it will not be possible even by the use of the emergency provisions to establish such a situation in the country that the kind of safeguards has to be looked at. But even then we have not said that no safeguards are necessary. So many safeguards have been attempted to be imposed by amending Article 352. First of all, even that provision, Clause 5, which had been introduced taking all powers of judi-

cial review in all circumstances, namely, on any ground whatsoever is sought to be deleted so that at least in an extreme case it may be possible for a citizen to go to, the court and say, alright if there is not the slightest case for declaration of Emergency, if it is so clearly and patently mala fide, if it is purely based on extraneous considerations this absolute bar on exercise of powers by the courts will not be there. That is one safeguard.

The most important safeguards which are sought to be introduced are: Firstly, the Cabinet will have to consider the matter. It will only be on the basis of a Cabinet decision and written advice tendered on the basis of the Cabinet decision that it will be possible for the President to proclaim Emergency. This would mean that it would be the collective wisdom, not in the interest of a single individual, not arbitrary exercise of authority by single individual which may be competent to usher in an era of Emergency in the country.

SHRI VASANT SATHE: What will be the use! It will be collective impotency.

SHRI VAYALAR RAVI: Let him explain the point why does he want to retain the clause of Emergency?

(Interruptions)

SHRI SHANTI BHUSHAN: These questions of impotency I would like to leave them to Mr. Sathe.

Now, Sir, apart from that hereafter a declaration of Emergency would not be possible merely by having a bare majority of the Parliament to vote for it. Two-third majority in both Houses, a two-third majority which is required for an amendment of the Constitution, that kind of majority, namely, more than half of the total membership and two-third majority of those present and voting will

be required for approving a declaration of any Emergency (*Interruptions*)

This would be another safeguard namely, the endorsement of the proclamation of Emergency or its continuance will have to be repeated by the same two-third majority every six months so that it may not be alright there is some Emergency and therefore it is proclaimed and ratified and thereafter the Parliament is out of picture

14.43 hrs

[Mr SPEAKER in the Chair]

Every six months in order to continue this Emergency government will have to come to both Houses of Parliament and unless it secures the consent of two-third voting majority in both Houses of Parliament it would not be possible for the Government to continue the Emergency

Then it would be open to Lok Sabha to ask for the revocation of Emergency at any time Even during the period of six months at any time when this Lok Sabha feels that it is not necessary to continue the Emergency any longer

(*Interruptions*)

MR SPEAKER Whatever interpretation the Law Minister may give the interpretation will finally be what the court gives as the interpretation He is explaining the position as he understands it

(*Interruptions*)

SHRI A BALA PAJANOR But the meaning that is given by the Law Minister will be looked into by the court because you know Sir for knowing the meaning they will not refer to Oxford or Chambers They will see the proceedings and then come to the decision So his lecture is very important

(*Interruptions*)

SHRI SHANTI BHUSHAN I am very happy that even the votaries of internal emergency on the ground of a non-existent internal disturbance are today so solicitous about there being no emergency even in the event of an armed rebellion in the country I am happy that at least such a thing is being said (*Interruptions*)

SHRI SAUGATA ROY (Barrackpore) Let the Government state that they have come on the negative verdict of emergency (*Interruptions*).

SHRI VAYALAR RAVI Armed rebellion is a political revolt How can you suppress the people if it is there (*Interruptions*)

SHRI SAUGATA ROY If Shri Raj Narain calls for a kisan rally, it can be called an armed rebellion for declaring emergency

SHRI SHANTI BHUSHAN A question has been raised apart from the security of the country being in danger from external aggression whether there should be power to declare emergency if the security of the country is threatened by armed rebellion May I implore the hon Members of the House to consider (*Interruptions*)

SHRI VASANT SATHE Shri Somnath Chatterjee says that even if the external aggression is from a friendly country like China you should not do that What do you say to that? (*Interruptions*)

MR SPEAKER Why are you fighting over the dead past? (*Interruptions*)

MR SPEAKER It is well known that converts can be more fanatical than others

SHRI SHANTI BHUSHAN Two points have raised in this connection and I propose to deal with these point very briefly One point which was raised is that if the security of the country is in danger arising from external aggression then there could

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be a reason to proclaim Emergency in the country, and acquire those special powers, whatever they may be, with all the safeguards. But if the security of the country is threatened by armed rebellion from outside, in that case... (Interruptions)

MR. SPEAKER: Why don't you hear? You have a duty to hear. You may agree, or may not agree.

SHRI SHANTI BHUSHAN: I was wondering why should there not be an equal concern to safeguard the security of the country, even if the threat arises from armed rebellion from inside. Why should it be necessary to show... (Interruptions)

MR. SPEAKER: What is all this? I cannot understand. You cannot stop it by shouting.

(Interruptions)

MR. SPEAKER: Don't record.

(Interruptions)**

SHRI SHANTI BHUSHAN: Will this august House remain unconcerned if the security of the country is threatened by armed rebellion from inside the country?

SOME HON MEMBERS: Inspired by whom?

SHRI SHANTI BHUSHAN: Unless it can be shown that the armed rebellion was inspired from outside and it can be demonstrated so, i.e., that it had inspiration from outside, until then, it will not be regarded as external aggression, even though the consequences will be the same and identical, and Government will not be able to meet the situation. (Interruptions)

I do hope that the House will not countenance such a proposition.

SHRI VASANT SATHE: Are you having George Fernandes in mind? (Interruptions)

MR. SPEAKER: Don't record.

(Interruptions) **

SHRI SHANTI BHUSHAN: I do hope that the House will not permit any danger to the security of India to arise, even from armed rebellion, and will not permit any rebellion to take place, to put the security of the country in danger. (Interruptions) Are you planning for that? Anybody who calls for armed rebellion must be put down. (Interruptions)

MR. SPEAKER: Don't record.

(Interruptions)**

MR. SPEAKER: Mr Chandrappan, this is the tenth time that you are getting up, and speaking

SHRI C. K. CHANDRAPPAN (Cannanore): Yes because he said that. (Interruptions)

MR. SPEAKER: He had a right to say that.

SHRI SHANTI BHUSHAN: In a democratic country, every citizen, every person has a right to oppose the Government by peaceful means and by creating public opinion. That is the way to fight the Government. You are welcome to fight the Government by creating public opinion. (Interruptions) So long as the democratic character of the Constitution is preserved.

So long as people's right to govern themselves is preserved, people are welcome to oppose the government by peaceful means. Let them create public opinion, let them fight the government by peaceful means. But no armed rebellion in the country shall be permitted... (Interruptions).

SHRI VASANT SATHE: This is what Shrimati Indira Gandhi had said.

SHRI SHANTI BHUSHAN: If the hon Member Shri Sathe has now started

**Not recorded.

feeling that whatever Shrimati Indira Gandhi has been saying, I have also been saying, I am happy (*Interruptions*) The other point raised was why should this power arise even when there is apprehension, before the armed rebellion has actually taken place? Now this is a feature recognised by the original article 352 itself, namely if a danger has to be properly met, the danger may not sometimes be properly met unless the required action can be taken well in time That is why if there is apprehension of the security of India being endangered from external aggression or internal rebellion, action must be taken before Similarly if there is danger to the security of India from armed rebellion certainly action must be taken even before but action must be taken honestly, must be taken properly with all the safeguards that are there (*Interruptions*) Since I feel there is some allergy in this House among some hon Members about certain things I shall go to the next aspect of the matter namely provisions dealing with preventive detention, article 22

As the hon Members must have seen it is a very important step in the direction of safeguarding the liberties of the people and I hope therefore that each and every single hon Member of this House would give support to the provisions of the Bill which are calculated to safeguard the liberties of the people (*Interruptions*) I should like to emphasise that a very important change which is sought to be introduced by this Bill is that while the original article 22 gave power to Parliament to provide any period during which a person could be detained without any reference to the advisory board that power is being deleted in clause 7 so that hereafter even Parliament will not have the power of authorising the preventive detention of a person beyond a period of 2 months without any reference to the advisory board

15 00 hrs

My esteemed friend Shri Ram Jethmalani, had suggested that he had

made some proposal for the amendment of the Criminal Procedure Code by which he wanted to provide that if the government certifies in the case of a person who is accused of having committed a criminal offence that he must be remanded to custody for a period of three months, then it should be obligatory for the magistrate to remand him for a period of three months He thought that if such a provision was introduced in the Cr P C every criminal every person who was suspected or accused of having committed a crime could be tickled by seeing to it that at the desire of the State Government that person remained in custody for a period of three months I would appeal to the hon member to ponder over it and consider how the liberty of the individual would be more safeguarded by a provision of that kind In that case it shall be for the Government to decide Of course, a criminal accusation can be laid against anybody If therefore that itself becomes enough justification for the Government to wield the power and see to it that for three months he remained custody—will that be better or will the kind of provision that we are contemplating in article 22 is better? Here the provision is that within 2 months it shall be referred to an advisory board consisting of three judges, selected by the Chief Justice of the appropriate High Court who would be going into the question and deciding whether there are good grounds for keeping a person in preventive detention or not and if such judge considers that there are no good grounds for keeping a person in detention, he will be entitled to his liberty In addition the habeas corpus right would also be there That will be in addition to the reference to the advisory board within a period of two months (*Interruptions*) It has been said why have any power of preventive detention?

SHRI DINEN BHATTACHARYYA
(SCAMPORE) No preventive detention should be there.

SHRI SHANTI BHUSHAN: There was a police officer who had a revolver to protect the people. When that revolver did not have a safety device and therefore it was found that it was a dangerous weapon, one person suggested, "All right; instal a safety device so that it can be used only for the proper purpose and it may not cause injury to others which may not be necessary." The other person said, "Why not take away that particular pin which made the revolver effective?" If the pin is taken away, what will happen? After all, the Government does require powers to deal with extraordinary situation. This is merely contemplated by the Constitution as a reservoir, so that in extraordinary situations when the interests of the society at large, civilised society, organised society, may require the exercise of special powers, then with all the necessary safeguards, these special powers may be there and may be necessary to the extent they are necessary to protect the interests of the society. (Interruptions).

श्री यमुना प्रसाद शास्त्री : (रीवा) : भविष्य में कोई सरकार इसका दुरुपयोग कर सकती है । नहीं करेगी इसका क्या सेफगार्ड है ?

SHRI SHANTI BHUSHAN: I am feeling sorry at this moment that I do not have the lung power of Mr. Sathe and the throat power of Mr. Kachawai!

I come to the important subject of referendum on which there has been some controversy in the House. I do hope that even those who have expressed themselves against a referendum would think again about it.

The Leader of the Opposition invoked the principle that when a principal delegates a power to a delegate, then the principal loses the power and the delegate becomes all supreme. I can contemplate that in the case of sale of a property, after a vendor has transferred his property, parted with it to the vendee, certainly he cannot claim any right to that property, but in the case of delegation, if the principal appoints a manager to look after some interests on behalf of the people in the name of the

people, then if that person says that the people are nobody, we are the persons because the people have already delegated the power to us, they have made us sovereign, they have become subjects, we have become sovereign, so far as I am concerned, I would find it very difficult to accept that proposition.

Hon. Shri Venkataraman referred to certain aspects of impracticality. He thought that a provision for referendum in India would be most unpractical. Of course, I might inform him, he must be aware himself, that in Goa there was a referendum of a kind on the question whether Goa or parts of it should merge with Maharashtra or not.

SHRI MALLIKARJUN: It was a demand by the people. In a democracy, you can have an opinion poll.

SHRI SHANTI BHUSHAN: Shri Venkataraman's difficulty was that after all in a referendum, a Constitution Bill will go for a yes or no vote on the basis of some symbol. How can a Constitution Bill be ratified by the people by yes or no? May I ask the hon. Member to consider this? When a Constitution Amendment requiring ratification by more than half of the State Assemblies is sent to the Assemblies, how do the Assemblies decide upon that amendment? Is it not by a total yes or a total no? They have no power to make any amendments to the Constitutional Amendment. The idea is that a package constitutional amendment or several package constitutional amendments can be put to the people for an affirmative or a negative vote, and the results of that vote can be taken into consideration if 51 per cent of the voters participate and the majority have given an affirmative vote. Here in the Lok Sabha also, when a Bill is put to vote, we say "ayes" and "noes". When we can declare "ayes" and "noes", the people also can declare "ayes" and "noes" (Interruptions).

He also had some difficulty about cats and rats. He was contemplating what would be the symbol which would be supplied. Mr. Venkataraman

fought an election on the symbol of the cow and calf if I remember aright In that party with the symbol of cow and calf, he has seen a division I was wondering what made him think of cats and rats how it has stuck him I do not know whether he had employed that kind of canvassing. He has said that if there is any voting on the basis of such symbol people would go and say that rats will eat away your grains and cats will do something else etc. When there was the cow and calf was that the kind of canvassing that was done?

I can understand opposition to the referendum clause on one or two grounds. For example some might be wanting unlimited powers for the two Houses of Parliament to make any kind of amendment. There was such a section of opinion. In fact when the 42nd Amendment was brought and article 368 was amended it was done on the basis that two-thirds majority in two Houses of Parliament must have complete power of making any amendment there should nothing basic etc which is beyond their reach they should be able to make even amendments of the kind contained in the 39th or 40th Amendment, or any other kind of amendment which might be conceived of by human ingenuity. That is one school of thought, and I can understand that those who want to say that the referendum clause should not be there because it curtails the powers of the Parliament because it obliges Parliament even when something is accepted by two-thirds majority in Parliament in the two Houses it compels them to get the endorsement of the people.

Then my answer to that kind of criticism is that the country has seen and therefore the country wants the country feels the people feel that when their rights come in when their democratic rights come in when their rights for free and fair elections under adult franchise come in when their fundamental right for freedom of speech and expression comes in, in

that case they are not willing to permit even a two-thirds majority in Parliament to interfere with that right even by an amendment of the Constitution. They want themselves to be involved because they know what is in their interest and how they can really safeguard their interests. So whenever any such thing is sought to be done in the name of improving the lot of the people etc they say come back to us we are the principals you are the delegates only for certain purposes come back to us and tell us what you want to do and when we endorse it then only you would be competent to do that. (Interruptions) There is nothing in this amendment which goes against the interests of the people of this country. (Interruptions) I will make my further speech very brief because

SHRI VASANT SATHE You have no moral right

MR SPEAKER Leave the moral right alone

SHRI SHANTI BHUSHAN Something was said about the 9th Schedule not being deleted

SHRI BAPUSAHEB PARULEKAR (Ratnagiri) On the point of referendum I want to seek clarification from the hon Minister. Are you going to put the entire Bill consisting of so many clauses to the people for referendum? Suppose there are nine clauses and suppose I want to vote for 7 clauses and not for 2 clauses then what should be done? Or will the people be required to vote so many times separately?

SHRI SHANTI BHUSHAN I will immediately deal with this. The position would be if the Constitution Amendment is of such a nature that it is a composite whole namely it represents only one theme then in that case, the entire proposal of the Government to amend the Constitution will be put as a whole can be put as a whole saying either you accept the whole idea or reject the whole idea.

[Shri Shanti Bhushan]

It may consist of several clauses, but all those clauses together constitute one central idea and, therefore, it is put to the people as one idea, whether it is acceptable to them or not; because the people do not bother about the manner in which some minor changes are made; they are concerned only with the central idea. But if in a particular constitutional amendment there are several distinct areas, then, in that case, it is possible to put those distinct areas separately for the referendum of the people. Now, so far as this particular aspect is concerned, it can be put separately and other aspects can be put separately.

SHRI VAYALAR RAVI: The Supreme Court had ruled in their judgment that this Parliament has no right to change the basic features of the Constitution. Now the Minister proposed an amendment barring the Supreme Court also from looking into the merit of the case if 51 per cent of the people vote for it. (Interruptions)

MR. SPEAKER: No, no. It can always be argued. (Interruptions) These questions can be dealt with when we take up the amendments. (Interruptions) I am going to take up voting. (Interruptions)

PROF. P. G. MAVALANKAR (Gandhinagar): If they are so basic, why do you make them amendable? (Interruptions)

MR. SPEAKER: Nobody can answer half a dozen persons.

SHRI SHANTI BHUSHAN: I do not think I can complete my task unless I deal with the important points which have been made by hon. Shri Raj Narain.

SHRI T. BALAKRISHNAIAH (Tirupathi): Referendum provision is meaningless (Interruptions)

SHRI SHANTI BHUSHAN: As the House knows, Shri Raj Narain is a great democrat... (Interruptions)

PROF. P. G. MAVALANKAR: Why not the Minister answer my point?

MR. SPEAKER: No, no. He cannot answer a number of persons.

PROF. P. G. MAVALANKAR: I have raised a specific point. Let him answer that... (Interruptions)

SHRI SAUGATA ROY: Referendum is a very vital thing. (Interruptions)

MR. SPEAKER: Mr. Minister, I am going to take up voting. An amendment for the circulation of the Bill has been moved by Shri Hukmdao Narain Yadav. Does the hon. Member want to withdraw the amendment?

श्री हुकम देव नारायण यादव (मधुबनी) : मैं अपना प्रमोवमेंट प्रेस नहीं कर रहा हूँ।

MR. SPEAKER: You are not pressing

SHRI HUKMDO NARAIN YADAV: Yes

MR. SPEAKER: Has the hon. Member the leave of the House to withdraw the amendment?

SEVERAL HON. MEMBERS: Yes.

Amendment No. 95 was, by leave, withdrawn.

MR. SPEAKER: Now, before I put the motion for Consideration to the vote of the House, this being a Constitution Amendment Bill, voting has to be by division. Let the lobbies be cleared. The Lobbies have been cleared. Before I call division, may I make one request? The members may please take their allotted seats. Otherwise, there will be difficulty.

The voting on the motion has to be by a division. I may remind the members that when the division is announced, a gong will sound which will signal the member to cast his vote. Each member has to press the pusher

and then operate one of the three push buttons according to his choice. The pusher and the push button may be kept pressed simultaneously until the gong sounds second time

The question is:

"That the Bill further to amend the Constitution of India, be taken into consideration."

The Lok Sabha divided:

AYES

Division No. 4] [15.23 hrs.

Abdul Lateef, Shri
Agrawal, Shri Satish
Ahmed, Shri Halimuiddin
Ahmed Hussain, Shri
Ahsan Jafri, Shri
Ahuja, Shri Subhash
Alagesan, Shri O. V.
Alihaj, Shri M. A. Hannan
Alluri, Shri Subhash Chandra Bose
Amat, Shri D.
Amin, Prof. R. K.
Anbalagan, Shri P.
Ankineedu, Shri Maganti
Ankineedu Prasad Rao, Shri
Ansari, Shri Faquir Ali
Arif Beg, Shri
Arunachalam, Shri M.
Arunachalam alias 'Aladi Aruna' Shri V.
Asaithambi, Shri A. V. P.
Asokaraj, Shri A.
Badri Narayan, Shri A. R.
Bagri, Shri Mani Ram
Bahuguna, Shri H. N.
Bahuguna, Shrimati Kamala
Bal, Shri Pradyumna
Balak Ram, Shri
Balbir Singh, Chowdhry
Baldev Prakash, Dr.
Banatwalla, Shri G. M.
Barakatali, Shrimati Renuka Devi

Barrow, Shri A. E. T.
Basappa, Shri Kondajji
Bateshwar Hemram, Shri
Bhagat Ram, Shri
Bhakta, Shri Manoranjan
Bhanwar, Shri Bhagirath
Bharat Bhushan, Shri
Bhattacharya, Shri Dmen
Bheeshma Dev, Shri M.
Birendra Prasad, Shri
Borole, Shri Yashwant
Borooh, Shri D. K.
Brij Raj Singh, Shri
Burande, Shri Gangadhar Appa
Chakravarty, Prof. Dilip
Chandan Singh, Shri
Chandra Shekhar, Shri
Chandra Shekhar Singh, Shri
Chandra Pal Singh, Shri
Chandrappan, Shri C. K.
Chatterjee, Shri Somnath
Chaturbhuj, Shri
Chaturvedi, Shri Shambhu Nath
Chaudhary, Shri Motibhai R.
Chaudhuri, Shri Tridib
Chauhan, Shri Nawab Singh
Chavan, Shri Yeshwantrao
Chavda, Shri K. S.
Chettri, Shri K. B.
Chhetri, Shri Chhatra Bahadur
Choudhari, Shri K. B.
Choudhury, Shrimati Rashida Haque
Chowhan, Shri Bharat Singh
Chunder, Dr. Pratap Chandra
Dabhi, Shri Ajitsinh
Damor, Shri Somjibhai
Danwe, Shri Pundalik Hari
Das, Shri S. S.
Das, Shri R. P.
Dasappa, Shri Tulsidas
Dasgupta, Shri K. N.
Dave, Shri Anant
Deo, Shri P K

Deo, Shri V. Kishore Chandra S.
Desai, Shri Dajiba
Desai, Shri Harendra
Desai, Shri Morarji
Deshmukh Shri Ram Prasad
Devarajan, Shri B
Bhandayuthapani, Shri V.
Dhara, Shri Sushil Kumar
Dharia, Shri Mohan
Dhurve, Shri Shyamraj
Digvijoy Narain Singh, Shri
Durga Chand, Shri
Dutt Shri Asoke Krishan
Faleiro, Shri Eduardo
Gomit, Shri Chhitubhai
Ganga Bhakt Singh, Shri
Ganga Singh, Shri
Gattani, Shri R. D.
Gawai, Shri D G
Godara, Ch. Hari Ram Makkasar
Gogoi, Shri Tarun
Gomango, Shri Giridhar
Gopal, Shri K.
Gore, Shrimati Mrinal
Goswami, Shrimati Bibha Ghosh
Gowda, Shri S. Nanjesha
Goyal, Shri Krishna Kumar
Guha, Shri Samar
Gupta, Shri Kanwar Lal
Halder, Shri Krishna Chandra
Harikesh Bahadur, Shri
Hukam, Ram, Shri
Jaffer Sharif, Shri C. K.
Jagannathan, Shri S.
Jagjivan Ram, Shri
Jain, Shri Kacharulal Hemraj
Jain, Shri Kalyan
Jain, Shri Nirmal Chandra
Jasrotia, Shri Baldev Singh
Jethmalani, Shri Ram
Joarder, Shri Dinesh
Joshu, Dr. Murli Manohar
Kadam, Shri B. P.

Kaiho, Shri
Kailash Prakash, Shri
Kakade, Shri Sambhajirao
Kuliate, Dr. Babu
Kamakshiah, Shri D.
Kannath, Shri Hari Vishnu
Kamboor, Shri L. L.
Kam Shri Sarat
Kasar, Shri Amrut
Kausik, Shri Purushottam
Kesharwani, Shri N. P.
Khalsa, Shri Basant Singh
Khan, Shri Ismail Hossain
Khan, Shri Mahmood Hasan
Khan, Shri Mohd Shamsul Hasan
Kishore Lal, Shri
Kisku Shri Jadunath
Kodiyar, Shri P. K.
Kolanthaivelu, Shri R. .
Kolur, Shri Rajshekhar
Kosalram, Shri K. T.
Krishan Kant, Shri
Krishnan, Shrimati Parvathi
Kureel, Shri Jwala Prasad
Kureel, Shri R. L.
Lahanu Shidava Kom, Shri
Lal, Shri S S
Laskar, Shri Nihar
Lumaye, Shri Madhu
Machhand, Shri Raghubir Singh
Mahala, Shri K. L.
Mahata, Shri C. R.
Mahi Lal, Shri
Maiti, Shrimati Abha
Malik, Shri Mukhtiar Singh
Mallick, Shri Rama Chandra
Mallikarjun, Shri
Mandal, Shri B. P.
Mandal, Shri Dhanik Lal
Mane, Shri Rajaram Shankarrao
Mangal Deo, Shri
Mankar, Shri Laxman Rao
Manohar Lal, Shri
Mathur, Shri Jagdish Prasad
Mavalankar, Prof. P. G.

Meerza, Shri Syed Kazim Ali
Mehta Shri Prasannbhai
Mhalgi Shri R K
Mirdha, Shri Nathu Ram
Miri Shri Govind Ram
Mishra Shri G S
Mishra Shri Janeshwar
Mishra Shri Shyamnandan
Modak Shri Bijoy
Mohai : anagam Shri : agavalu
Mohinder Singh Shri
Mohsin Shri F H
Mondal Dr Bijoy
Mukherjee Shri Samar
Mullan Singh Chaudhary
Munda Shri Karla
Murmu Father Anthony
Murthy Shri M V Chandashekhara
Murugaian Shri S G
Nahata Shri Amrit
Naik Shri S H
Nair Shri M N Govindan
Narendra Singh Shri
Nathu Singh Shri
Nathuni Ram Shri
Nayak Shri Laxmi Narain
Nayar Dr Sushila
Negi Shri T S
Pajanor Shri A Bala
Pandey Shri Ambika Prasad
Pandeya Dr Laxminarayan
Pandit Dr Vasant Kumar
Parmal Lal Shri
Parmar Shri Natwarlal B
Parthasarathy Shri P
Parulekar Shri Bapusaheb
Parvati Devi Shrimati
Patel Shri Dwarikadas
Patel Shri H M
Patel Km Maniben Vallabhbhai
Patel Shri Meetha Lal
Patidar Shri Rameshwar
Patil, Shri Chandrakant

Patil Shri S D
Patil Shri Vijaykumar N
Patnaik Shri Bijay
Patnaik Shri Sivaji
Patwary Shri H L
Phiangi Prasad Shri
Pipil Shri Mohan Lal
Poojary Shri : : : : :
Pradhan Shri Grananath
Pradhan Shri Pabitra Mohan
Pradhan Shri K
Pullari Shri : : : :
Quieshi Shri Mohi Shafi
Richuah Sh B
Rachavetira Shri : : :
Raghavji Shri
Raghu Ramji Shri K
Rai Shri Gauri Shankar
Rai Shri Narmada Prasad
Rai Shri Sha Ram
Raj Keshari Singh Shri
Raj Naram Shri
Rajani Shri K A
Rajda Shri Ratansinh
Raju Shri P V G
Rikesh Shri R N
Ram Dhan Shri
Ram Gopal Singh Chaudhury
Ram Kinkar Shri
Ram Kishan Shri
Ram Murti Shri
Ram Sagar Shri
Ramachandran Shri P
Ramalingam Shri P S
Ramamurthy Shri K
Ranapati Singh Shri
Ramswamy Shri S
Ramdas Singh Shri
Rani Singh Dr
Rani Singh Shri
Ranekani Shrimati Ahilya P
Rani Singh Shri
Rao Shri Jagannath

Rao, Shri Jalagam Kondala
 Rao, Shri M. Salyanarayan
 Rao, Shri Pattabhi Rama
 Rao, Shri Raje Vishveshvar
 Rasheed Masood, Shri
 Rathor, Dr. Bhagwan Dass
 Ravi, Shri Vayalar
 Ravindra Pratap Singh, Shri
 Reddy, Shri G. Narsimha
 Reddy, Shri K. Obul
 Reddy, Shri M. Ram Gopal
 Rodrigues, Shri Rudolph
 Roy, Dr. Saradish
 Roy, Shri Saugata
 Saeed Murtaza, Shri
 Shah, Shri A. K.
 Shah, Shri Gadadhar
 Sahoo, Shri Ainthu
 Sai, Shri Narhari Prasad Sukhdeo
 Sai, Shri Narhari Prasad
 Saini, Shri Manohar Lal
 Saksena, Prof. Shibban Lal
 Sanyal, Shri Sasankasekhar
 Sarda, Shri S. K.
 Sarkar, Shri S. K.
 Sarsonia, Shri Shiv Narain
 Satapathy, Shri Devendra
 Sathe, Shri Vasant
 Sayian Wala, Shri Mohinder Singh
 Sen, Shri Robin
 Shah, Shri Surath Bahadur
 Shaiza, Shrimati Rano M.
 Shakya, Dr. Mahadeepak Singh
 Shankar Dev, Shri
 Sharma, Shri Jagannath
 Sharma, Shri Rajendra Kumar
 Sharma, Shri Yagya Datt
 Shastri, Shri Bhanu Kumar
 Shastri, Shri Ram Dhari
 Shastri, Shri Y. P.
 Shejwalkar, Shri N. K.
 Sheo Narain, Shri
 Sher Singh, Prof.
 Shiv Fumpati Ram, Shri

Shrikrishna Singh, Shri
 Shukla, Shri Chimanbhai H.
 Sikandar Bakht, Shri
 Singh, Dr. B. N.
 Singha, Shri Sachindralal
 Sinha, Shri C. M.
 Sinha, Shri Purnamarayan
 Sinha, Shri Satyendra Narayan
 Somani, Shri Roop Lal
 Somani, Shri S. S.
 Somasundaram, Shri S. D.
 Stephen, Shri C. M.
 Sukhendra Singh, Shri
 Suman, Shri Ramji Lal
 Suman, Shri Surendra Jha
 Suraj Bhan, Shri
 Surendra Bikram, Shri
 Surya Narain Singh, Shri
 Swatantra, Shri Jagannath Prasad
 Talwandi, Shri Jagdev Singh
 Tan Singh, Shri
 Tej Pratap Singh, Shri
 Thiagarajan, Shri P.
 Thorat, Shri Bhausaheb
 Tirkey, Shri Pius
 Tiwari, Shri Brij Bhushan
 Tiwary, Shri D. N.
 Tiwary, Shri Madan
 Tohra, Shri G. S.
 Tripathi, Shri Ram Prakash
 Tulsiram, Shri V.
 Tyagi, Shri Om Prakash
 Ugrasen, Shri
 Unnikrishnan, Shri K. P.
 Vaghela, Shri Shankersinhji
 Varma, Shri Ravindra
 Veerabhadrappe, Shri K. S.
 Venkataraman, Shri R.
 Venkatareddy, Shri P.
 Venkatasubbalah, Shri P.
 Verma, Shri Hargovind
 Verma, Shri R. L. P.
 Verma, Shri Raghunath Singh

Verma, Shri Sukhdeo Prasad
Visvanathan, Shri C. N.
Yadav, Shri Gyaneshwar Prasad
Yadav, Shri Hukmdeo Narain
Yadav, Shri Jagdambi Prasad
Yadav, Shri Narsingh
Yadav, Shri Ramji Lal
Yadav, Shri Vinayak Prasad
Yadava, Shri Roop Nath Singh
Yadvendra Dutt, Shri
Zulfikarullah, Shri

NOES

Borve, Shri J. C.
@Damani, Shri S. R.

MR. SPEAKER Subject to correction, the result* of the division is:

Ayes—345; Noes—2.

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members of the House present and voting

The motion was adopted.

MR. SPEAKER We now take up the clauses .

SHRI C. M. STEPHEN There are clauses to which no amendment has been given but which we propose to oppose. So, on clauses, time must be given to us to explain our point of view Even if there is no amendment, we may have to spell out our point of

view as to why we oppose it or support it.

MR. SPEAKER: In the matter of speaking on amendments, on clauses we are trying to give preference to those members who had no chance in the main debate and the time limit will be 10 minutes.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA): So far as voting on the Clauses is concerned, I would like to know from you....

MR. SPEAKER All the Clauses will be discussed first. The voting will be done tomorrow. If any hon. Member says that a particular Clause should be put to vote separately, then it will be put separately.

Now we take up Clause 2.

Clause 2 (Amendment of article 19)

SHRI H. L. PATWARY (Mangaldoi):
Page 1,—

for Clause 2, substitute—

'2. In article 19 of the Constitution, in clause (1), in sub-clause (f), after the word "property" the words "in such a manner so as to usher in a socialist society" shall be inserted.'(1)

@Wrongly voted for NOES.

*The following Members also recorded their votes for AYES: Sarvashri Farlur Rahman, Shyam Sunder Gupta, Mahendra Narayan Sardar, Yuvraj, Lalu Prasad, Narendra P. Nathwani, Arjun Singh Bhadoria, Iqbal Singh Dhillon, Daulat Ram Saran, Inder Singh, Chhabiram Argal, Ram Naresh Kushwaha, Dalpat Singh Paraste, Ram Vilas Paswan, Chaudhury Brahm Per-kash, Shri Mahamaya Prasad Singh, Shrimati Chandravati, Sarvashri Ram Kanwar Berwa, Heera Bhai, Rudra Sen Chaudhury, Ram Lal Rahi, B. C. Kamble, Chitta Basu, S. D. Soma, sundaram, Dhirendranath Basu, A. Sunna Sahib, K. S. Narayana, Dr. Henry Austin, Sarvashri Bedabrata Barua, K. Lakkappa, K. Chikkalingiah R. R. Patel, Shrimati V. Jeyalakshmi, Sarvashri D Satyanarayana, G. S. Reddi, T. Balakrishnalal, B. K. Nair, L. K. Doley, Mohan Singh Tur, Raj Dawn, Biren Engti, S R. Damani.

SHRI SOMNATH CHATTERJEE
(Jadavpur):

Page 1.—

for lines 9 to 12, substitute

'(a) in clause (1), for sub-clause (f), the following shall be substituted, namely:—

"(f) to work and to an adequate means to livelihood; and" (12)

SHRI BAPUSAHEB PARULEKAR
(Ratnagiri):

Page 1—

after line 12, insert—

"(iii) after sub-clause (f), the following sub-clause shall be inserted, namely:—

(ff) right to work;" (33)

Page 1.—

after line 15, insert—

'(c) after clause (5), the following proviso shall be inserted, namely:—

"Provided that the State shall not, only on the grounds of religion, race, caste, sex, descent, place of birth, residence, language or any of them, impose any restriction on the rights of the citizens to acquire, hold, possess, retain, enjoy or dispose of any property." (34)

SHRI A. K. ROY (Dhanbad):

Page 1.—

for line 12, substitute—

"(ii) for sub-clause (f), the following sub-clause shall be substituted, namely:—

"(f) to practise any profession, or to carry on any occupation, trade or business with restriction of one at a time under the principle of 'one man one job';" (52).

Page 1.—

after line 12, insert—

'(iii) sub-clause (g) shall be omitted;" (53)

SHRI CHITTA BASU (Barasat):

Page 1.—

after line 11, insert—

'(ia) after sub-clause (e), the following sub-clause shall be inserted —

"(ce) to work and earn living wage," and' (96)

SHRI VAYALAR RAVI (Chirayinkil):

Page 1.—

after line 12, insert

'(ii) after sub-clause (f), the following sub-clause shall be inserted, namely:—

(ff) to work and to earn a living," (104)

SHRI DAJIBA DESAI (Kolhapur):

Page 1.—

after line 12, insert—

"(iii) after sub-clause (f), the following sub-clause shall be inserted, namely —

(ff) to work and adequate means of livelihood," (113)

Page 1.—

omit lines 13 to 15. (114)

SHRI TRIDIB CHAUDHURI (Bengaluru):

Page 1.—

for lines 9 to 12, substitute—

'(a) in clause (1), for sub-clause (f), the following sub-clause shall be substituted, namely:—

(f) to gainful work and adequate means of livelihood; and" (127)

SHRI V. M. SUDHEERAN (Alleppey):

Page 1.—

after line 12, insert—

'(iii) after sub-clause (f), the following sub-clause shall be inserted, namely:—

"(ff) to work and to get a sufficient means to livelihood;" (139)

SHRI P. K. DEO (Kalahandi):

Page 1,—

for clause 2, substitute—

'2. In article 19 of the Constitution in clause (1) for sub-clause (f), the following sub-clause shall be substituted, namely.—

"(f) to continue to possess and maintain one's own earned property; and" (161)

SHRI C. K. CHANDRAPPA (Cannanore)

Page 1,—

for lines 10 to 12, substitute —

'(i) for sub-clause (f), the following sub-clause shall be substituted, namely:—

(f) to work and earn a living wage; and

(ii) in sub-clause (g), the words "trade or business" shall be omitted;" (186)

PROF. SHIBBAN LAL SAKSENA (Maharajganj):

Page 1 —

for line 12, substitute—

'(ii) for sub-clause (f), the following sub-clause shall be substituted, namely:—

(f) to work and to adequate livelihood;" (248)

Page 1,—

for line 12, substitute—

'(ii) for sub-clause (f), the following sub-clause shall be substituted, namely:—

(f) to work; and' (249)

MR. SPEAKER: Now, we have the discussion on the amendments. Mr. Patwary.

SHRI SHAMBHU NATH CHATURVEDI (Agra): Sir, on a point of clarification. Is the speech made by the Members to be confined only to this particular Clause?

MR. SPEAKER: It need not be restricted. The Members may cover all the grounds.

SHRI SHAMBHU NATH CHATURVEDI: Can we speak on all the amendments that we have given notice of?

MR. SPEAKER: Yes.

(Interruptions)

MR. SPEAKER: No, no. We have allowed him to cover his other amendments also.

SHRI A. K. ROY: You were saying that once a member is given a chance to speak on his amendments to a certain clause, he will not get another chance to speak on his other amendments to other clauses. This is something absurd because on every clause hon Members have given amendments containing certain ideas in concrete terms. So, Sir, on each clause and on each amendment the Member who has given notice of amendment should be given a chance. You may give him one minute or two minutes, but he must get a chance.

MR. SPEAKER: That cannot be done

SHRI A. K. ROY: This is a Constitution Amendment Bill, a very important Bill. We have not been given chance to speak. But my point is that on each clause Members have got some ideas and have given amendments covering those ideas. So unless and until those ideas are given vent to and clarified, it will not serve the purpose. You may give him one minute or two minutes but time should be given and he must get time.

MR. SPEAKER: As per rules, an hon. Member who gives notice of an

[Mr. Speaker]

amendment, is not necessarily entitled to speak. That is not the rule at all but you can cover all your amendments when you are making the speech. If you so want, I will have all the amendments to all the clauses moved so that you may cover all the points. In the past that has not been done.... (Interruptions). But there is nothing wrong as per Rules to do it

SHRI KANWAR LAL GUPTA: Sir, I have moved ten amendments. If you want me to speak on the ten amendments simultaneously, then it will be a general speech. That will not serve any purpose. I want on each amendment we should be allowed to speak

SHRI C M STEPHEN (Idukki): The normal procedure is a clause is taken up, amendments to the clause are moved. The members participate, the Minister replies and then you put the amendments to vote. But here we do not. We carry them to the next day. But taking up all the clauses, together and putting all the amendments together and having a debate on all of them together defeats the very purpose. And that is not permitted by the Rules also. It will have to be put clause by clause and amendments to the clauses will have to be moved and discussion will have to take place. You will have to announce that the debate on this is over but the voting is taken over to the other day. That the next clause will be taken up, amendments will be moved and discussion takes place and you will have to announce in the end that the voting is taken over to the other day. That process will have to go on. Otherwise, it will not be possible because the rules are compulsory about it

MR. SPEAKER: I have no objection to it, but I may tell you that the same member will not be again and again called to speak.

AN HON. MEMBER: But this has been the practice in the past.

MR. SPEAKER: Not at all. When members move their amendments, the rule does not require that the mover of the amendment should invariably be called upon to speak. There is no such rule at all.... (Interruptions).

Now we take up clause.

SHRI RAM JETHMALANI (Bombay North-West): Everybody who opposes a particular clause shall be heard and heard fully because we are dealing with a Constitution Amendment Bill. We are not dealing with an ordinary Bill.

SHRI HARI VISHNU KAMATH (Hoshangabad): This House is now sitting and exercising not its legislative powers but its constituent powers; that is to say, this House is now a Constituent Assembly, not merely a legislature. In the Constituent Assembly, the President of that Assembly, Dr. Rajendra Prasad allowed every Member who had given notice of an amendment to speak on the amendment so that he can convince and carry the House with him. Sir, even if we have got to sit till the 15th or beyond that, we must follow that constituent procedure and not the ordinary law-making procedure. (Interruptions).

SHRI B. P. MANDAL (Madhepura): Every member should get a chance. That will be wastage of time. This cannot be treated as a Constituent Assembly.

MR. SPEAKER: It is not taken as a routine affair. It is taken as a serious affair but if Mr. Jethmalani's suggestion is accepted, that is, every member not only speaks but opposes every member, that means in 1978 consideration of this Bill will not get completed.

SHRI KANWAR LAL GUPTA (Delhi Sadar): Sir, may I make a submission. If you adopt this procedure it will not be proper. You discuss one amendment. It is your entire sweet will whether you allow me to speak or not. Normally some discussion taken place. Abruptly you cannot say that you have 100 amendments and

you make a speech on all the 100 amendments. The purpose will not be served. We have already spoken in a general way. I should be allowed to speak on each and every amendment separately.

(Interruptions)

MR. SPEAKER: I have understood it. Each clause will be taken up, discussed and the decision postponed to a later date.

श्री उद्देश (देवरिया) जो जलन विस्फोटन पर नहीं बोल पाये हैं, उनका मौका हम पर जबर बोजिये। यह हमारा हक है कि हम उस पर अपनी राय दें। हम इस माननीय सदन के सदस्य हैं। अगर आप हम पर बोलने नहीं देंगे तो सभ्यजन कैसे हो सकेंगे।

(Interruptions)

MR. SPEAKER: The procedure is that each amendment will be taken up. There is nothing like formally moving the clause. The amendment will be discussed and we postpone the decision.

SHRI RAM JETHMALANI: Sir, does it mean that those who want to amend the amendments and those who wish to oppose will be fully heard?

MR. SPEAKER: No.

(Interruptions)

SHRI A. K. ROY: What is the harm if we follow the procedure adopted in the Constituent Assembly as has been suggested by Shri Kamath?

MR. SPEAKER: I am sorry that golden opportunity is not again available.

(Interruptions)

MR. SPEAKER: It is impossible to hear all the five hundred members on all the amendments if they want to speak. Speaker has to consider whether sufficient debate has taken place on the amendment. Nothing more than that is possible. One has to take a practical view of the matter. It was one thing at the time of the draft-

ing of the Constitution. There was a small number of members and a large number of days were taken. In this way unless we take another two years it will not be possible at all.

(Interruptions)

SHRI RAM JETHMALANI: No. Speaker can take away our rights... (Interruptions).

SHRI SHYAMNANDAN MISHRA (Begusarai): Sir, this is not the only Bill that we are discussing in this House. In ordinary Bills, normally we are given time to make speeches on separate amendments. That is the practice. So far as the Constitution Amendment Bill is concerned, it should be more necessary.

MR. SPEAKER: Quite right.

SHRI SHYAMNANDAN MISHRA: The point of view of the hon. Members should be heard by the House so that they are able to persuade the House on their amendments. Why are you seeking to make a departure from the ordinary practice?

MR. SPEAKER: I am not doing that at all. Obviously, you were not here when I observed that reasonable opportunity will be given.

SHRI SHYAMNANDAN MISHRA: This has been the practice invariably in this House that while moving an amendment, we make a speech...

MR. SPEAKER: Quite right. We are giving you an opportunity for moving the amendments. (Interruptions).

May I read out the relevant rules 86 and 88 of the Rules of Procedure. Rule 86 says:

"When a motion that a Bill be taken into consideration has been carried, any member may, when called upon, by the Speaker, move an amendment to the Bill of which he has previously given notice."

[Mr Speaker]

That stage you have passed

Now, Rule 88

Notwithstanding anything contained in these rules the Speaker may when a motion that a Bill be taken into consideration has been carried submit the Bill, or any part of the Bill to the House clause by clause. The Speaker may call each clause separately and when the amendments relating to it have been dealt with shall put the question

Rule 89

The Speaker may if he thinks fit postpone the consideration of a clause

SHRI SHYAMNANDAN MISHRA
It is ' have been dealt with '
(Interruptions)

MR SPEAKER You will be given a reasonable opportunity. But if each Member thinks that he alone has to explain all the clauses that will be difficult for the Speaker to accept

(Interruptions)

SHRI KANWAR LAL GUPTA Sir you have not read the proviso to Rule 86 which says

'Provided that in order to save time and repetition of arguments a single discussion may be allowed to cover a series of inter-dependent amendments'

You can allow a single discussion for inter dependent amendments otherwise you allow separate discussion on separate amendments

MR SPEAKER All right separate discussion will be allowed Mr Patwary

श्री एच० एल० पटवारी (मध्यप्रदेश)
अध्यक्ष महोदय मैंने सत्राधान सभापतिन बिल पर अपनी भावना व्यक्त करने का मौका नहीं मिला था इसलिए मैं दुःखी हूँ। सत्राध्यक्ष महोदय से समय नहीं है। इस सदन में सभी धाराणा बने गई हैं कि सदन में कबन बार पांच या छ भावनी

संविधान में संशोधन करना जानते हैं, बोलना जानते हैं, उनमें अकल है, उन में ज्यादा ईमानदारी है, वह बहुत समझदार है और बाकी लोग कुछ नहीं जानते हैं। मैं दावा करता हूँ कि ऐसी जिन की भावना है वह गलत है। इस सदन में 542 लोग को भाए हैं एक-एक व्यक्ति एक एक व्यक्ति से ज्यादा जानता है, समझदार है और उस की विज्येदारी है। इस संविधान संशोधन बिल पर सिर्फ इस बारह व्यक्तियों की भावना से कर डिबेट तीन दिन तक चली, मुझे इस पर कोर प्रस्तोच है। मैं सारे सलोज पर प्रकाश डालना नहीं चाहता हूँ।

1546 hrs

[SHRIMATI PARVATHI KRISHNAN in the Chair]

भाई शानिभषण जी का भावनाओं को मैं ब्रह्म करना हूँ। उन की समझदारी के लिए मार्ग समार उन की ब्रह्म करना है मैं भी ब्रह्म करना हूँ। लेकिन मैं कुछ बलाजत्र का धार विचार करना हूँ।

एक तो मैं हमका विरोध करता हूँ कि शिक्षा का समयना सुची में निकास कर राज्य सुची में रखना चाहता हूँ। यह बहुत बातक होगा। अगर ऐसा किया जायगा तो मैं स्पष्ट शब्दों में ब्रह्म दना चाहता हूँ कि राज्य के छोटे छोटे टुकड़े बनन शुरू हो जायगा। इतना ही नहीं देश के भी टुकड़े बनन की स्थिति या जायगी (अध्यक्षान) मैं प्रमडमेट पर बोल रहा हूँ। मेरा प्रमडमेट पत्र 14 पर है

MR CHAIRMAN We are now on Clause 2 Please refer to your amendment to Clause 2

SHRI H L PATWARY I may be allowed to speak on all the amendments

MR CHAIRMAN Don't lose your chance to speak on other clauses

श्री एच० एल० पटवारी धर्मि सभाज 2 पर मेरा प्रमडमेट है। अपने उस प्रमडमेट का समयन करना हूँ मैं करना चाहता हूँ कि धार्मिक 19 199 में प्रथम राखन माए है उस की सार करने के लिए उन में उस की भावना अच्छी होगा लेकिन उस में ब कम्युनिमटेशन हाता तो देश के सारे गरीब लोग मर जायगे। जैसे कल भाई कामत साहब ने कहा था कि जब इस का कानून बनायगे तो उस कानून का नाम धर्मि लोग उठावने, वह सराफों को घटने करेगे उन में बहने कि दुम्हाता जमान छीन लो जायगी, दुम्हाता हल पीन लिया जायगा दुम्हाता घर छीन लिया जायगा। अब कानून बनगा तो उस कानून का तारा कायदा उठाया दश में धना बर्ग को सारा और गरीब लोग इस कानून के सिवार होंगे। मान लीजिए एक धार्मि का एक घर है, 11 हल है, एक जमीन

है, उतना ही उस की जीविका का साधन है। वैसे हालत में मैं जाति भूषण की से निवेदन करना कि कम से कम उस की जीविका का साधन तो उस के पास रहने दें। समाजवाद जब हमारे कांस्टीट्यूशन का लक्ष्य है तो समाजवाद की सीमा तक सम्पत्ति बनाने का अधिकार देना चाहिए। मेरे प्रमैडमेंट में है कि 19(एफ) में सम्पत्ति की एम्बार्पर कर सकते हैं लेकिन उस की सीमा सिर्फ उसनी ही होती जो समाजवादी समाज-रचना के लिए काफी हो, उस से अधिक सम्पत्ति को इकट्ठा करने के लिए नहीं। सम्पत्ति उसनी होनी चाहिए जितने की उस को अपने परमनल जीवन के लिए आवश्यकता है। उतना बढ़ रख सके, यह मेरा प्रमैडमेंट है। मैं जाति भूषण की से धवील करता हूँ, उन की भावना सच्ची है, राइट थाफ प्रापटी रियूब होना चाहिए, यह हम ने कहा है लेकिन उनी के साथ साथ जनता पार्टी के मैनिफेस्टो में था कि राइट थाफ वर्क देंगे। यह राइट थाफ वर्क थाप नहीं दे सके। मैं उस के लिए थाप से अपेक्षा करना। लेकिन थाप किननी सम्पत्ति बनाने के लिए अधिकार देंगे ?

MR CHAIRMAN. Mr Patwary, if you want to speak on other amendments, you can't go on endlessly. Please resume your seat.

बी एच० एल० पटवारी : मेरा मेजर प्वाइट होना जिशा का। इस में धपर थाप मुझको नहीं बोलने देंगे तो मैं जिशा पर बोलना चाहता हूँ। जिशा पर थाप हम को बोलने देंगे, यही कह कर मैं अपनी बात समाप्त करना हूँ।

SHRI BAPUSAHEB PARULEKAR (Ratnagiri): The hon. Speaker ruled that persons who had not taken part in the general debate would be given preference... (Interruptions)

MR CHAIRMAN: In the long discussion on amendments it was agreed that those who had given amendments could say a few words on those amendments; because some have spoken in the general discussion I do not think they could be penalised.

SHRI RAM JETHMALANI: Those who are opposed to a particular amendment should also be heard.

MR. CHAIRMAN: Let the amendments be moved first.

SHRI DINEN BHATTACHARYYA:
I have moved amendment No. 12 to clause 2 in which we have suggested:

Page 1,—

for lines 9 to 12, substitute—

'(a) in clause (1), for sub-section (f), the following shall be substituted, namely:—

"(f) to work and to an adequate means to livelihood; and".

The Janata Party in its manifesto, in its political charter had mentioned that they would delete the property right from the list of fundamental rights and instead would affirm the right to work. My amendment is just that. You are deleting property right from the list of fundamental rights but in place of that we want to substitute it by the guaranteed work for all, adequate means of livelihood to all. In your economic charter, in your manifesto, it has also been mentioned that the Janata party would try to assure means of livelihood for all the persons, affirmation of the right to work, right to full employment. That is your economic charter. My first point is: why you are not fulfilling your own manifesto, your assurance on which you got the vote from the people. Your commitment was that you would delete property right from the fundamental rights and you would include this: that you should see that everybody was provided with a job. You know the condition of our country. Unemployment problem is taking a serious turn and serious shape not only in a particular state but all over the country. The number of unemployed persons is increasing to an extent which cannot be conceived and as a result of that the persons below the poverty line are also increasing. So, if you want to do justice to the people to whom you gave the pledge and assurance that you will do all these things, kindly accept my amendment, which is a very simple one. You are deleting the right to property from fundamental rights. In

[Shri Dinen Bhattacharyya]

that place, you should substitute the right to work so that you will guarantee employment to everybody. There is no difficulty about it. If you have got the will to do it, you can do it. Crores of rupees are still lying with the big businessmen, monopolists and big zamindars. You can get money from that. You will not be in want of resources if you have the political will. It is not an ordinary thing. The Prime Minister has assured that within 10 years he will solve the unemployment problem and give employment to everybody. How will you do it? We do not find any indication anywhere. Now, you are amending the Constitution, why don't you take this opportunity to make it a fundamental right that a person who is born in this country will have the right to get a job? In that case you will not only do justice but also keep your own assurance to the people who voted you to power. So, I think you must not dilly-dally with this simple matter and you must accept my amendment.

SHRI BAPUSAHEB PARULEKAR: I have moved two amendments to clause 2. The first is amendment No. 33 for inclusion of the right to work in the fundamental rights. The second is amendment No. 34 seeking to add a proviso to sub-section (5) of article 19. Coming to my second amendment, I would like to invite the attention of the Law Minister to the fact that no proper attention has been given, it seems, by the Law Minister to the after-effect that would follow because of the deletion of the fundamental right to property. On the question of the place of property rights in the Constitution, some people are still bogged down with the concept of property being something like zamindari or jagirdari or feudal estates. I should not be misunderstood that I am for retaining this particular provision, but it seems the pros and cons and after-effects have not been properly examined. Rights such as zamindari, jagirdari or any right akin or similar to that cannot have any constitutional protection. There

is no doubt about it. But I would like to suggest to the Minister that when we are deleting the property rights, we are overlooking the fact that even the right to receive bonus by the employees is also property. Once this particular right to property has been deleted and no safeguards are provided, a politically motivated State Government is likely to frame laws which would take away the rights of the poor employees. Therefore, I would suggest that when you are deleting this particular fundamental right, namely the right of property, it is necessary to lay down certain protections as far as such property rights are concerned.

16.00 hrs.

Secondly, what is more, we already have in Jammu and Kashmir a provision as a result of which a citizen of India from outside Jammu & Kashmir is prohibited from acquiring immovable property and that is because in the Constitution of Jammu & Kashmir the right to property as a fundamental right was deleted. Therefore, in Jammu & Kashmir a law was passed that no person who is not residing in Jammu & Kashmir can acquire land.

SHRI P. K. DEO (Kalahandi): It is because of article 370.

SHRI BAPUSAHEB PARULEKAR: Just consider the position of the deletion of this particular provision. Once property rights are removed from fundamental rights, it will be open to any State Government to make laws imposing restrictions on linguistic grounds in the matter of acquiring and possession of property. Taking into consideration the feelings over the language issue inside and outside the House, I feel that certain States may legislate laws akin to the law enacted by the Jammu & Kashmir Government. Such a course, I submit, would affect the oneness, unity and the solidarity of the country, and should be avoided through constitutional prohibition. The matter, in my respectful submission, should be considered by the hon. Minister, so that,

in the enthusiasm to remove property rights from fundamental rights, we do not have a situation where regional and parochial attitudes have the better of the day, and therefore I have suggested my amendment. I would request all my hon. colleagues to consider this particular amendment which is a safeguard. In fact, this amendment should have been made to article 14 by adding it as sub-clause (2), but as that is not the subject matter of the present Bill, I have suggested:

"after clause (5), the following proviso shall be inserted, namely:

'Provided that the State shall not, only on the grounds of religion, race, caste, sex, descent, place of birth, residence, language or any of them, impose any restriction on the rights of the citizens to acquire, hold, possess, retain, enjoy or dispose of any property.' "

I submit that if this particular proviso is added, there would be adequate safeguards.

MR CHAIRMAN: You better try to be brief because there is a large number of speakers.

SHRI BAPUSAHEB PARULEKAR: On my amendment No. 33 regarding the addition of the right to work, I fully endorse the arguments advocated by so many distinguished colleagues, but I would like to mention one thing, that the impression is being given by the present Government by acts of omission and commission that it is not inclined to include and recognise this right as a fundamental right. The Maharashtra Government has passed a legislation which has been approved by the Legislative Assembly and the Legislative Council. The name of that Act is the Maharashtra Employment Guarantee Act Section 3 of the Act states that every adult person in the rural areas in Maharashtra shall have the right to work, i.e. the right to get guaranteed employment. This Act has been sent to the Government of India, and has been lying there, and no sanction has been granted by the Centre. I request the hon. Minister

to consider this point so that the misgivings can be removed.

SHRI A. K. ROY: Comrade Chairman, property is theft. Perhaps you know the famous saying of the Buddha. So, I congratulate the hon. Minister that he has removed the right to steal, or rather the right of legalised theft, from the fundamental rights.

Secondly, the concept of property is un-Indian. I am not talking, Marx and Engels. Even if you read the volumes of Vivekananda, you will find that he has said very vehemently that the concept of private property is un-Indian. When the Britishers came here and capitalism started showing its feet in India even on the land, then we got the conception of possession, not property. When people used to have land, they used to have possession of land, and not property. So, removing property from the Fundamental Rights is a good thing which he has done.

But this itself is not sufficient. This is a show of progressiveness, no doubt. The Janata Party wants to parade they are very revolutionary and they have brought these fundamental changes. But this change actually means very little. They could have added one item, namely, right to work. Of course, I will deal with it when that particular clause comes, because I have given notice of an amendment on that.

Now if you do not have a right to acquire property, you can have any number of profession, trade, business or occupation. Now in India job is also a property. So, there should be that famous code of Dr. Ram Manohar Lohia, "One man; one job" as a fundamental right. You can have any profession, occupation or trade, but only one at a time. Now in India there are nearly 2½ crores of people who work in the organised sector, in various urban professions. These intelligent people clever people white-collared people, they are having job on one hand, and land on another hand. These people, the so-called in-

[Shri A K Roy]

telligentsia, so called middle class people, they are monopolising both, cultivation as a parasite and another occupation. We want to protect the land from these parasites of the Indian economy. Feudalism cannot be removed by any measure of legislation unless and until we can isolate the parasitic characteristic of land and labour. That can be done by categorising each man according to his job. Now nearly 40 crores acres of land are under cultivation. We made some survey through a research team and we found that 20 crores acres of land in the villages and towns belong to those people who have some job or profession elsewhere. That is to say 50 per cent of the land is owned by those people who are having alternative profession or occupation. Once you declare "one man one job" then those people who enjoy both will have to surrender one of them. If they surrender their jobs, (then the unemployed people can be put in those jobs if on the other hand they surrender their land it can be distributed to the landless peasants. In either case the unemployed people will be benefited. Therefore while welcoming your deletion of the right to property from the Fundamental Rights, I would say that you should put a ceiling on jobs; also one man should have only one job at a time.

SHRI VAYALAR RAVI (Chirayinkil) Madam Chairman I am here moving an amendment which reads "right to work and earn a living". At the same time, I would like to congratulate the hon. Minister for his courage to introduce a clause to delete the right to property, which my party could not do, in the thirty years we were in power. On the floor of the House your junior Minister who resigned on some petty quarrel had given some assurance on a resolution of mine that your Government will delete the right to property. Every one of us know that there have been many cases in the High Courts and the Supreme Court on the basis of

this very flimsy clause and always, those writ petitions went against the working class and the poor people and even against the legislation. And in some of the important cases like Goaknath case and Keshavnand Bhairati case, the very basis was the right to property. It can go to the very extent of preventing and retarding the progress of land reforms. Deleting the right to property will encourage the social process in this country. The right to property prevents the regulation and control of the functioning of the State.

So far as the Constitution can fulfil the aspirations of the people, it will remain. The day it fails to fulfil the aspirations of the people, to regulate and control the functioning of the State the people will revolt and even the Constitution may not remain and the people will overthrow the Constitution and everything. So when we are amending the Act we must see that this Constitution fulfils the aspirations of the people. That is why I am moving this amendment. Why we should have the right to work, for this I will give you a latest example. More than 1,50,000 people are engaged in the cashew industry in Kerala. There the private entrepreneurs went on complete strike and the result was that these one lakh and odd people were unemployed. The Kerala Government was wholly helpless in this because they could obtain some stay order in the Supreme Court because the poor the working class do not have the right to work. The Supreme Court gave 28 stay orders. Even the Kerala Government could not take over the industry and give employment to the workers because of the stay order. The right to work and earn a living is denied to these four rupee and six rupee earning workers. Even the Kerala Government could not give them employment by taking over the industry because it has also been stayed by the Supreme Court because there is no provision for right to work. You are taking away the

right to property. It will help us to a certain extent. But at the same time, you will have to put a stop to the exploitation of the working class by the moneyed people. I have seen and I hope Mr. Shanti Bhushan will pardon me when I say that in many cases in the Supreme Court the basis of the writ petitions is the right to property. Article 19 has always become an instrument of exploitation of the people. That is why, very many times on earlier occasions, we have said that it should be deleted. I do not know; to my surprise I find the Marxist Communist Party, who claim to be very progressive, they themselves withdrew the demand in the last Congress. I do not know why? (Interruptions). Madam, Chairman, you might have yourself read the statement. A major decision of the Congress was not to press this demand and withdraw this demand.

SHRIMATI AHILYA P. RANGNEKAR (Bombay North-Central): This is wrong. We will prove it. (Interruptions).

SHRI DINEN BHATTACHARYA: Where did you find it?

SHRI VAYALAR RAVI: I will produce the document.

MR. CHAIRMAN: I would request you to talk about your amendment. Otherwise, you are wasting your time.

SHRI VAYALAR RAVI: I am only arguing my case. There is a recent ruling by the Supreme Court. The hon. Minister must know the ruling of the Supreme Court in the case of the Life Insurance Corporation employees on the question of bonus. The Supreme Court made some observation. When you are taking away the right to property, naturally, you must give a constitutional guarantee to the workers, the right to work and to earn a living. If it is not there, then the industrialists and the rich class can go to the court and may create more problems for the workers. So, to protect the workers, you must give them

right to work. Even though the Marxist Party has withdrawn their demand, you have done it and I congratulate you for that.

SHRI PABITRA MOHAN PRADHAN (Deogarh): Madam Chairman, I want to give my comments on clause 2 regarding the abolition of the property right. If we read the original Constitution, it is like this:

"19(f) to acquire, hold and dispose of property;"

This is guaranteed for each and every citizen of India. Now, if we take away this right, we only allow persons to come and exist in India without any property. Even our shirts, clothes and watches we wear are not ours. We cannot sue anybody in any court if somebody snatches away all our personal belongings from us. We will be put to difficulty. It creates a situation like that.

The founding fathers of the Constitution—some of them are sitting with us—were wiser than we are today. How can a country allow persons to exist without their belongings? It would have been better if this country declared itself to be a communist country, not a socialist country. The democratic socialism cannot exist and cannot function. It will automatically collapse. If this Constitution were to be fully and wholly amended to be made into a communist Constitution, then this will hold good. Otherwise, it will create many difficulties.

The Law Minister is a legal luminary. I do not know if at any place in the Constitution or in any ordinary law any citizen of India is given the right of possessing property. I think, this is not in existence. If it is existing in some law, I have nothing to say and I withdraw my statement, what I am making here. In this Bill, I think, there is no arrangement for that. You say that your property will be protected by some law. That I

[Shri Pabitra Mohan Pradhan]

admit. But where have you given me the right to possess some property? You have not given any right to me. If it is existing in any law to that effect, I have nothing to say. If somebody snatches the property away from me, and I go to the Police Station, the Police Station will not take cognizance of that because I am not supposed to have any property. Article 300A does not say that you can own property. If by your explanation you say that one can own property, then I have nothing to say.

I say that this Constitutional Amendment is patchy, piecemeal, haphazard and happy-go-lucky because if we see the election manifesto, we will find that we have said in that that the right to property will be deleted but provision for right to work will be made. But this provision has not been made. So, I say that this Amendment of the Constitution is not complete; it is patchy, piecemeal, haphazard and happy-go-lucky.

With these words, I would expect that, if the citizens of India are not given the authority by any law, then some law should be made or the Constitution should give a guarantee that one can acquire, possess and own property.

SHRI CHITTA BASU (Barasat): My amendment is to include the right to work and earn a living wage in the Fundamental Rights Chapter. I only want to draw the attention of the hon Minister to the fact that, in removing the right to property from the Fundamental Rights list, the Government have been influenced by a particular objective of its own—as has been mentioned, by the manifesto of the Janata Party. I would welcome this move of removing the right to property from the list of Fundamental Rights, but I am constrained to make this remark that this step, although welcome, is half-hearted and is not enough to realise the objective for which this particular right to property has been re-

moved from the list of Fundamental Rights.

You would also notice that Government also proposes to change the Preamble of the Constitution which, generally speaking, determines the direction in which the Republic of India is pledged to move. I quote from the Constitution:

"WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN DEMOCRATIC SECULAR SOCIALIST REPUBLIC."

That means, the object of the Government in moving this Bill, particularly in relation to article 19, is to attain the objective of socialism. I do not want to join issue on the definition of socialism at this stage because I differ from all the definitions that have been given by the hon. Minister. But my point in this case is this. This particular amendment for removing the right to property from the Fundamental Rights is a welcome move because it seeks to change this right into an ordinary legal right; it ceases to be a fundamental right. By virtue of the fact that it remained as a fundamental right, the Supreme Court and the judiciary created obstacles in the direction of the Government in bringing about socio-economic changes. This might have been one of the reasons which prompted the Janata Party and the Government to bring this amendment. But, in order to realise that objective—as I have mentioned and I mean the government has got that objective—this step is not adequate. In order to achieve that objective it is necessary to include the right to work and the right to a living wage as a fundamental right. The reason at present I do not want to dilate upon because it is quite well known and well known to the Minister himself. But I also want to take the advantage at this stage when the hon. Minister and the Janata Party have taken the bold step of initiating amendments to Art 19 of the Constitution,

they should have been still bolder enough to initiate many more changes in this particular Chapter also.

Madam Chairman, as you know, the fundamental rights include the right to carry on any occupation or trade or business—Art 19(g). This enables the monopolists, the black-marketeers, the speculators, the hoarders and the like to challenge the measure against them in the name of fundamental rights. My point is that at this stage, Art 19(g) should have also been changed so that this fundamental right given to these black-marketeers, speculators and hoarders under the name of freedom to carry on trade and business is not misused.

Madam Chairman, I am glad to remind you that you have also moved a motion in this House where you have demanded nationalisation of trade in foodgrains. Naturally we cannot have nationalisation of trade in foodgrains unless this article 19(g) is suitably amended. And when we are really interested in ensuring food to the vast masses of our country, that kind of a constitutional amendment is necessary. I would have been happy had the hon. Minister been influenced by this idea and taken sufficient and bold enough steps to remove all these kinds of obstacles in the path of further advancement towards democracy and further advancement towards social equality and justice.

My second point, Madam Chairman you will know, is that Art 19(2) provides for reasonable restrictions on the exercise of the right of freedom of speech and expression although it is a fundamental right. For what purposes restrictions are impossible have also been mentioned. Restrictions are necessary to curb and stop communal propaganda. It is necessary also to curb the monopoly control over newspapers and the mass media. I feel that it should have been taken advantage of by the Minister at this stage while amending Art 19 of the

Constitution, to suitably amend this provision also so that these communal forces, communal propaganda and monopoly control over the Press and news media can be ended. This is one of the shortcomings of the proposed Bill.

Finally, Madam, you are a well-known trade-union leader. Art 19(c) lays down that the right to form a union is a fundamental right, but the right to collective bargaining is not....

MR. CHAIRMAN: You can speak on the amendments when those clauses are taken up, Mr. Basu. Now we are on clause 2.

SHRI CHITTA BASU: It would have been better for the realisation of the objective as has been mentioned in the Preamble if these fundamental rights are also changed in the direction where the right to collective bargaining is also a fundamental right.

Therefore, Madam Chairman, I conclude by saying that the proposal of amending Art 19 of the Constitution, that is, the list of Fundamental Rights, is half-hearted. He is not straightforward enough to realise the objective—supposedly to be the objective—of the Janata party or of the government. Therefore, I would say even at this stage Government should think over this suggestion of mine and make suitable amendment so that Article 19 can be amended.

SHRI DAJIBA DESAI (Kolhapur): Madam Chairman, I do not want to take more time of the House. My amendment to Article 19 substituting right of work for right of property should be considered. This is a special fundamental right which has not been recognised in India but recognised even in capitalist countries. Perhaps, the Minister may say that rich nations can avail of this right because

[Shri Dajiba Desai]

they have resources but in India the problem is different. I would like to emphasise that man-power is our real resources and this resources should be utilised for the development of the nation. The entire man-power of the country has to be utilised and that is the only way the right of work can be included in the fundamental right so that Central and State Governments will be obliged to undertake schemes to utilise this manpower. I want to request the Law Minister to accept my amendment because this is an amendment getting support from all sides of the House. I once again request him to accept my amendment.

डा० रामजी सिंह (भागलपुर) मध्यापन महोदय, जिस विषय पर बोलने के लिये मुझे प्रादेश दिया गया है उस सम्बन्ध में मैं इतना ही कहना चाहता हूँ कि यह जो समाधान हमारे सामने है और खास कर बलाज 2 से जिसका सम्बन्ध है उसमें हम लोगों का जरा व्यापक दृष्टि से विचार करना चाहिये। संविधान का संशोधन प्रति दिन नतीजा देता है और यह एक ऐतिहासिक अवसर है जब हम उसके सम्बन्ध में व्यापक दृष्टि से विचार करें। यह ठीक बात है कि आपान के समय में संविधान के माध्यम से विचार किया गया और उसकी स्वतंत्रता का ममल रूप से नष्ट करने का प्रयास किया गया। लेकिन प्रश्न यह है आज हम उसमें कौन सा नया धारणा जनता में की ओर से जोड़ते हैं। यही इतिहास हम याद करेगा। यह ठीक बात है कि संविधान में जो हमारे मौलिक अधिकार हैं उसमें बहुत मारी बाते हैं लेकिन सभी अधिकार शून्य हो जाते हैं जब तक हम मध्यम में रोटी और जीविका का अधिकार नहीं देना है। हम चाहे स्वतंत्रता की कितनी ही गोरव गाथा गाये ठीक है हमारे विधि मंत्री ने इसी एक बहन ही जबरदस्त दलील हमारे सामने पेश की कि उस समय 42वें संशोधन द्वारा जो है अधिकार को ही समाप्त कर दिया गया। लेकिन वह साबित कीजिये कि अधिकार धरा रह जाता है यदि हम जीविका का अधिकार प्राप्त नहीं कर पाते। इसलिये अगर राइट टू लाइव छूट जाता है, तो राइट टू लाइवलीहुड हमका नहीं मिलता। जब हम संविधान के समाधान के सम्बन्ध में विचार करते हैं तो हममें यह साहस होना चाहिये कि हम इसके सम्बन्ध में भी विचार करें। यह कोई हमारी काल्पनिक चीज नहीं है यह जनता पार्टी का वायदा था वह हम पूरा करेंगे। इसलिये यह आवश्यक है कि हम हमारे सम्बन्ध में विचार करें और संविधान के संशोधन में खासकर मौलिक अधिकार के सम्बन्ध में जब हम बचम उठाते हैं तो हमका प्राजीविका का भी अधिकार देना चाहिये।

विश्वेयरेमान थाक ह्युमन राइट्स समुक्त राष्ट्र सच के मानवीय अधिकार का घोषणा-पत्र है, उसमें भी प्राजीविका का अधिकार हमें मिला हुआ है। करीब-करीब 14, 15 राष्ट्रों ने, समाजवादी राष्ट्रों को छोड़कर कुछ ऐसे भी राष्ट्र हैं जहाँ प्राजीविका का अधिकार है। जापान एक पूँजीवादी राष्ट्र होते हुए वहाँ पर भी प्राजीविका का अधिकार है। इसलिये जब समुक्त राष्ट्र सच के मानवीय अधिकार के घोषणा-पत्र में हमें प्राजीविका का अधिकार मिला हुआ है समाजवादी देशों में हमें प्राजीविका का अधिकार मिला हुआ है, और जब आप भी संविधान में संशोधन कर रहे हैं तो आपका भी इस पर विचार करना चाहिये।

गमरजेन्सी के समय संविधान के प्रीगम्बल में जो कुछ सुधार किया गया था मासलिस्ट शब्द लगाया गया था हालांकि वह तो बवल एक बाल भी समाजवाद के नाम पर बिड़ना और टाटा का बिबास हुआ है लेकिन हम जो समाजवाद शब्द को प्रीगम्बल में रखना चाहते हैं ता हमारा यह मतलब नहीं है कि हम समाजवाद का इन्टिरो जो के समाजवाद के रूप में, टाटा और बिड़ना के समाजवाद के रूप में रखेंगे। हमने प्रीगम्बल में सोशलिस्ट शब्द रखने के लिये जो घोषणा पत्र में वायदा किया है जब आज हम इन सबको हो रहे हैं तो यह आवश्यक है कि संविधान के संशोधन में हमका प्राजीविका का भी अधिकार देना चाहिये नहीं तो हम भूल नहीं, आज हम मानन में हैं लेकिन जिस जनता में हमें भेजा है वह हमसे पूछेगा कि क्या हुआ।

यह जो राजनीतिक स्वतंत्र्य है यह प्राधिकर स्वातंत्र्य क बिना अधरा रहता है। पानिटिकल डेमोक्रेसी बिदपाउट इनामिक मोनोमी इज न फाम। सचमच म जो वाग देन क रिय जाग है वह पूरा समझन नहीं है। इमनिय यह प्राधायक है कि अगर हम हमें समाजवादो गणतन्त्र बनाना चाहते हैं और समाजवाद शब्द का प्रीगम्बल में रखने की हम में जिम्मान है तो हम प्राजीविका का अधिकार, खासकर मौलिक अधिकारों की मूची में शामिल करना चाहिये नहीं तो समाजवाद शब्द का प्रीगम्बल से हटा देना चाहिये।

होना तो यह चाहिये कि आज हम पहले प्रीगम्बल पर डिस्कशन करें। जब संविधान निर्मात्री परिषद में बहुत जो लोग थे तो उस समय प्रान्त में प्रीगम्बल पर बर्बा हुई। उस समय मौलाना हुसरत माहानी ने यह रखा था कि पहले प्रीगम्बल पर डिस्कशन होना चाहिये। डा० धम्बेडकर ने कहा कि अब तो सब बात हो गई है, अब प्रीगम्बल पर डिस्कशन कीजिये। इसलिये आज द्वारा 368 के द्वारा जो प्रीगम्बल में संशोधन कर रहे हैं तो पहले इस पर डिस्कशन होना चाहिये। अगर संविधान का पूरा कंटीनैन्टलिस्ट हो तो प्रीगम्बल में सोशलिस्ट शब्द रखना संविधान के साथ बिबलाड करना होगा। क्या हम भी इन्टिरो भी की तरह समाजवाद का केवल नाटक करना चाहते हैं, या सचमच में जनता पार्टी ने

को जनता से हाथ धाया गया था, उसके अनुसार समाजवाद शब्द को अपने में अंगीकार करना चाहते हैं।

हम आपसे कहना चाहते हैं कि चाहे व्यवस्था का प्रश्न हो या और किसी प्रश्न को ले, लेकिन सब से पहले हमको प्रीएम्बल पर विचार करना चाहिये और तब हम आर्टिकल 19 या और किसी आर्टिकल पर आये।

SHRI P. K. DEO (Kalahandi): I would like to confine my observations to Clause 2. In Clause 2, Government has come with a proposal that the words, "to acquire, hold and dispose of property" should be deleted from the Fundamental Rights—to which I have given an amendment saying, "to continue to possess and maintain one's own earned property." In this regard, I would like to point out that I do not hold any brief for all those who have acquired property by illegal means, or who have inherited property, or for those who have their own unearned income. I would like to point out that you should recognize the fruits of labour and the savings of a person's hard work.

I oppose the amendments to Article 19, so far as the property right is concerned. I have already spoken about my amendment. The right to property is often said to be the least defensible right in a socialist society. Property is necessary for the subsistence and well being of the man. No one would become a member of a community in which he could not enjoy the fruits of his honest labour. There could be no rational dispute about this proposition, except as to the quantum and the kind of property a person should be allowed to hold.

There is no democracy in the world, or any democratic constitution, in which you would find that the right to property is not recognized and respected. It appeared in the Magna Carta of 1215, the French Declaration of the Rights of Man of 1789, USA's Bill of Rights of 1791 and even in the later constitutions,

including the Socialist Constitution of the United Arab Republic, of 1964. Even in communist countries, the institution of private property is recognized as a reward for hard labour. It is also inheritable. Article 17 of the Universal Declaration of Human Rights of 1948 to which India is a signatory, also recognizes the right to property.

16.43 hrs.

[DR. SUSHILA NAYAR in the Chair]

The debates of the Constituent Assembly on the corresponding clause is very relevant; and I would like to point out that the Founding Fathers of the Constitution were not fools. On 30th April 1947 Nehru Ji said:

"A fundamental right should be looked upon, not from the point of view of any particular difficulty of the moment, but as something that you want to make permanent in the Constitution."

And Dr. Ambedkar said on 4th November 1948:

"In considering the Articles of the Constitution, it has no eye on getting through a particular measure. The future Parliament if it met as a Constituent Assembly, its members will be acting as partisans seeking to carry amendments to the Constitution to facilitate the passing of party measures which they have failed to get through Parliament by reason of some article of the Constitution which has acted as an obstacle in their way. Parliament will have an axe to grind; while the Constituent Assembly has none."

They knew very well that this right will not be an obstacle to egalitarian progress. In this connection, I would like to point out the solemn pledge which the Janata Party has given, in

[Shri P. K. Deo]

its election manifesto—it is at page 10:

"Delete property from the list of Fundamental Rights and, instead, affirm the right to work."

In this regard I should like to point out that there cannot be a conditional fulfilment of the pledge that has been given to the people. There should be a simultaneous assurance of the right to work that should have been provided in this case. An Assurance was given in the Constituent Assembly. These are the solemn pledges; these are plighted words; these are promises. They are not piecruet to be broken and eaten at convenience. The right to property is essential for the effective and meaningful exercise of the various fundamental rights. It is essential for the exercise of the other rights. For example the right to freedom of the press under 19(a) would be worthless if the printer is deprived of his printing machine. 19(c), freedom to form trade union will be denuded if the property of the trade union is expropriated. Right to reside and settle in any part of the country under 19(c) will be illusory if the citizens' house and household effects are taken away without compensation. The right to practise any profession or carry on any occupation under article 19(g) would amount to forced labour if the net savings from the fruits of labour is to be confiscated. The right to religion under article 25 and 26 will virtually be stifled if properties of institution, maintained for religious and charitable purposes are seized without compensation. It will be no exaggeration to say that without the right to property it will be impossible to work the Constitution, as for example the various legislative entries in the 7th schedule in respect of which tax is to be levied, presupposed the right to the property. Property has become a dirty word today; liberty may become a dirty word tomorrow.

I agree that the right to property always must remain subject to the need of achieving the welfare of the masses and the necessity for fair and reasonable distribution of income and wealth. But the abrogation of the right will spell disaster and it will affect the middle class and the minorities will be the worst hit. Even before the 25th amendment of 1972, regarding the right to compensation, the right to property was very much limited, subject to reasonable restriction in the interest of the community; it cannot be invoked against laws relating to zamindari abolition or agrarian reforms or taking over of sick mills for better management. Regarding the adequacy of compensation, it cannot be challenged in any court of law. Even before the 25th amendment it remained in an abridged form and the 25th amendment of the Constitution actually destroyed it. Whatever residue had been left is going to be wiped away now. The hon. Minister will give an assurance that he will be bringing it under 300.(A) But I must respectfully submit that it would be bringing in something in a clandestine manner and it will not have the same protection that it will have if this provision is embodied in fundamental rights.

Judging from another angle, the word property is apt to conjure up visions of the rich whereas the Constitution is not for the privileged ones; it is for the masses. There is no constitutional difficulty of levelling the rich uniformly by fiscal laws. It could be done by taking various fiscal measures. Income-tax itself is expropriation of property; wealth tax and estate duty are even more so. There are means to reduce inequalities. Taxes, however steep they may be whatever may be the gradation, tax laws cannot be disputed; they offend no fundamental right. So, the Government takes recourse to taxation measures to level the accumulation of wealth in the hands of a few.

What does property mean in the context of individual life and in the context of his security? Next to life itself is that which helps to support and sustain life for a man and his family. It is in this context that the right to property is to be seen and not in the context of the rich who can take care of their visible and invisible wealth. I say invisible property because whatever is visible now is only the tip of the iceberg, which had been accumulated in the hands of a very few.

The average man is concerned about his earnings by sweat of labour and maintaining his family. Where there is no social security, where right to provide work is not recognised, where the unemployment figure even according to the Minister is 20 million, which is an under-estimate, which every person will accept is not correct considering the figures in the live registers of the employment exchanges, there is absolutely no justification to take away the right to property. If you say that they are going to redeem their election pledge, have they fulfilled the pledge to provide work? Have they not shot the other day at Bailadila so many people who were out of job, who were retrenched and who wanted job? Is it not that the Prime Minister has stated categorically that we will solve the unemployment problem within a period of 10 years? Under these circumstances, I respectfully submit to you that the poor man's hut, his field or pan shop or bullock cart are his limbs without which he cannot function. But he lacks the rich man's resources for his own defence. So, my amendment is that the fruits of labour should be recognised and earnings out of it should be enshrined among fundamental rights, the preservation of which should be the duty of the State. It should not come in a clandestine way as has been envisaged by the Law Minister in the shape of article 300A.

श्री० सिम्बनसाल कल्लेवा : (गुहाराजवंश) : सभापति महोदय, मैं ने चार अमेन्डमेंट्स दे रहे हैं—248, 249, 250 और 256। 248 और 249 एक ही हैं। मेरा अमेन्डमेंट नं० 248 इस प्रकार है।

Page 1, for line 12, substitute—

“(11) for sub-clause (f) the following sub-clause shall be substituted namely, (f) to work and to adequate livelihood.”

अमेन्डमेंट नं० 250 इस प्रकार है।

for clause 3, substitute—

“Article 22 of the Constitution shall be omitted.”

श्री० अमेन्डमेंट नं० 256 इस प्रकार से है :

Pages 14,

omit lines 40 to 42

मैं ने एक अमेन्डमेंट और दिया था कि धाटिकल 15 का क्लॉज (4) निकाल दिया जावे और धाटिकल 234 निकाल दिया जावे।

हमारे मेमिबेर्स को एकोनॉमिक राइटर्स से जो पहला आइटम था वह यह है :

Deletion of property as a fundamental right.

आज हम उसको पूरा कर रहे हैं।

दूसरा आइटम जो है, वह यह है :

Affirmation of the right to work and full employment strategy.

मेरी प्रार्थना यंत्री महोदय से यह है कि यदि वे इस मेमिबेर्स को इम्प्लीमेंट करना चाहते हैं, तो वे मेरे इस अमेन्डमेंट को स्वीकार कर लें ताकि हम अपने मेमिबेर्स को पूरा कर सकें। कहा जाता है कि इस में बड़ा खर्चा होगा। हम ने अपने मेमिबेर्स से प्रोहीबिशन का कोई प्राविजन नहीं किया है और हम उस को लागू कर रहे हैं, जिस के अन्दर 1 हजार करोड़ रुपये का नुकसान और खर्च होगा। मैं चाहूँ कि उस को हटा कर घाय राइट टू वर्क को लागू करें तो कम खर्च में काम हो सकता है। यह चीज बहुत जरूरी है और हम जो दो करोड़ आधे की जनसंख्या है, उन को बेरोजगारी भत्ता दे सकेंगे। बनिस्वत नशाबन्दी के जो हो नहीं सकती, कभी नहीं हुई है, बेकारी की सहायता कहीं ज्यादा जरूरी है। घाय नशाबन्दी करने से इस्तीफा डिस्टीनेशन होगा और उस में खर्चा बहुत पड़ेगा।

[श्री सिम्बन लाल सक्सेना]

इसीलिए जबाहरलाल जी ने नशाबन्दी लागू नहीं किया और इसीलिए सरकार पटेल साहब ने नहीं किया। प्रोहीबिशन हमारे प्राइम मिनिस्टर साहब का एक पंच है और मैं समझता हूँ कि हम क बजाय राइट टू वर्क का इम्प्लीमेंट करना चाहिए।

प्रापर्टी धारा हटान के बारे में हमारे बहुत से दोस्तों ने मेरे भय प्रकट किया है। मैं बनलाना चाहता हूँ कि प्रापर्टी का राइट तो रहेगा लेकिन वह फंडामेंटल राइट नहीं होगा। प्रापर्टी सब की छिन जाएगी, ऐसी बात नहीं है। राइट टू प्रापर्टी तो रहेगा लेकिन फंडामेंटल राइट नहीं होगा क्योंकि फंडामेंटल राइट होना बहुत से सामान एकोनॉमिक रिफॉर्म जो है वह है वह घप हाँ जात है। प्रापर्टी तो र की क्योंकि प्रापर्टी र बिना समाज नहीं रह सकता लेकिन वह फंडामेंटल राइट नहीं रहेगा। इनका ही पक है जो प्रापर्टी के बारे में हमारे मनीफेस्टो में दिया हुआ है।

मगर तीसरा सभाजन प्रोब्लिव डिजेशन के बारे में है। यह जनता प्रापर्टी के प्राधान्य से किन इन नहीं करता है। हम आजादी दिनांक के लिए ध्यान है और पत्र जो दूध था उस को हम न खम कर दिया है। हम न पीछे हटते हैं प्रोब दिनाई और भीसा को खम कर दिया। इमलिय प्रोबलिव डिजेशन रहे यह ठीक बात नहीं है। किसी भी मनुष्य को आजादी प्रोबलिव डिजेशन द्वारा बिधाउर ट्रायल की जाए यह ठीक बात नहीं है। हमारे पास बानन बहुत बड़ बड़ हैं जिन में अगर कोई अपराध करता है तो उस अपराधी का पकड़ सकत है लेकिन प्रोबलिव डिजेशन का रखना हमारे ऊपर एक बनर है और यह नहीं हान्य चाहिए।

आरक्षण के बारे में मैं एक अमरुत दिया था लेकिन उस का इमलिय एक्सेप्ट नहीं किया गया कि इन जिन के अन्दर हम मन्वध में कोई एमडमेंट नहीं है। धारा 15(1) में यह लिखा हुआ है

Nothing in this article or in clause (2) or article 2 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes

इस के अनुसार अम्बेडकर साहब ने 10 साल के लिए यह प्रोबिजन किया था

"Notwithstanding anything in the foregoing provision of this Part the provisions of this Constitution relating to—

(a) the reservation of seats for the Scheduled Castes and the

Scheduled Tribes in the House of the People and in the Legislative Assemblies of the States, and

(b) the representation of the Anglo-Indian community in the House of the people and in the Legislative Assemblies of the States by nomination

shall cease to have effect on the expiration of a period of ten years from the commencement of this Constitution'

पहले 10 साल था अब 30 साल कर दिया गया है फायर बि इट थाक बि कमेंसमेंट थाक बि कोस्टी-ट्यूशन।

महोदया अब 27 साल बीन गय है और 30 साल भी खत्म होन बान है और मैं देखना हूँ कि बायद इन को 30 के बाद 40 भी कर दिया जाए। यह बहुत गलत बात है। डा० अम्बेडकर साहब न मन्व बड़ा था

It is wrong for the majority to deny the existence of the minorities. It is equally wrong for the minorities to perpetuate themselves. A solution may be found which will serve a double purpose. It must recognise the existing of the minorities to start with. It must also be said that it will enable the majorities and minorities to merge some day into one. He therefore provided for reservation for ten years only. He never approved of a provision for reservation for ever

अल्पसंख्यकों के अस्तित्व को नकारना बहुसंख्यकों की गलती है। उसी समान अल्पसंख्यकों द्वारा सदैव के लिये अल्पसंख्यक सुविधायें बनाये रखना भूल है। एक ऐसा हल खोजा जाना चाहिये जो दोनों का हित पूरा करे। अल्पसंख्यकों के अस्तित्व को मान्यता मिलनी चाहिये और यह इन प्रकार होना चाहिये कि एक दिन बहुसंख्यक और अल्पसंख्यक एक दूसरे में मिलीन होकर एक हो सकें। अब उन्होंने केवल 10 वर्ष के लिए इस आरक्षण का प्राविधान किया था। उन्होंने सदैव के लिये इस आरक्षण के प्रावधान का अनुमोदन कदापि नहीं किया था।

17.00 hrs.

तो मैं कहना चाहता हूँ कि अम्बेडकर साहब से क्यादा हिमायती उनका कोई नहीं हो सकता है। मेरा यह भी कहना है कि कलचन थाक रिजर्वेशन

लोको को आने बढ़ने नहीं देते। इसलिये 28 साल का काफी समय हो गया है और अभी तो 4 साल और यह समय रहेगा यानी 1983 तक। इसलिये कोई बजह नहीं है कि इस धाटिकल को हिकीट न किया जाय। इसलिये मेरा सलाहना है कि पा' 4 धीफ धाटिकल 15 धीफ धाटिकल 334 को हिकीट कर दिया जाय। आज हमारे देश में रिजर्वेशन फोर बैकवर्ड क्लासेज की बात चल रही है जिसकी बजह से जनता पार्टी की जड़ें हिल रही हैं। जब सब के लिये रिजर्वेशन हट जायगा तो कोई झगड़ा नहीं रहेगा। अगर आप चाहते हैं कि वह जनरल बीडी से मिल जाये तो रिजर्वेशन को खत्म करना चाहिये। अभी होता यह है कि काबिल आदमी नहीं लिये जाते हैं और बेकार आदमी ले लिये जाते हैं। इस रिजर्वेशन को ले कर प्रोमोशन में बड़ा हिसक-पेटनेट है। मैं समझता हूँ कि रिजर्वेशन समाप्त होना चाहिये और हर आदमी मेरिट पर बना जाय सभी वह लोग सराफी कर सकते हैं। बिधि मंत्री जी अगर इसमें समझेंगे तो भायें तो बहुत घबड़ा रहेगा। मैं श्वास नहीं बोलना चाहता क्योंकि काफी बोलने वाले सदस्य हैं, बाई रीडिंग के समय कुछ कहूँगा।

SHRI C. K. CHANDRAPPA
(Cannanore) Madam Chairman, let me begin by offering a bouquet to the hon. Minister for bringing forward this amendment by which he has deleted from the Constitution the right to property as one of the Fundamental Rights. But, at the same time, while some members from both sides were supporting this, some others feel that the right to property should still be enshrined in the Constitution, as it was before, as a Fundamental Right. My colleague, Shri Deo, went to the extent of saying that the right to property is something like a right to life itself. I was surprised to hear that. To anybody who knows the history of human development it is very clear that for millions of years mankind lived without property rights; private property was not something which was born along with man in history. Private property was an invention by man when he started exploiting others. I do not say that by this amendment we will put an end to exploitation. But, all the same it is better that this amendment is accepted because, in the evolution of our Constitution, we have found that this right has been used time and again

by the judiciary to strike at the very roots of legislation by which the society wanted to advance in its struggle against feudalism and monopoly. I need not go into the details. Many of the land reforms legislations were struck down, Bank Nationalisation was struck down and even the privy purse found its protection under the aegis of private property. It is therefore, that I offer a bouquet to the hon. Minister for bringing forward this amendment. I support it. But at the same time I have to offer him some brickbats too because he deserves it and his party also. Here, I have a copy of the Janata party Election manifesto. In the Economic Chapter No 2 it says: "affirmation of the right to work and full employment strategy. This is one of the corner stones of Janata's strategy about which the other day the hon. Minister was explaining. But I am surprised when the Prime Minister time and again and the Ministers very often and the Janata Party workers in every street corner go on haranguing that in ten years, this scourge of unemployment will be wiped out from the base India. But it is growing. Even the statistics presented by the Finance Minister before presenting the Budget shows that there is a 12.5 per cent increase in the number of registered unemployed in the last one year i.e., after the assumption of office by the Janata party. The Minister gave a wonderful argument the other day and said "you wait till the end of tenth year, like a miracle you will find that unemployment problem is solved." I am not going into the economic policies of the Janata party. But I do believe that so long as you continue your present economic policy by which you protect the monopolists, give them more concessions and protect the landlordism, there will not be any solution to the problem of unemployment. But the question is not that. You made a solemn assurance to the people of this country that if you are voted to

[Shri C. K. Chandrappan]

power, you will give them the right to work, it will be treated as a part of the fundamental rights. I do not believe, I am not that glib to believe that if you include that in the fundamental rights, tomorrow somebody can file a writ and get employment. But still it is an advance that you respect the right to work. But you have forgotten about it, like many other things which you have forgotten. As we discuss the Constitution Amendment Bill, you will find more betrayals of the confidence which the people have bestowed upon you. I was surprised why this was not included as a part of the fundamental rights in the Constitution.

There are certain other amendments which we have moved. In our amendments, we say that in Clause (g) the words "trade or business" shall be omitted and along with the right to work a living wage should be assured. About this living wage, being a lawyer, you know that there are well established norms about wages in this country—minimum wage, fair wage and living wage. Now what has the Janata Party offered to the people? I may read again from the election manifesto of the Janata Party.

I quote:

"The party will introduce legislation to assure minimum wages for all categories of workers and such minimum wages should be sufficient for the maintenance of the worker and his family."

This was the assurance you had given in 1977 and got the support of the people. What have you done? What are you doing today? You have introduced a new concept, the Bhoothalingam concept, of freezing the wage even below the poverty line. You have failed to offer the minimum wages to various sections of the workers. Let us forget about the fair wage to which you are nowhere near. Let us also not think of the living wage. That is illusory; that is far away in

the horizon; that is *maya*. But what prevented you to include in the Constitution a concept to which the country is wedded that is the right to work and the right to earn? You are afraid of even including these things in the Constitution. That is the stage in which you are today.

Coming to the last point, we are asking for the deletion of the words "trade or business" from sub-clause (g). My hon. friend, Mr. Chitta Basu, also mentioned that. Under the cover of this protection, so many mal-practices are being perpetuated in our society. Profession is considered as a fundamental right. In the name of practising any profession, it is a well known fact that in this country the public schools are being perpetuated. There are many people on the other side of the House who want to abolish the public schools. But the Minister will say that so long as the Constitution is like this, we cannot do that.

The words "trade or business" where black market perpetually finds a place need not be enshrined in the Constitution as one of the fundamental rights. That could have been eliminated; that could have been removed.

These are some of the things that I wanted to raise. You be true to your manifesto that you have presented before the country; you be true to the promises that you have made to the country and you be true to the people who bestowed confidence in you. Have an open mind. It is better that you accept this amendment and there will not be any brickbat for you when you go outside the House.

श्री उमेश्वर (देवरिया) : सभा पति महोदय मैं ने धारा 2 के सम्बन्ध में एक संशोधन दिया है, जिस में कहा गया है कि लोगों को काम करने और शारीरिक के लिए मजदूरी प्रदान करने का अधिकार दिया जाये। कल इसकी कि मैं इस धारा के सम्बन्ध में कुछ कहूँ, मैं मंत्री महोदय को बधाई देना चाहता हूँ कि जनता के जो हक्क पिछली सरकार द्वारा 42वाँ संविधान संशोधन पास कर के छीन लिए गए थे, उन्होंने उन अधिकारों को लौटा दिया है हम चाहते हैं कि उन अधिकारों में जीने,

काम करने और रोबी कमाने का अधिकार भी शामिल किया जाये।

इस सम्बन्ध में मैं मंत्री महोदय को नबभारत टाइम्स के सम्पादकीय की कुछ पंक्तियाँ पढ़ कर सुनाना चाहता हूँ, जिस का शीर्षक है 'समीक्षण का समीक्षण'।

भारत के विधि मंत्री ने 45वाँ संविधान समीक्षण विधेयक लोक सभा के सामने पेश कर दिया है। भारत ही नहीं, मायब ससार के इतिहास में ऐसा कोई दूसरा उदाहरण नहीं मिलता कि कभी संसद ने अपनी पूर्ववर्ती संसद द्वारा किये गये संविधान समीक्षण को इस प्रकार समीक्षित किया हो जिस प्रकार 45वाँ संविधान समीक्षण विधेयक करने जा रहा है। इतना ही नहीं 42वें समीक्षण को समीक्षित करने वाले इस विधेयक पर उन विधेयक इन्हीं की भी मोटे तौर पर सहमति है जिनकी 42वाँ समीक्षण किया था। यह इस बात का प्रमाण है कि 42वाँ संविधान समीक्षण एक स्वतन्त्र संसद ने नहीं बनाया, एक कण्ठक संसद ने पारित किया था।

माननीय विधि मंत्री जी ने उन बन्दी समूह द्वारा किए गए समीक्षणों को ममान्त करने के लिए जो यह विधेयक प्रस्तुत किया है उस के लिए मैं उन्हें बहुत धन्यवाद और बधाई देता हूँ।

माननीय कानून मंत्री ने हमारे घोषणा पत्र का उल्लेख किया है हमारे घोषणा पत्र में पृष्ठ 17 पर लिखा हुआ है—

'जनता पार्टी रोजी रोटी के मौलिक अधिकार पर जोर देती है। इस तथ्य की निश्चि तभी सत्य है जब कि हम एक ऐसी कार्य-व्यवस्था की ओर प्रयत्न हो जिस में छ'ब तथा कुटीर और लघु उद्योगों को प्राथमिकता दी जाय और उन्हें बड़े कारखानों तथा महानगरों के लिए बलि न किया जाय।'

यह हमारे अपने घोषणा-पत्र में दिया है। प्रागे भी हम ने बाबा किया है सत्ताइसवें पत्र पर कि बल बर्ष के भीतर हम गरीबी का अन्त करेगे। गरीबी का अन्त कैसे होगा? गरीबी का अन्त तभी होगा जब हम लोगों को काम देंगे। पश्चिमी बंगाल और महाराष्ट्र की सरकार ने जो लोग बेकार हैं और जिन के नाम रोजगार दफ्तर में पांच साल से लिखे हुए हैं, उन को पचास रुपए के लगभग भत्ता देने का निर्णय लिया है। अमेरिका में बेकारी का डोल दिया जाता है। इस का मतलब यह नहीं है कि हम बेकारी को बढ़ावा दे रहे हैं। यह तो सरकार पर एक दबाव डाला जा रहा है कि अगर सरकार लोगों को काम नहीं देती है और उस के एजेंड में भत्ता देती है तो सरकार मजबूर हो जाये कि बेकारी का भत्ता भुँक प्यावा देना पड़ेगा इसलिए वह उन को कुछ न कुछ काम दें। हम ने इन बर्ष में बस करोड़ लोगों को काम देने का वचन दिया है। तो यह कैसे होगा? एक रोज में तो हो नहीं सकता है। इसलिए हमें बेकारों को काम देना चाहिए और यदि हम संविधान में यह अधिकार जनता को दे देते हैं कि अगर कोई सलाह, पायल नहीं है, अस्वस्थ नहीं है तो उस का अधिकार है कि रोबी बनाए और वह उस सरकार का नर्ज हो जाता है कि काम पर उस के पास रोबी नहीं है तो उसे रोबी दें, अगर रोबी सरकार

नहीं दे सकती है तो उस का भत्ता दे और सरकार अपने को बखिल करे कि वह धादमी बेकार क्यों है? अमेरिका और पश्चिमी गणतन्त्र के जो देश हैं जिन को मैं पूँजीवादी गणतन्त्र के देश मानता हूँ, उन में भी और अमेरिका वगैरह में भी यह भत्ता दिया जाता है। धीरे धीरे उन के घरे की रकम कम होती जाती है क्योंकि एम्प्लायमेंट में एम्प्लाय बढ़ते जाते हैं। अभी सोवियत रूस के संविधान में भी इस बात की चेष्टा की गई है और उन का यह उद्देश्य है कि हम हर प्रायमी को कोई न कोई काम दे।

हम के साथ साथ हम ने यह कहा और हम लोग बार बार बिल्लाते हैं समाजवादी सिद्धांत को ले कर कि एक धादमी को एक ही काम देना चाहिए। अगर व्यापार करता है तो व्यापार से काम, अगर नौकरी करता है तो नौकरी से काम। हमारे देश में सब से ज्यादा विकसित यह है कि एक ही के घर में व्यापार है, उसी के घर में राजनीति है और उसी के घर में नौकरी है। जब तक इस पूँजीवादी व्यवस्था को तोड़ा नहीं जाएगा तब तक हर धादमी को काम नहीं मिल सकता। इसलिए यह बहुत जरूरी है।

माननीय मंत्री जी से मैं यह कहना चाहता हूँ कि संविधान में प्राप यह अधिकार देंगे तो ऐसे ही एक कलम से तो प्राप सब को रोजी दे नहीं देंगे और न ही सब लोग हाई कोर्ट और सुप्रीम कोर्ट में जा कर मुकदमा दाखिल कर देंगे कि प्राप ने तो संविधान से काम, अगर नौकरी हमें तो नौकरी नहीं मिली। अगर जनता पार्टी की सरकार ने जनता से कुछ चाहे कि वह और पिछले तीस बर्षों की सरकार से कुछ चाहे बढ़कर करना चाहती है, उनमें और अपने में अगर कुछ फर्क करना चाहती है तो मैं कहूँगा कि प्रापको कुछ कालिका के कदम उठाने पड़ेंगे। अगर प्राप ऐसा नहीं करेंगे तो इस देश में बेकारी की जीब बढ़ती जाएगी। प्राप इस देश में दस करोड़ लोग बेकार हैं—कुछ प्रायबेकार हैं और बाकी पूरे बेकार हैं। हमने मुलाह दिया था कि प्राप जिंदा सेना बनायें, प्राप म्रिम सेना बनायें, प्राप सिचाई सेना बनायें। आज देश में बाढ़े प्राई हुई हैं और तमाम योजनायें टूट गई हैं। भागीरथी से तुंगरी तक और ब्रह्मपुत्र पर प्रथम में तम म तलहटिया टूट गई हैं। प्राप सामा का बहा पर लगाकर 50 रुपया और खाना दीजिए और उनसे काम लीजिए। अगर प्राप इस तरह से रोजगार देने की व्यवस्था नहीं करते हैं तो देश में बेकारी फैलेगी। फिर बेकार क्या करेंगे। वे मृत्यु में गड़बड़ी करेंगे। प्राप तब देश में कानून और व्यवस्था का प्रश्न है। हमारे उत्तर प्रदेश में और बिहार में कानून और व्यवस्था का जो सवाल है उसका सबसे बड़ा कारण यह है कि पूर्वांचल, उदा से मैं बता हूँ, बेरिया प्रायमग, बस्ती, गोरखपुर वहां पर लोगों के पास कोई काम नहीं है। बाढ़ से लोग बर्बाद हो गए हैं और बेकार बैठे हुए हैं। बी० ए० ए० ए० पाम लोगो को रोडवेज में कड़बटरी भी नहीं मिलती है 100-50 रुपए की नौकरी भी नहीं मिल रही है। जब तुल्ला मुल्ता होता है तो लोग सोचते हैं बत्तो, जेल में चलें, कम से कम वहां पर खाना तो मिलेगा। जेल में कम से कम इतना तो है कि जिंदा मिलता है और दवाई भी मिलती है। जब हम जेल में थे तब प्रफुल्ल लोग पूछते हैं कि प्राप दवाई क्यों नहीं पीते। 9 नवम्बर को पाकी की दवाई दी जाती थी और दवा पिलाने वाले कहते

[श्री उद्देश]

वे कि 9 नम्बर वियो, मरो बाहे जियो। भोजपुरी मे बोलते थे। लेकिन बाहर बापू के बेलो के राज्य की कोई छुछने वाला नहीं है कि छापने खाया हुआ नहीं। बाज इस देश में छपने गय तब मैं तीस साल के राज्य में करोड़ो बरो मे एक बक्त बूढ़ा जलता है। इसलिए मैं माननीय मंत्री जी से कहना चाहता हूँ

"मल्ला जरा मल्लधार मे चल, एक बार ही खुशता हो जाए,

यो साहिल साहिल चलने का भ्रम न जाने क्या होगा।"

धीरे धीरे चलेंगे तो क्या होगा? बेकारा की कीज बदेगी और देश मे बगबत फैलगी। छाप जानते हैं मरते हुए बाबूबाहू को सत्ता भल आयी, हमारे साथी और दूसरे लोग हमारी बात नहीं मानेंगे।

'कारवा निकल गया, ग़ार देखत रहे।"

इसलिए शासन में सुधार लाने के लिए शांति और व्यवस्था कायम करने के लिए और इनमान को इनमान समझने के लिए जरूरी है कि माननीय मंत्री जी भी बिना बसु डा० रामजी सिंह और तमाम दूसरे माननीय सदस्यों ने जा प्रस्ताव रखा है कि राजगार का अधिकार दिया जाये उसको मान लिया जाए। हमारे साथी चन्द्रपन साहब कहते हैं कि लिखित बेज जीने योग्य मजदूरी दी जाए, यही तो हमारी मांग है। जब बाज रोजगार का अधिकार दें देगे तब अगर बाप जीने योग्य मजदूरी नहीं देगे तो उसके लिए मजदूर लड़ाई और सचर्चे करके उसको ले लेंगे। इसलिए मैं मंत्री जी से मांग करता हूँ कि इस अधिकार को वे जरूर द दें ताकि भारत के गणतन्त्र में, गांधी जयप्रकाश और डा० लोहिया के इन देश में कम से कम ऐसा हो जाये कि यहा पर इनसान रहते हैं। ऐसा नहीं कि पिछले 30 वर्षों में यहा पर इनमान तो रहते थे लेकिन वे इनमान को जिनकी बमर नहीं करते थे। इन सबको साथ मैं अपनी बात माननीय मंत्री जी के सामने रखना हूँ।

SHRI V M SUDHEERAN (Alleppey) I do not want to repeat what my hon friends have expressed

I am moving my amendment

(iii) after sub-clause (f), the following sub-clause shall be inserted, namely —

"(ff) to work and to get a sufficient means to livelihood;"

Madam Chairman, the youth of the country are getting frustrated day by day. They are getting disappointed with the existing political system. We can analyse the attitude of the youth.

Even since 1967 all their hopes and aspirations have been neglected by the governments concerned. In 1967-68 the youth in many parts of the country joined in naxalite movement. They were disappointed and wanted to find their own way of solving the problems and they had gone even to the extent of armed revolution. In 1969, 1970 and 1971 they were attracted by the slogans of Mrs Gandhi. The youth of the country rallied round here hoping that she will fulfil the aspirations and hopes of the younger elements in the country. Two-three years later they also convincingly felt that that government also was not going to do anything for the betterment of the youth, particularly as far as unemployment problem is concerned.

That is why younger elements of our country in many parts were attracted by the JP movement. The support enjoyed by Janata Party was mainly from the youth of the country because they were attracted by the JP movement and the slogans and manifesto of the Janata Party. But I am very sorry to say that this Janata Party is also going the same way as was the case with earlier regimes. There is wide gap between the promise and the performance. As has already been mentioned by my hon'ble friends, Janata Party is committed that it should provide employment to each person in the country. Prime Minister has himself assured on the Floor of the House that unemployment problem will be solved within ten years. I would like to know what has been done in that direction. Nothing has been done! One year is already over. As has been pointed out by my hon'ble friend, Shri Chandrappan, the number of unemployed youth as increased by about 10.75 lakhs. How are you going to solve the problem? It is a very serious and explosive problem. That is why we insist that right to work should be included as fundamental right.

Now, this Government is not seriously tackling the problem of youth unemployment in the country. Even the demand for unemployment wages was totally rejected by the Government. I must congratulate the Governments of West Bengal and Kerala for providing unemployment allowance to the unemployed youth, but this Janata Government has rejected the very idea of providing unemployment allowance to the youth of this country.

There is one more point in this regard. There is some age restriction for recruitment to Government jobs. That should be removed except in the case of recruitment to army and police.

If the Government failed to provide employment to the youth of the country I have to warn the Government that they will have to face an explosive situation even an armed rebellion and that may be the reason why this Government has introduced the very clause to declare emergency in case of armed rebellion. This Government will be forced to impose emergency and they would utilise this clause. (Interruptions)

In the end, I would once again urge upon the Government to include the right to work as a Fundamental Right.

जो बापू नाम मिर्जा (नागौर) सभापति महोदय, मैं द्वारा 2 का विस्तृत विरोध करना चाहता हूँ और चाहता हूँ कि इसके सम्बन्धित किसी धारा में जो जोड़ कर के जोड़ती के अधिकार को वास्तविक 14 (ए) को निष्कासा या रद्द है उनको वापस ले लिया जाए। यही भी मैं जो बली में ही यह कहें। एक तो यह कि जगसा धारों में अपने नैतिकता में कहा है कि हम ऐसा करेंगे, और दूसरी बात जो कही जिसको ले कर वह सार्वभौमिक गुरु कर रहे हैं वह यह कही कि कनेक्ट प्रोसेस का सम्पूर्ण प्रक्रियाकार में होने से रोक दूँ। पर जबकि होठे हैं इसलिए इस सत्र के जो विधान के किस्म इसकी सुदृढ़ कर देते हैं। यह दो बली में उन्होंने ही इस सभापति

को सामने के लिए। मैं कहना चाहता हूँ कि जनता पार्टी और भापकी सरकार, जैसा आप बापा करते हैं कि नैतिकता में निष्कासा और लोगों को कहा कि इसकी सब बातें दुरी करें, तो वह आप कभी नहीं कर सकते। आपने कहा चुंगी, सैम्स टैक्स हटा देंगे, काम करने का अधिकार देंगे आदि आदि, इनको आप कभी नहीं कर सकते, और करने तो यह सरकार और देश नहीं बन सकेगा। इसलिए जी ने जो सविधान में सञ्चालन किया उसको दोष देते हैं। मैं बताना चाहता हूँ कि जिस समय सविधान का सञ्चालन होने वाला था उस समय हमने इसलिए जी से कहा था कि इस प्रोपर्टी के राइट को हटायेंगी तो लोगों के अन्दर देश में दुरी भावना बनेगी। उन्होंने सोच कर के इस काम को नहीं किया। लेकिन उसको आप कर रहे हैं। मैं सोचता हूँ कि यह इस देश के लिए, आप लोगों के लिए कास्टीट्यूशन का रैप कर रहे हैं। आप देखें कि 301 लगा कर के कि बिना कामगुरु के कोई किसी की प्रोपर्टी नहीं लेगा आप सैवधानिक राइट को सींगल राइट में बदल रहे हैं। जनता पार्टी का यहि ऐसा है जिस तरह से आप करना चाहते हैं मुझ परना नहीं आप अपने आपको छोड़ा दे रहे हैं या पार्टी को छोड़ा दे रहे हैं। किस को छोड़ा दे रहे हैं। आप जिन लोगों को रिप्रेजेंट करते हैं उनके लिए यह काम करना, इस विधान से इस राइट को काटना, इस देश के इतिविश्वस भावनी को सारी परम्पराओं की बातों को काटना है।

जीने का राइट, बोलने का राइट जिन के बारे में आप बिलित हैं यह कुछ ठीक कि, अच्छा कि। हमने उस समय उन चीजों को बहुत पसन्द नहीं किया था। पर इस राइट को न हटाने की बात को उन्होंने मान लिया, लेकिन आप आप इसको करने जा रहे हैं। इन कम्युनिस्टों के हरावो को पूरा करने की नीय आप इस देश में रखने जा रहे हैं। इससे इस देश में कम्युनिज्म की मुचकात होगी।

इसलिए कामगुरु की गहराई से सोचिये द्वारा 19-एक में लिखा हुआ है—एम्पायर होल्ड डिस्पोज आफ। यह सारी बलें प्रोसेस हैं। इस देश में कोई भी इतिविश्वस किसान या मेजनीन का धायनी सब अपने जीवन में इस तरीके से प्रोपर्टी रखकर जीना चाहते हैं किसी की गाय है, बैस है, गाय है या और कुछ है तब 'की धायनी प्रोपर्टी है। एक बार जीवन राइट करने के बाद कोई भी धायनी किसी तरह का पावर में धाने पर चाहें जैसे बटबारा कर, उसका सींगल राइट कैसे इम्प्लीमेंट कर सकता है? इसलिए आप इस कन्वेंशनल राइट को सब छेड़िये, जो काम इसलिए जी ने नहीं किया, वह आप मत कीजिये। आप जो काम कर रहे हैं उसमें दो बातें होगी। उस व्यक्ति को कोई फायदा नहीं होगा जिसके लिए शराब कर रहे हैं। जिस कम से कोई सब कुछ नहीं निकलेगा और देश की सम्पत्तियों को बोझा देंगे और एक नया रास्त खोजेंगे। आपको इसके बारे में बहुत सोचने की जरूरत है। मैं इस धारा का और इसके सामने कोई हूँ सब धायों को विरोध करता हूँ और इसके खिलाफ वोट दूँगा।

समाप्ति महोदय . अब आप समाप्त करें ।

श्री माधू राम मिर्जा : मैं बहुत कम बोलता हूँ, सोच एक एक बट्टे बोलते हैं । मैं आपके हिन्दुस्तान के 200 मैम्बरों में से एकका कांग्रेस का चुनकर आया हूँ । मैं उत्तर भारत के 200 सत्त्व-सदस्यों में कांग्रेस का एकमात्र प्रतिनिधि हूँ ।

समाप्ति महोदय आप अपनी बात कहिये ।

श्री माधू राम मिर्जा : आप बड़ी न बजाये तो मैं अपनी बात जल्दी खत्म कर दूंगा ।

यह रैफरेंडम की ओर बात आप कर रहे हैं, इस देश में बहुत धनपट्ट लोग हैं । 30 करोड़ बोट देने वाले लोग हैं जिनमें पैसे-लिखे । कराज भी नहीं है । उन सब 29 करोड़ लोगों से क्या समस्या आप बतलायेंगे, कैसे बोट बिलायेंगे, किम को गर्ज होगी बोट के लेने की । 51 परसेंट कब हाजिर होंगे ? अपना आप खर्च कर देंगे, पैसा बेस्ट होगा और धनपट्ट का समझ नहीं आयेगा कि आप क्या पूछ रहे हैं ।

इस प्रैक्टिकल बात को साक्ष्य कि कराजो अपना खर्च हो जायेगा, पार्लियामेंट का ऊँचा बनाने का एक हवाई नक्शा आप बना रहे हैं । दल के पैसे का खर्चा होगा और धनपट्ट लोग वा कोई लाभ नहीं हा मक्का । इसलिए जो कुछ करना है वह ठीक करें । लोग वा इस पक्ष में डालने से कभी आपका रैफरेंडम कामयाब नहीं होगा यह हमारा निश्चित मत है ।

इसलिए मैं दाना बाजा का विराध करता हूँ बार-बार बोलना नहीं इसलिए अपनी भावनाओं को व्यक्त कर के अपनी बात समाप्त करता हूँ ।

SHRI RAM JETHMALANI (Bombay North-West) Madam Chairman, I am briefly intervening in this discussion for the reason that I want to make a very humble and very respectful appeal—not only to the learned Minister of Law, but also to Hon'ble Members present, particularly my very distinguished friends in the Communist Party of India and the Communist Party (Marxist)

1739 hrs

[MR DEPUTY-SPEAKER in the Chair]

I am not a formal Communist, but I accept the central thesis of the Communist or Marxist doctrine that all private property must yield to paramount public purpose (*Interruptions*) We are debating a subject of

great importance, and I want you to concentrate and apply your mind to what I am about to tell you. I do believe that concentration of private property is a source of many ills that all the nation and the community I accept the Gandhian doctrine that private property is subject to public trust. Therefore our pledge 'to delete fundamental right to property from the list of fundamental rights was a good pledge and I am glad that the pledge is being today fulfilled. But I have a word of caution to utter that we are doing the wrong thing in removing article 19(1)(f). It is contrary to the very doctrines which my friends opposite hold very dear to their heart. It is counter productive. I want to explain what might seem paradoxical though it is not. To my mind the marxist doctrine the socialist doctrine and the Gandhian doctrine are embodied in article 19 (1) (f) read with clause 5 of article 19 (*Interruptions*). At least on a serious topic like this try to apply your mind. 19(1)(f) read with sub clause 5 of article 19 says that every citizen has a right to acquire hold and dispose of property. Sub clause (5) says that this right is subject to the interest of the general public or the interest of the Scheduled Tribes. All acquisitiveness of the individual, all acquisitions of the individual even though they are honestly acquired much more so when they are illegitimately acquired are impressed with a public trust by article 19(1)(f) read with sub-clause 5. Where then do the enemies of the poor where do the filthy rich, where do the dishonest industrialist or the rapacious capitalists come in? They come in under article 31(2). 31(2) is the bulwark of these anti social elements because it is there that when property is sought to be taken away for a public purpose, even in the interest of the general public, the rich man could say you will not take my property until and unless you have given me full compensation, market value. I want you to understand the historical background of the pledge of the Janata Party. In 1950

when for the first time we started our land reform legislation, the matter arose in Bihar and it went to the Patna High Court. The Patna High Court said, this legislation is invalid because we are not really paying compensation in the sense of market value to those whose property is sought to be expropriated. Thereafter started a series of amendments in our Constitution. According to the Janata Party the previous government used the existence of this article 31(2), though in a modified form, it continued to be modified from time to time, as an alibi and justification for their economic failures. Whether they are right or wrong in that, I do not wish to go into that question. But what I wish to impress upon all present in the House is that it is the right to get compensation subsequently modified as the right to get some amount which is the bulwark of the dishonest capitalist whose property was being taken away for the use of the common man for the good of the common man. Therefore 31(2) must go. I want those persons who have some respect for the Constitution to see that the heading of article 31 is right to property but the heading of article 19 is right to freedom. It is the right to freedom which you are now taking away. It is not the right to property which you are taking away. Please do take away the right to property. A man whose property is being acquired for a public good has no right to say I must insist on my pound of flesh. Society will give what it chooses in compensation, so left may not give him anything at all. That is the end of capitalism and that is the recognition of the communist, marxist, socialist doctrine or Gandhian doctrine.

So far as article 19(1)(f) is concerned, it is the character of the freedom to own property of the poorest man in this realm, it is the charter of the poor but of course it is also charter of the rich. The rich will be dealt with by the law of taxation the kind of taxation that we have in this country and he will be dealt with by the right of

society to expropriate his wealth under article 31(1), without paying him anything because article 31(2) is now going, so that he can be overnight turned into a poorman to start life all over again. Society will be under no obligation to give him any compensation. Those of you who are talking of the right to work should remember that right to work to the extent to which it is feasible is part of article 19(1)(f) because this preserves to a farmer, an industrial worker, a clerk or an intellectual the right to strive according to the laws of the land and to get property in compensation for the labour, whether intellectual or physical, which he bestows upon any venture. Do not, therefore, destroy the incentive to property. I want my friends to remember that even in the communist regime in Russia in 1924 when they embarked upon their new economic policy they had to make some concession to the institution of private property. They have not wholly destroyed the institution of private property at all.

श्री राम राम विश्व जी मलानी जी, यह आप
उनको समझाएँ, इनका क्या समझा रहे हैं ?

SHRI RAM JETHMALANI: I do not believe that any person is totally immune to reason. That is why I am specially reasoning with them because removal of article 19(1)(f) according to me is counter-productive and is inconsistent with their own thesis which they claim to hold dear. I for one believe that in mild quantities pursuit of property is a spur to industry is a spur to inventiveness is a spur to creativeness. Please do not destroy this fountain of motivation for public good. But whenever you find there is undue concentration of property anywhere, strike that down; destroy that cesspool of private property either by the law of taxation or by the power of expropriation, which you are getting by article 31(2) going away completely from the Constitution.

I want the hon. Law Minister to recognise a serious contradiction in what

[Shri Ram Jethmalani]

he is doing. How can you remove article 19(f) without totally destroying article 19(e) and 19(g)? You are retaining (e) and (g) and taking away (f) in article 19. Can there be a fundamental right to reside and settle in any part of the territory of India without right to own something. Was this right meant only for wanderers, only for those who do not want a roof over their heads? Was it meant only for the gypsies in this country? The right was meant so that you can acquire with honest industry a cottage or roof over your head and reside in it even as a poor man. If you want to preserve this right please preserve even the right in (f). What is this right to practise any profession, carry on occupation or trade or business? After all, business *ex hypothesi* by definition involves buying and selling of property, whether it is the small trader or big industrialist. A small trader, shop-keeper or pan-shopwala is also included in this. Therefore, according to me, I think it is reducing to complete mockery article 19(e) and 19(g) if you remove article 19(f) from in between.

So far as full employment of which some of my learned friends talked about is concerned, I am for the right to work being recognised. But if right to work means right to guaranteed employment and subsistence, I would make a request to all those who want this to be done. I want it to be done, some day it will have to be done. But those who are for it would please sit down and draw up a scheme under which every citizen in this country should be able to get employment and subsistence. If you want to make it a fundamental right, you must draw it up in such a manner that the court can issue a mandamus to Mr. Shanti Bhushan saying "You must give employment to everybody" and if he cannot provide it, he will have to end up in jail for breach of the order of mandamus. I will now close but I want you all to ponder on whether you want to destroy that which you want to preserve.

MR. DEPUTY-SPEAKER: Shri Shanti Bhushan.

SHRI KANWARLAL GUPTA (Delhi Sadar): Before you call the Minister, I want to say a word.

MR. DEPUTY-SPEAKER: I am very sorry. Somehow we have been very slow in the progress on the clauses. Just because Jethmalani has been called, it does not mean I am going to call everybody in the House. You are going to speak on the next clause.

SHRI KANWARLAL GUPTA: If you give me five minutes, it will be all right.

MR. DEPUTY-SPEAKER: Not on all clauses.

SHRI SHANTI BHUSHAN: I have heard with rapt attention the speeches made by many hon. Members who have moved amendments to Clause 2 and also some other speeches by those hon. Members who have not moved any amendments. Shri Jethmalani perhaps wanted to move an amendment which for some reason he did not. He wanted to have some amendment by which he would be able to send me to jail. If he had moved it, perhaps I would have accepted it.

There are four or five points which have been made to which I would like very briefly to reply. The main point has been in support of a large number of amendments which have been proposed, namely replacing the right to property in article 19 by the right to work. Before I deal with the other aspects of this, I would like hon. Members who have given those amendments to ponder whether the amendments which they have given will subserve the purpose they have in mind, because so far as article 19 is concerned, even if you introduce this clause, namely the right to work in clause (f), it would not achieve the purpose which you have in mind. What perhaps you have in mind is that the Government should be under an obligation to provide work to everybody.

That is what you want. But the amendment that you have moved only says that every person will have the freedom, namely the right to work, just as the right to trade or business. That does not mean that Government is obliged to provide a business or a trade or a profession to everybody. It will merely be a freedom in the sense that article 13 says that a law cannot be enacted which will curtail a person's right to work. It will not be able to say this man will be entitled to work, so that it will not serve any purpose. By merely introducing the right to work in article 19 (1) (f) Government will not be able to enact a law by which it could deny a person's freedom to work. (Interruptions).

If the hon. Members would just ponder over their amendments, it would be clear that that would be the only effect. It is only negative Article 13 read with article 19 is only a negative restriction on the power of legislation to prevent a person from working, but that is not your objective, so that some other device will have to be adopted. If you want that there should be an obligation on Government to provide work to everybody, that is a different subject. That we are not discussing today. Perhaps we will have occasion to discuss that some time as I was endeavouring to say a few days ago in an unfinished speech, which I hope to resume a few days later. Obviously, if you want to cast an obligation in the form of a fundamental right on the State to provide gainful employment to every single citizen in this country.... (Interruptions).

MR. DEPUTY-SPEAKER: If three Members get up, none of you will go on record. What is the point?

SHRI A. BALA PAJANOR (Pondicherry): The question is whether it is in their manifesto. He came through the Rajya Sabha. As far as Jethmalani is concerned, he has a right, because he contested.

SHRI SHANTI BHUSHAN: I have no hesitation in saying that I agree with it in principle, namely that it should be an obligation under the Constitution for the Government to provide gainful employment to everybody.

SHRIMATI AHILYA P. RANGNEKAR (Bombay North-Central): You have said it in your manifesto.

SHRI KANWARLAL GUPTA: Then you have to bring a separate amendment so that this may be included.

SHRI SHANTI BHUSHAN: Even if it had not been mentioned in the manifesto, I would not have the slightest hesitation in accepting it in principle. I accept it, because that is why the Government is there. In a welfare State, the principal function of the Government is to find gainful employment for every able-bodied citizen of the country. So, it must be the primary function. All that I was endeavouring to say was that merely incorporating it here will not help. But I accept it in principle. That is why this commitment has been made. At the proper time, it will be written down in the Constitution also. But if you think that by its mere inclusion something will happen, it will not serve any purpose... (Interruptions) Various things will have to be considered, various preparatory steps have to be taken. It is only after the completion of the preparatory steps that such a right as a fundamental right, as a positive obligation on the State, can be usefully written down. I accept it in principle... (Interruptions).

MR. DEPUTY-SPEAKER: If everybody gets up and keeps on harsunging the Minister, how can be proceed? Either you allow the Minister to reply, in which case you can get something out of him, or otherwise, neither you go on record now are you allowing the Minister to reply.

AN HON. MEMBER: We want to get a commitment from the Minister.

MR DEPUTY SPEAKER Not in this way you cannot gherao a Minister in this way and get a commitment

SHRI VAYALAR RAVI According to you, if you include the right to work as a fundamental right, it will not be an obligation on the State

SHRI SHANTI BHUSHAN If you read it carefully, you will also come to the same conclusion. So far as article 19 is concerned, when it creates a right, it does not mean that it casts an obligation on the State to provide it. Otherwise under article 19(1)(g), the State has to arrange for the occupation, trade or business to everybody. But that is not the object of article 19(1)(g). It is a negative article. Articles 13 and 19 are negative Fundamental Rights namely, placing restrictions on the powers of the State not to come in the way of persons carrying on their occupation trade or business, except reasonable restrictions. It would merely mean that the State would not be entitled to come in the way of persons working. That would be the only effect of what has been proposed by this amendment. (Interruptions) That would not be achieved by the amendment that is proposed. That is all I am pointing out, the amendments which have been proposed will not have that effect.

SHRI DINEN BHATTACHARYYA
Then you delete all the fundamental rights

SHRI P VENKATASUBBAIAH (Nandyal) You have mentioned that the incorporation of right to work in the Fundamental Rights does not mean that the State has to provide gainful employment. If that is so, what prompted you to put it in the election manifesto?

SHRI SHANTI BHUSHAN So far as the statute is concerned, it has to be constituted in a particular manner. So far as the election manifesto is concerned, it is drafted in popular language. If you say that the right to work is a fundamental right, it only means

that a person will have the right to work if he likes. That does not mean (Interruptions) You are free to come to your own conclusion. But I am telling you the constitutional position. If you are not satisfied with that, you are welcome to think that way.

बी भारत मूल्य (नैमीताम) धनर सरकार कपके को बरखन में नहीं रखना चाहती है तो बहुमत को निवेदन सिद्धांतों में रख दे, जिन के बारे में सरकार की मजबूती नहीं है कि बहुमत बाबकीमेहन को पूरा ही करे लेकिन उस मोल को एबीव करने के लिए सरकार कोबल कर सकती है।

को शांति भूषण डाइरेक्टिव प्रिस्विस्त् में तो बालेही है।

DR HENRY AUSTIN (Eranakulam): He says it is a right only in the sense that if he is able and willing he can work in that sense, everybody breathes. Everybody drinks water. But no provision is made in the Constitution that everybody can breathe. Everybody can drink. Then why should he specify about work? By providing in the Constitution, it is meant that the State is looking in terms of an obligation you do not guarantee, you at least give him some hope that able and willing persons will be able to get "if you want, you work" (Interruptions)

18 00 hrs.

SHRI SHANTI BHUSHAN That is precisely what I am saying. If you just have it incorporated in Article 19 (1)(f), this is precisely what it would mean. Otherwise what you have in mind has to be brought in this way viz, every person will have a right to be provided by the State with gainful employment. It is in that form that it will have to be provided if you really want to do what you have in mind. (Interruptions)

MR DEPUTY-SPEAKER I am not allowing any more interjections. (Interruptions) Mr Mhalgi, this is the seventh time that you have got up. (Interruptions)

SHRI SHANTI BHUSHAN It is clear that the hon. Members were conscious of the fact that...

SHRI NARENDRA P NATHWANI (Junagarh) Mr Deputy Speaker, Sir,

what the Law Minister says is that the right of work is guaranteed under Article 21, which protects personal liberty.... (Interruptions)

An. Hon. MEMBER: That is a different matter. (Interruptions)

SHRI SHANTI BHUSHAN: What I was saying was that it seems to me that the hon. Members are aware of this and they were also conscious of the fact that at the present stage, unless all the preparatory work to which I was hinting, is not done, until the State is not in a position to really provide gainful employment to everybody . .

SHRI DINEN BHATTACHARYA: Then why did you provide it in your manifesto? (Interruptions)

SHRI VAYALAR RAVI: Why did you support them? (Interruptions)

SHRI SHANTI BHUSHAN: That is why I take it that ... (Interruptions)

MR. DEPUTY SPEAKER: I am not allowing any more interjections. (Interruptions) Nobody will go on record. (Interruptions)**

SHRI SHANTI BHUSHAN. I am grateful that the hon. Members appreciate the difficulties that are there in immediately creating a fundamental right, which will cast an obligation to be enforceable straightaway, to provide gainful employment to every able bodied citizen. That is the reason why they did not move an amendment of that kind. Shri Parulekar has moved an amendment providing for non-discrimination in the matter of property. I can assure him that so far as Articles 14 and 15 are concerned, they already provide for what he has in his mind. Because in any matter nobody can be discriminated against on the ground of sex, caste, creed and so on and so forth with the result that it is quite unnecessary.

Shri Roy wanted that so far as the right to trade or business was concerned, a restriction might be imposed: one man, one job and so on. But as the

entire House knows, all the fundamental rights guaranteed by article 19 are subject to reasonable restrictions. The Parliament is always competent to impose reasonable restrictions so that a persons fundamental right will not be to the prejudice of another person.

Shri Chitta Basu said that the right to trade or business should have also gone simultaneously because what he was apprehending was that, for instance, nationalisation of import trade is not possible so long as the right to trade or business is there. I would like to only remind the hon. Member that there is already clause 6(2) of article 19 which provides that nothing in this article 19 prevents the State from carrying on having a monopoly in any kind of a trade, either wholly or partially, so that his apprehension on that ground is not really justified.

Shri Deo has moved an amendment and he wanted to make a distinction between unearned property and earned property. He was willing to go along so far as unearned property was concerned, that it may not be treated as a fundamental right, but, so far as earned property of a person was concerned, he said that the fundamental right should continue to apply to it. May I pose this question for the hon. Member's consideration as to what is earned property. After all, does a person earn any property all by himself or does the society also help him in earning any property? Is it not the taxation laws, the other laws and other facilities granted by the state and the help given by other sections of the society do contribute to his acquiring some property? In no case, it is possible to say that it is the sole effort of a single individual. While the effort of an individual cannot be deprecated for any property being acquired but for him to claim that it is solely his efforts which have helped him to acquire a particular property will not be correct.

[Shri Shanti Bhushan]

Shri Mirdha has given expression to certain apprehensions. There are some hon. Members who apprehend that a fundamental right of property does not remain as a fundamental right and it is as if the concept of property itself is being destroyed. It is quite clear that the concept of property is not being destroyed. Some hon. Members have expressed an apprehension that the poor man's property will be taken away, that the poor man's clothes and other things will be taken away. If any such apprehension could be a reality, we would be negating the essential principles of democracy. In a democracy based on adult franchise, the very fact that the Government is constituted on the basis of elections, on the basis of adult franchise it is guaranteed that the interest of the poor man who constitutes the vast majority in this country cannot be taken away, cannot be affected by any Government in power.

SHRI KANWAR LAL GUPTA He is misguiding the House. Don't have political lecturing that this is democracy and all that. Is it not a fact that you are taking away the constitutional safeguard so far as the property right is concerned? Tomorrow, Mrs. Indira Gandhi may come back again. (Interruptions) Is it not a fact that the property of thousands and lakhs of people was destroyed and no compensation was paid?

SHRI VASANT SATHE He has some vested interest in property.

SHRI KANWAR LAL GUPTA Suppose you have a library, and that is taken away. What will you do?

श्री वसन्त साठे कजर लाल गुप्ता जी
की दाल में काला है ।

SHRI SHANTI BHUSHAN Apprehensions have been expressed that a small peasant's land may be taken away if the fundamental right to property is not there. If article 19(1)(f) is not there, the small peasant's property may be taken away. But article 31A is there which protects the small pea-

sant's land. It says that, so far as any agricultural land within the ceiling limit is concerned, including homestead and so on, even if it is necessary to take it for some public purpose, full market value compensation has got to be given.

SHRI KANWAR LAL GUPTA Sir, this is a very important matter so far as Delhi is concerned. You have excluded agricultural land. But what about cities where a person has only a hundred yards and there is the Urban Ceiling law. When there is an Urban Ceiling law that portion should also be excluded. Why this discrimination? I am talking about cities like Madras, Calcutta, Bombay and Delhi. Can you give any argument in that regard?

MR DEPUTY-SPEAKER Mr Kanwar Lal Gupta, you have made your point. Please take your seat.

SHRI SHANTI BHUSHAN The philosophy behind this provision is that, so far as

SHRI PRASANNBHAI MEHTA (Bhavanagar) I have a small point to make. The Urban Ceiling Act that has been passed deprives the small farmers and the middle farmers of their land or property. Because it is put under the Ninth Schedule, they cannot approach the court also. The valuation in their case is also fixed. The maximum limit is Rs 2 lakhs. The first Rs 25,000 will be paid in cash and the balance by bonds running for some years. This is a great injustice to the farmers. Therefore some remedy should be provided in the Constitution for that.

SHRI SHANTI BHUSHAN What I have been endeavouring to point out is that article 31A, which is continuing, provides that, so long as a person, a peasant, has land which is within the ceiling limits which are laid down by law, he cannot be deprived of that land unless full market value compensation is paid. It is only when a person has land beyond the ceiling limits that land alone can be taken away from him without the full market value compensation. (Interruptions) So, far

as the small peasants are concerned, I would like to make it very clear that they need not have any apprehension. No propaganda, etc. with regard to this will cut any ice with them.... (Interruptions)

So long as agricultural land is there, agricultural land is covered by Article 31A everywhere, whether it is in Delhi or whether it is in any other urban area or whether it is in the rural area. So, so long as it is an agricultural land, it is entitled to the benefit of that Article.

श्री हुकमदेव नारायण वासवः (समुद्रगो) उपाध्यक्ष महोदय, मैं संविधान के अनुच्छेद 14 के तहत एक व्यवस्था का प्रश्न उठाता हूँ। अनुच्छेद 14 में लिखा है कि देश के सभी नागरिकों को समान व्यवस्था दी जाएगी। इस विषय में हड़बंदी कानून के द्वारा किसानों की फार्मल जमीन से भी जाये, लेकिन दिल्ली जैसे नगरों में जिन लोगों की एक करोड़, दस करोड़ या पचास करोड़ रुपए का सम्पत्ति है, उन की सम्पत्ति पर हड़बंदी न हो— किसानों की सम्पत्ति पर हड़ बांधी जाये और पूँजीपतियों की सम्पत्ति पर हड़ न बांधी जाये, यह संविधान के अनुच्छेद 14 के प्रतिकूल है और उस का उल्लंघन है।

SHRI NARENDRA P. NATHWANI: The Minister has made a point that under Article 31A, land and buildings of agriculturists to a certain extent are protected. But what is his answer as Article 31A is subject to Article 31B and under Article 31B, under the Urban Land Ceiling Act, even lands and buildings of agriculturists are taken away without giving even a semblance of compensation? What about that?

SHRI SHANTI BHUSHAN: Shri Nathwani who is a distinguished jurist and a distinguished lawyer, has, unfortunately, I am sorry to say, slipped here because Article 31B itself starts with the words:

"Without prejudice to the generality of the provisions contained in Article 31A, none of the Acts and Regulations specified in the Ninth Schedule...

shall be questioned on certain grounds, so that, so far as the guarantee given by Article 31A is concerned, it applies even to those Acts which are included in the Ninth Schedule. ...

SHRI NARENDRA P. NATHWANI: I stand corrected.

SHRI KANWAR LAL GUPTA: What about my question? You have not answered it.

SHRI SHANTI BHUSHAN. If you will let me answer, then only I can answer.

Shri Ram Jethmalani has made an impassioned plea as a believer in the Marxian principles and Marxian philosophy.... (Interruptions) He has made a valiant plea that Marx would be trembling ...

AN HON. MEMBER: . . in his grave.

SHRI SHANTI BHUSHAN: ...if the Charter of the Poor contained in Article 19(1)(f) is taken away. Sir, I am for the first time learning that this Article 19(1)(f) is a charter of the poor. So far I used to believe that this fundamental rights chapter, when there was a clash between the rich and the poor, was a charter of the rich against the encroachments the poor wanted to make into that charter. But, for the first time, I am now realising that by removing this Article 19(1)(f) it will be possible for the rich to make an encroachment into the poor's rights.

So far as the poor in this country are concerned, whatever little property they have got—many of them do not have any property, a very large number of our masses do not have any property, but even the few poor that have a little property, are not in need of Article 19(1)(f) to preserve their property. Their democratic right, their right to vote, their right to elect their government is a full guarantee so far as the property of the poor is concerned.... (Interruptions)

SHRI A. BALAJANOR: Well said.

SHRI M. N. GOVINDAN NAIR (Tiruvandrum): Can I ask a clarification? In the continental law or in USA is property right....

SHRI SHANTI BHUSHAN: Are you quoting Mr. Jethmalani?

SHRI M N GOVINDAN NAIR In USA or in any of the continental countries is property right a fundamental right?

SHRI SHANTI BHUSHAN It is there Nobody shall be deprived of his property without due process of law In due process courts have created lots of rights—eminent domain market value position, public purpose everything has been brought in (Interruptions)

It is a fundamental right in the sense that even if any legislation is enacted which takes away the right of a person to get full market value compensation to be deprived of his property etc unless these conditions are satisfied that legislation is liable to be struck down So far as USA is concerned, of course the position there is entirely different The poor masses which constitute the bulk of the people in this country that is not the position in USA Here the first concern has to be for the poor masses and therefore it is their interests which have to be protected So I submit 19 (1) (f) is not necessary for the poor masses to protect their interests Nobody can dare to enact a law in this country so long as adult franchise is there which will take away clothes, pen pencil and shoes of the poor people in this country

Lastly Shri Shrihan Lal Saksena referred to the controversy about reservation of seats I can only say that that has nothing to do with Clause 2 and therefore, I am not in a position to deal with that

MR DEPUTY SPEAKER Now, we take up Clause 3 Amendments may be moved

Clause 3 (Amendment of article 22)

SHRI SOMNATH CHATTERJEE I beg to move

Pages 1 and 2—

'for lines 17 to 20 and 1 to 35 respectively substitute—

"(a) in clause (3), sub-clause (b) shall be omitted;

(b) clauses (4), (5), (6) and (7) shall be omitted" (13)

SHRI BARUSAHEB PARULEKAR I beg to move

Pages 1 and 2,—

for clause 3, substitute—

"3 In article 22 of the Constitution clauses (4), (5) (6) and (7) shall be omitted" (35)

SHRI A K ROY I beg to move
Pages 1 and 2,—

for lines 17 to 20 and 1 to 35 respectively substitute—

clause (4) shall be omitted" (54)

SHRI SHAMBHU NATH CHATURVEDI I beg to move

Page 2, line 6,—

for 'Provided that an' substitute 'and such (81)

Page 2, line 10,—

omit further (82)

SHRI CHITTA BASU I beg to move

Page 1—

after line 16 insert—

'(a) in clause (3) sub-clause (b) shall be omitted' (89)

Page 1 and 2—

for lines 17 to 20 and 1 to 28 respectively, substitute—

(a) clause (4) shall be omitted,' (90)

SHRI VAYALAR RAVI I beg to move

Page 2 line 9—

omit "or retired" (105)

SHRI VINAYAK PRASAD YADAV (Saharsa) I beg to move

Page 1 and 2,—

for lines 19 and 20 and 1 to 35, respectively, substitute—

"(4) There shall be no preventive detention laws except during

emergency declared by the President in actual outbreak of war, aggression or armed rebellion." (231)

SHRI G. M. BANATWALLA (Ponnani): I beg to move:

Pages 1 and 2,—

for lines 17 to 21 and 1 to 35 respectively, substitute—

"clauses 3(b), (4), (5), (6) and (7) shall be omitted." (162)

SHRI R. K. MHALGI (Thana): I beg to move:

Page 2, line 9,—

for "or retired Judges of any" substitute "Judges of the appropriate" (170)

SHRI K. A. RAJAN (Trichur): I beg to move:

Pages 1 and 2,—

for lines 19 and 20 and 1 to 35 respectively, substitute—

"(4) No person who is arrested shall be detained without trial, except under orders of the Court and in accordance with the provisions of the law for more than 24 hours." (208)

SHRI KANWAR LAL GUPTA: I beg to move:

Page 2,—

for lines 10 to 13, substitute—

"Provided further that nothing in this clause shall authorise the detention of any person beyond the maximum period of six months;

Provided further that grounds of detention shall be given to each detainee within a period of one week by the detaining authority and the competent court shall have right to see the grounds of detention." (235)

SHRI RAM JETHMALANI: I beg to move:

Page 2,—

after line 35, insert—

"(c) after clause (7), the following clause shall be inserted, namely:—

(8) Notwithstanding anything contained in the Constitution, no law providing for preventive detention shall operate in respect of any citizen of India except during the period when a Proclamation of Emergency is in operation." (257)

SHRI HARI VISHNU KAMATH: I beg to move:

Pages 1 and 2, lines 20 and 1, respectively,—

for "two months" substitute "one month" (278)

SHRIMATI PARVATHI KRISHNAN (Coimbatore): I beg to move

(i) Pages 1 and 2,—

for lines 19 and 20 and 1 to 35 respectively, substitute—

"(4) No person who is arrested shall be detained without trial, except under orders of the Court and in accordance with the provisions of the law, for more than 24 hours"

(ii) Page 2,—

after line 35, insert—

"(b) clauses (5), (6) and (7) shall be omitted." (288)

SHRI A. K. ROY: Sir, I rise on a point of order. My point of order is that the way the debate is being carried out it will not take more time. If we complete it today then there can be voting also at the end of the debate.

MR. DEPUTY SPEAKER: No. It has already been decided. The voting will not be today. Now, let us start with the discussion.

SHRI A K ROY That was the procedure followed earlier

MR DEPUTY-SPEAKER I know that Perhaps you were absent from the House when the decision was taken

SHRI A K ROY I was present

MR DEPUTY-SPEAKER Then why do you want to raise it again?

SHRI A K ROY It was left over in confusion, the Speaker went away

MR DEPUTY-SPEAKER No no, Shri Somnath Chatterjee

SHRI SAUGATA ROY Kindly give preference to those who have not spoken earlier

MR DEPUTY-SPEAKER Shri. Somnath Chatterjee

SHRI SOMNATH CHATTERJEE Shrimati Ahilya P Rangnekar will speak on our behalf

श्रीमती आहिल्या पी. रांगेकर (बम्बई उत्तर-मध्य) उपाध्यक्ष महोदय मैं यह धर्मनिरपेक्षता के नाम पर रख रही हूँ। इसमें यह जो प्रिवेटिव विटेशन के बारे में कहा है (बी) यह पहले निकालना चाहिए और बाकी 4, 5, 6 और 7 जो हैं वह सब क्लॉसिकल निकालने चाहिए। मैं यह पूछना चाहती हूँ अपने ला मिनिस्टर से कि यह प्रिवेटिव विटेशन जो है यह किस से प्रिवेटिव है। अभी तक अभी भी ऐसा समय नहीं आ जब कि यह प्रिवेटिव विटेशन एक्ट न रहा हो और हमारा अनुभव है कि ये प्रिवेटिव विटेशन गैर हूँ हमें मजबूर बने और जो धर्मोपलब्ध करते हैं उन के ही खिलाफ इस्तेमाल किये गये हैं। हम ने अभी तक अभी नहीं देखा कि अभी की क्लॉसिकल पार्लियामेंट के खिलाफ इस का इस्तेमाल हुआ हो। आप धर्मोपलब्ध उस में कर क्या रहे हैं? आप केवल यह कर रहे हैं कि तीन महीने जो पुरानी गवर्नमेंट ने रखा था उस को दो महीने का विटेशन कर रहे हैं। इस में कोई आप नेहरूवादी नहीं कर रहे हैं। मैं अपना अनुभव बताती हूँ 1948 से हम हमें जेल में रहे हैं। 1948 में रेलवे हड़ताल का काल था, इसलिए जो साल तक जेल में रखा। उस टाइम भी एडवाइसरी बोर्ड का लेकिन एडवाइसरी बोर्ड जो गवर्नमेंट लिख कर देती थी उसी को मान कर चलते थे और लोगों को जेल में रखते थे। दो साल तक हर तीन महीने में यह मही कर रहे कि उन को जेल में रखते थे। स्ट्राइक नहीं हुआ कुछ भी नहीं हुआ, लेकिन दो साल तक हमें जेल में रखा गया। 1951 में जब आचार्य आर्य रचना का सवाल आया तो हम ने यह मांग की थी कि लिबरलिटिक से सिव

र स्ट्रेट्स होने चाहिए। यह मांग रखने के बाद भी एडवाइसरी बोर्ड लिखता है कि इन को जेल में रचना जारी है और मांग देने के बाद एक साल तक हम जेल में थे।

आप ने कहा कि एडवाइसरी बोर्ड में कोई कर्म किया है लेकिन जो जेल होते हैं वे सब कभी नहीं तोषते, जो गवर्नमेंट उन को रोकने करती है उस के ऊपर वे निर्भर करते हैं। इसीलिए यह प्रिवेटिव विटेशन जो है इस से आप धर्मोपलब्ध प्रिवेटिव करते हैं। धर्मोपलब्ध प्रिवेटिव करने के लिए यह प्रिवेटिव विटेशन है। आप मुझे हिस्ट्री बताए कि अभी भी प्रिवेटिव विटेशन में किसी स्मरण को रखा है? कोकोपोसा में वे रहे रहते थे लेकिन हमें मान्य है कि उन्हें बहा क्या सलुलियरें मिलती थी। बम्बई में जो स्मरण थे वे धर्मोपलब्ध रहे थे। हमें कभी बम्बई में नहीं रखा। हमारे घर से हूर रखा। लेकिन कोकोपोसा में जो भी स्मरण थे उस में से घाट रोज अपने बरो को जाते थे। इस का पता तब चला जब उनकी की बीबीया प्रेगेंट हो गई। तो यह प्रिवेटिव विटेशन स्मरण से लिफ्ट नहीं है हम को पोलिटिकल धर्मोपलब्ध करते हैं उन के लिए ही यह हमें इस्तेमाल का

आपन जा बार बार से एलमन के टाइम में चित्ला चित्ला कर कहा था कि प्रिवेटिव विटेशन नहीं रहेगा। अगर आप कीबम धर्मोपलब्ध देते हैं कीबम धर्मोपलब्ध धर्मोपलब्ध देते हैं स्ट्राइक का हक देते हैं तो प्रिवेटिव विटेशन को निकालना चाहिए क्यों कि हमें इस का इस्तेमाल इस के लिए ही कर रहे हैं। किसी को भी इस देश में प्रिवेटिव विटेशन में पकड़ना नहीं चाहिए। आप को मान्य है कि यह न युनन राइटन के भी खिलाफ है और मैं तो आप को किम्सा बताती हूँ मंत्री महोदय जरा सुनने की कृपा करें (ध्वजध्वनि)

उपाध्यक्ष महोदय इचरवैली से भी प्रिवेटिव विटेशन में जोय पकड़े गए। बार हुआ लोग से पोलिटिकल प्रिजनर्स को कि प्रिवेटिव विटेशन में पकड़े गए जबकि स्मरण से केवल वस। इसलिए इसको भी देकना चाहिए कि प्रिवेटिव विटेशन किम्से खिलाफ इस्तेमाल किया जा रहा था। यह जो एडवाइसरी बोर्ड की बात आप कहते हैं हमने देखा है कि बा लोग जो धर्मोपलब्ध के जोकि जेल में नहीं थे लेकिन उनका तीन महीने का कैफमेंशन धर्मोपलब्ध जेल में धात था। मैं आपको नाम भी देना चाहती हूँ—बी एल० बी० धांगर और बी एल० एम० नाथकर। हर तीन महीने के बाद जेल में कर्ममेंशन धर्मोपलब्ध था। इसलिए आप एडवाइसरी बोर्ड की जो बात कहते हैं, धर्मोपलब्ध सत्ता में हैं लेकिन कल आपका क्या होगा, आप कह नहीं सकते हैं। आप को एम्बिडिडल बिल ला रहे हैं उसमें धर्मोपलब्ध बैंक कर रहे हैं। स्ट्राइक करना कर्ममेंशन राइट है लेकिन धर्मोपलब्ध भी हम देखते हैं कि एम्बिडिडल बिल की स्ट्राइक हुई तो उनकी प्रिवेटिव विटेशन में धर्मोपलब्ध कर लिया। राजस्थान में एटाकिंग एनर्जी संस्थान में स्ट्राइक हुई तो उनकी प्रिवेटिव विटेशन में धर्मोपलब्ध कर लिया गया। अगर आप स्ट्राइक का कैफमेंशन राइट वैंत है और बाजू में प्रिवेटिव विटेशन रखते हैं तो किम्से धर्मोपलब्ध धर्मोपलब्ध, कीबम धर्मोपलब्ध धर्मोपलब्ध, कीबम धर्मोपलब्ध धर्मोपलब्ध का कोई धर्म नहीं रह जाता है। आप एक हाथ से कुछ देते

हैं तो हुदरे हुान से चीन सँते हैं। हुवकिए बापको प्रिवेंटिव डिटेन को निकासन बाहिए। सीता को हुदने के बाप प्रिवेंटिव डिटेन को रकने का मतलब यह है कि एक बहाने से बाप सीता का उपयोग करना बाहते हैं। अगर बाप सीता को हुदते हैं तो प्रिवेंटिव डिटेन को भी हुदना बाहिए।

SHRI BAPUSAHEB PARULEKAR:
Mr. Deputy Speaker, Sir, I have given amendment No. 33 in which I have asked for the deletion of Clauses 4, 5, 6 and 7 of Article 22. I am all in opposition to this preventive detention. The hon. Law Minister knows that during the period of election, we have not only pledged ourselves against this, but all the leaders of the Janata Party in their speeches said that this preventive detention law should go. When we were in jail, we were saying that this detention should not be there, and that if we came to power, this law would go.

18.32 hrs.

[SHRI N. K. SHEJWALKAR in the Chair]

To quote an instance, I would say that when I was in the Nasik jail, a warrant for the arrest of one Krishna Rao Gorwalkar was issued on 23rd November, 1975 and it was taken to his house. His son came out and told the people concerned that Gorwalkar was dead and gone during the month of May. (Interruptions). When I was in the Yervada jail, I saw the confirmation orders received, in respect of persons who were dead and gone in jail. That is how this preventive detention works. I have my own doubts whether Mr. Shanti Bhushan, in his individual capacity, is for preventive Detention. On this issue, whilst there was every justification for having a provision for it in the Constitution in the year 1950 when we were a newly-born nation, I think it is an insult and affront to the dignity of our nation that even after the lapse of a period of more than one generation, we have not been able to achieve the maturity of maintaining law and order without the draconian provisions of preventive detention. Human nature being what it is—because, as many friends

have said, we will not be here permanently—the misuse of the provisions of preventive detention cannot be totally ruled out, notwithstanding the so-called adequate safeguards. In his speech, the Law Minister has said that they have provided safeguards and that they have reduced the detention from 3 months to 2 months but that as a matter of principle, preventive detention law should be there. I ask the Minister whether he agrees or does not agree, on the necessity for the detention of a person without trial and without charges. Then alone your argument in your speech, wherein you had stated: I have given adequate safeguards, will prevail. Otherwise it would mean that you are also one for having preventive detention. I should say with all the emphasis at my command that this will be misused by the police. (An Hon Member: Not the police, but the ministry). I am saying that the provisions for preventive detention must be totally removed so that the citizens of India can carry on their political and other activities without any fear or apprehension of being made the victims of prevention law. If the government wants to make one exception, I may say that it may be for foreigners only, not for Indian citizens. It should be deleted. I believe the amendments moved by hon. Members are properly worded and the hon. Minister would not take the shield that the wording is not proper.

SHRI A. K. ROY: I have given an amendment for complete deletion of this clause 3. It is in this clause where the cat is out of the bag; we can know and we can see the real character. (Interruptions) Who is to bell the cat—that is the problem. I hope all the Members from this side and that side will not behave like rats and will bell the cat. The cat is sitting on the Treasury Benches. After hearing so many big things and good words and solemn promises about human rights charter, rights of minorities and what not, we have to this:

[Shri A K Roy]

anti-climax, three months had been brought down to two months. If that is your total performance reducing three months to two months what was the use of telling all those things? You should not have said all those things. (Interruptions) They have written in their manifesto repeal MISA, release all political detenus, review of other unjust laws. I know Mr Shanti Bhushan used to be a very prominent lawyer, of course he was not a Minister then. We used to hear his name from jail because he was arguing those cases. From that position he has now come to this position. What is the definition of unjust laws? He said that we should remove unjust laws. I am not talking of implementation. Police will do this thing or that thing. I say every preventive detention law is an unjust law, every detention without trial, detention without giving an opportunity to the person to defend himself is an unjust law. You are committed before the people to remove it. If you do not do it, it will be breach of trust with the people. And I think people will not forget or forgive you. Do not think that you alone are capable of instituting commissions against somebody. A time will come when somebody else also will institute commissions against you. You know what the previous government did. DIR MISA, Preventive Detention Act. That is not the last word. The last word of history is something else. I can tell Shri Shanti Bhushan that history takes special pleasure in throwing the rulers of today into dustbins of tomorrow. Be prepared for that when you come with this clause. I am glad in one sense that it is proved our contention that no class society or no class government can give total freedom to the people. After all what is the Janata Party? The Congress Party is bourgeois, landlord party, the Janata Party is kulak-traders party, that is the only difference. Not even bourgeois, they are yet to be bour-

geois. They are a traders' and 'kulaks' party with good fellows like my good friend Shri Ugrasen and some others. (Interruptions) The Law Minister is all right in stating that it is obligatory and the duty of the Government to provide work and gainful employment to the people. But no capitalist society can give it because unemployment is the lever by which they control the wage scale. If there is no unemployment, no capitalist system can run. This is the basic principle of the capitalist system.

Similarly no class society or class Government can give total freedom to the people. This intrusion of clause 3 is proof of the fact that even Mr Shanti Bhushan being Law Minister cannot provide us even *prima facie* or apparent justice. When a person is facing trial even in an ordinary court of law he does not get justice because various ways, various technicalities are there. Various pulls and pushes and connections are there. The money factor plays a big part there also and they cannot get justice. But even *prima facie* or apparent justice this system cannot provide. This exposes the very class character of the Government. I can give this advice to the Law Minister. The disparity in income, the political sources and connections with the judiciary are so much that even without resorting to this type of thing you can behind the scenes exploit and dominate over the poor. No difficulty would be there. So you need not have come with this and exposed yourself. This is my advice to Mr Shanti Bhushan that even by using your own conventional law, you can do it. Even that is sufficient. You need not resort to this kind of thing.

बी कल्याणजी (इंदौर) : अध्यक्ष महोदय, चुनावों के समय जनता पार्टी ने धीरे-धीरे हम लोगों ने यह बारा किया था कि हम किसी भी व्यक्ति को बिना मुकदमा चलाये जेलों के धक्कर बंद नहीं करेंगे। जनता पार्टी का जन्म जनतंत्र को ले कर हुआ है लेकिन आज मुझे यह कहते हुए दुःख होता है कि संविधान के 45वें संशोधन विधेयक की तीसरी क्लॉज के द्वारा

उस बाबदे के साथ बलत्कार किया जा रहा है जो कि हमने चुनाव के समय किया था। हमने जनतंत्र की बात करते हुए कहा था कि हम किसी भी व्यक्ति को बिना मुकद्दमा चलाये जेलों के धन्दर बन्द नहीं करेंगे। इसका हमने वायदा किया था।

सभापति महोदय, हमेशा यह कहा जाता रहा है कि प्रिवेन्टिव डिटेन्शन एक्ट का प्रयोग गुंडों के खिलाफ किया जाएगा। किन्तु मैं इस राय का हूँ और माननीय सदस्यो से भी कहना चाहता हूँ कि बाहे कोई गुन्दा हो, मजदूर हो, स्लेक मारफिटियर हो, किसी भी व्यक्ति को बिना मुकद्दमा चलाये जेल के धन्दर बन्द नहीं किया जाना चाहिए। जब तक यह चीज नहीं होगी तब तक आपका शासन सफल नहीं हो सकता है, तब तक आपकी नौकर-चाही मफल नहीं हो सकती है। प्रिवेन्टिव डिटेन्शन एक्ट के धन्दर मैं बड़े महीने जेल में बन्द रहा हूँ, बीस बार मैं मैं बन्द रहा हूँ, बीस के धन्दर मैं बन्द रहा हूँ। मेरा एक मात्र दोष यह था कि मैं जनता की बात करना था। इन कामन की भाव में जा किया जा रहा है बाहे उस में कितने भी सेफगार्ड क्यों न रखें आप उनका दुुरुपयोग होगा और इसको हम सिद्धान्त बिल्कुल पसन्द नहीं करते हैं। किसी भी व्यक्ति का बिना मुकद्दमा चलाए मालो जेल में बन्द किया जा सकेगा। दो महीने के बाद आपको छोड़ दिया जाएगा और पुन उसको बन्द कर दिया जाएगा। इस प्रावधान का हम सरकार ने इन्टरप्रिटेसन करके इसके लागू किया जाएगा इसका मुझ पूरा विश्वास है। सी० धार० पी० सी० का जब सन्गोशन यहाँ पर पेश कर दिया गया था उस वकत जनता पार्टी के समय सदस्यो के दबाव के कारण होम मिनिस्टर को यहाँ पर आ कर घोषणा करनी पड़ी थी कि हम इसको वापिस लेते हैं। जिस चीज को खत्म होना था जिस चीज को बिल्कुल भी लागू नहीं करना था आप उसी का दबाव लागू कर रहे हैं। इन तरह से जा आप कर रहे हैं इसको बिल्कुल माना नहीं जा सकता है। जिस प्रकार से एक महिला पार्टी गर्भवती नहीं हो सकती है उसी प्रकार से स्वतन्त्रता पार्टी नहीं हो सकती है, अगर आप स्वतन्त्रता के धन्दर विश्वास रखते हैं तो कितने ही लोग इस तरह की धाराओं के धन्दर बन्द रहे हैं और कितने ही सालो बन्द रहे हैं इसको आप घण्टी प्रचार से जानते हैं। मैं चेतावनी देना चाहता हूँ कि जनता पार्टी के प्राथमिक मता सचय में जो कुर्सी पर रहेंगे वे सत्ता का विरोध करने वालो को जेलों में जकूर बन्द करेंगे। सभी जनता पार्टी के सदस्य सदस्यो को मैं चेतावनी देना चाहता हूँ कि उनको घावाहू करना चाहता हूँ कि अगर उनको बिना मुकद्दमा चलाए जेलों में बन्द होना है तो वे इस प्रावधान का समर्थन करे अन्यथा वे विरोध करें।

मुझे खुशी होती अगर पार्लियामेन्टरी पार्टी की मीडिय बुलाई जाती, उसको कान्फिडेंस में लिया जाता और उस में इस पर विचार होता। जिस प्रकार से सी० धार० पी० सी० में सन्गोशन के सवाल को ने कर पार्टी के धन्दर पार्टी के सदस्यो का

दबाव रहा और सरकार को मजबूर हो कर उसका वापिस लेना पड़ा उसी प्रकार से यहाँ भी हो सकता था।

हमारे कम्युनिस्ट मित्र यहाँ कीडम थाफ एक्सप्रेशन और कीडम थाफ स्पीच की बड़ी बड़ी बातें करते हैं। मैं कहना चाहता हूँ कि जितना यह जरूरी है उनका ही राइट टू वर्क भी जरूरी है। मैं उनको कहना चाहता हूँ कि सांसजेनिस्तीन और सञ्चारोव को कस से देश निकाला दिया गया उसको भी उनको कडैम करना चाहिए। दो लेखको को बहा पर लेखन कार्य करने पर नौ साल और तेरह साल की सजा दी गई है, इसको भी हमारे कम्युनिस्ट मित्रो को कडैम करना चाहिए। बोली और रोटी बोनों की जरूरत है। धाव जनता पार्टी ने जो राटी देने का वादा किया था वह तो दी नहीं जा रही है उसके साथ साथ बान्नी भी छीनी जा रही है हमने। मैं कहना चाहता हूँ कि यह जो तीन क्लाइ हैं जो बि हमारी स्वतन्त्रता का हनन करने वाली हैं जो हमारी बोली को छीनने वाली हैं, हमें जेल में बन्द कराने वाली हैं, जिस में धन्दर बिना किसी कारण बताए हमें जेलों के धन्दर ठस दिया जाएगा उसका हमें सख्त विरोध करना चाहिए। मैं धावा करता हूँ कि शान्ति धूषण जो इस क्लाइ में जो प्रावधान उन्होंने कर रखा है उसको हटाएंगे पार्टी को कान्फिडेंस में लेंगे। अगर ऐसा नहीं होगा है तो बहुत से समय सदस्यो की यह राय है और सायद हो सकता है कि बाध्य हा कर उनको या तो वाटिंग के समय एबस्टेन करना पड़े या फिर इसके विरुद्ध मत देना पड़े। इस बान्म मैं कहना चाहता हूँ कि पार्टी को आप कान्फिडेंस में से। मसे माफ बरे आपन पार्टी को कान्फिडेंस में नहीं लिया है और आपको पार्टी का कान्फिडेंस में लेना चाहिए था। तभी इसका कुछ हल निकल सकता था।

SHRI CHITTA BASU I rise to express my strong views against article 22 which, if you permit me, I must say is a blot on the Constitution of our country Maintaining preventive detention is nothing but the negation of the rule of law I think you are one of those who want to restore the rule of law in the country

SHRI C K CHANDRAPPA Only to speak

SHRI CHITTA BASU I am inclined to correct myself and accept Chandrappan's view that you are interested only to speak about the rule of law, and not to implement it, not to translate it into action The preventive detention law in the past has always been used against democratic movement I am one of those who have been victims of this preventive detention law—I do not mean myself

[Shri Citta Basu]
alone, but many of us; many on this side have been victims of the preventive detention law in our country. In accordance with the electoral promise given by the Janata Party, this preventive detention law should go away. But, unfortunately it is being re-introduced. While it was assured that there would be no preventive detention law, now the only change which has been made is that the period of detention has been reduced from three months to two months.

SHRI RAM JETHMALANI Even that is not right, that period is only for referring it to the Advisory Board.

SHRI CHITTA BASU The Advisory Board will merely examine the report given by the police officer, or the bureaucrats. Naturally, as in the past, the Advisory Board would generally advise the continuation of the detention, without going into the facts or examining the facts. So, the provision about the Advisory Boards does not materially change the situation. These Advisory Boards were there in the past, they will be there in the future, but we do not expect any material change in the decisions of the Advisory Boards. Of course, it is mentioned here that the Advisory Boards will consist of sitting Judges or persons who are qualified to be appointed as Judges, but that does not mean any change.

The question before the Government is whether the ordinary laws of the country are not sufficient and adequate enough to curb the economic offences, or offences likely to be committed by anti-social elements. I am glad to note that many members, particularly Shri Jethmalani, have eloquently established this fact that there are adequate provisions in the ordinary laws of the land by which the anti-social elements and economic offenders can be firmly dealt with.

If that is the position, then the question arises why the preventive detention law is being retained. The only purpose is to apply it against

democratic movements, against the parties of the opposition. This is quite clear. Even under the Janata Government, this kind of preventive detention law was enacted recently in Madhya Pradesh, not to curb the activities of anti-social elements, not to curb economic offences, but to deal with the strikers of the State Electricity Board. I have a chart with me which shows that even today there are six different States in the country, which have got preventive detention laws. They can have preventive detention laws only because of the existence of article 22 in the Constitution of the country. This becomes a derivative source. Because of article 22, the State Legislatures are entitled to have this kind of preventive detention law.

My amendment seeks to remove that particular provision which provides for the preventive detention laws from the Constitution itself. I hope the hon. Minister will remove this blot from the Constitution itself and ensure the rule of law and since you are not permitting me, I am not extending my speech. I think the hon. Minister will do this in implementation of the electoral promises.

MR CHAIRMAN Mr Vayalar Ravi

SHRI VAYALAR RAVI: Mr Saugata Roy will speak.

MR CHAIRMAN Yes, Mr Saugata Roy.

SHRI SAUGATA ROY Before I start speaking, I would like to say that we expect that in calling the names you will give preference to those who have not been called earlier. I am sorry that that practice has not been followed. It will be better.

SHRI DINEN BHATTACHARYA: Why not serially?

SHRI SAUGATA ROY: One man whose name is not in the amendment list has been called.

MR CHAIRMAN, I may say, not one, there are many who have been

called. There is a list with me already and I am proceeding according to that. (*Interruptions*).

SHRI VAYALAR RAVI: We have given fifteen amendments. We can speak about hundred times. Don't bother.

MR. CHAIRMAN: Mr. Saugata Roy.

SHRI SAUGATA ROY (Barrack-pore): I would like to speak about clause 3 of the 45th Constitution Amendment Bill and I would like to express my personal views on this matter. This clause seeks to amend Article 22 of the Constitution and give somewhat a new shape to the preventive detention law. I want to say that on this question I feel very strongly, personally, that preventive detention law must go in this country. The Law Minister has made a very good beginning by belatedly repealing the MISA which was a much hated Act and against which the people of this country voted unequivocally. But as long as Article 22 remains in the Constitution, the fundamental rights given in Article 29 will never be fulfilled and that is why, it is my strong view that though we have passed thirty years as independent India, it is surprising that in this country there is a logic, the administrators logic. The Congressmen who fought for the freedom, when they became the rulers, when they framed the Constitution, they brought in this clause of preventive detention in the Constitution. The Opposition people were jailed. The Janata Party people were in jail due to preventive detention laws. But when they become the rulers, they bring in, they keep in some form or other the very same preventive detention laws. I say the Emergency has been a dramatic experience for this country, a very difficult experience for a country which is only thirty years old as a free country and after thirty years, one chapter has been closed. That chapter has been closed with the end of the Internal Emergency in March 1977 and a new chap-

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ter has started. A multi-faceted character is emerging in the whole of the country. It can be now taken for granted that.

AN HON. MEMBER: It is now 7 O'clock. He can continue tomorrow.

MR. CHAIRMAN: Let him finish. He will take two or three minutes more.

SHRI C. K. CHANDRAPPAN: Half an-hour discussion has to be started.

MR. CHAIRMAN: I know that (*Interruptions*)

SHRIMATI PARVATHI KRISHNAN: The Speaker has said that those do who did not participate in the first reading, can take more time now.

MR. CHAIRMAN: In two minutes he would finish.

SHRI VAYALAR RAVI: The rule is that we must take half-an-hour discussion at seven.

MR. CHAIRMAN: Mr. Saugata Roy, how long will you speak?

SHRI SAUGATA ROY: I will take another seven minutes. I have spoken only for about three minutes.

MR. CHAIRMAN: No, you have taken five minutes.

SHRI C. K. CHANDRAPPAN: On a point of order. Unless the House decides, you cannot change the half-an-hour discussion from the scheduled time. It is stipulated in the order paper that at 7 O'clock we will take up the half-an-hour discussion.

19.00 hrs.

MR. CHAIRMAN: I am not changing; it is a question of one or two minutes.

PROF. P. G. MAVALANKAR (Gandhinagar): Since my hon. friend wants to speak for a little longer time he may be allowed to continue tomorrow.

MR CHAIRMAN That is why I asked him, for how long he was going to speak, if he could finish in one or two minutes

SHRI SAUGATA ROY I want to speak for a few minutes more.

PROF P G MAVALANKAR He cannot be prevented from speaking on the preventive detention

MR CHAIRMAN: He may continue tomorrow

19 02 hrs.

HALF-AN-HOUR DISCUSSION

SUGARCANE IN FIELDS

MR CHAIRMAN We now take up the Half-An-Hour Discussion Shri Ram Dhari Shastri

श्री रामधारी शास्त्री (पयरोला) मध्याह्निक सत्र, 17 जुलाई, 1978 को एक प्रश्न पूछा था, जिसका एक भाग यह है

“(ब) क्या लगभग 20 लाख टन गन्ना सूख रहा है, क्योंकि इस की कतल सभी तक खेतों में पड़ी है, और

(ग) यदि हाँ, तो क्या सरकार का विचार इसके लिए किसानों को मुआवजा देने का है और यदि हाँ, तो कितना ?”

इस प्रश्न का उत्तर सरकार की ओर से यह दिया गया

“(ब) केन्द्रीय सरकार ने इस प्रकार का कोई सर्वेक्षण नहीं कराया है और इस लिए बिना कटी गन्ने की कतल की कुल मात्रा के बारे में ठीक-ठीक अनुमान उपलब्ध नहीं है। तथापि, उत्तर प्रदेश और हरियाणा की राज्य सरकारों से जब सभी कैक्टोरियाँ पिराई का कार्य बन्द कर देंगी, तब अन्तिम स्थिति बताने के लिए कहा जा रहा है। इन राज्यों में समस्या अपेक्षाकृत गम्भीर बताई जाती है।

“(ग) केन्द्रीय सरकार अबका राज्य सरकारों की ऐसी कोई योजना नहीं है कि जिन गन्ना उत्पादकों का गन्ना बिना बिके रह जाता है, उन्हें उसका मुआवजा दिया जावे।”

मैं आप के माध्यम से यह कहना चाहता हूँ कि इस क्षेत्र में अगर कोई सब से बहकिस्मत है, तो वे गाँवों में बसने वाले 80 प्रतिशत किसान हैं, और उन का एक हिस्सा है गन्ना किसान। इस

क्षेत्र से 288 छोटी बड़ी बीनी मिलें हैं और सात हजार से ज्यादा खण्डसारी की इकाइयाँ हैं। उत्तर प्रदेश, बिहार, गुजरात, महाराष्ट्र, कर्नाटक, आन्ध्र, तमिलनाडु, केरल, पंजाब, हरियाणा और मध्य प्रदेश की यह मुख्य नकदी फसल है। उत्तर प्रदेश में 8½ प्रतिशत भूमि में गन्ने की खेती होती है, पश्चिमी उत्तर प्रदेश में 20 प्रतिशत भूमि में गन्ने की खेती होती है और एक जिले, मुक्तनगर, से 50 प्रतिशत जमीन में गन्ने की खेती होती है। यह रिपोर्ट है।

इन साल की स्थिति यह है कि केवल उत्तर प्रदेश में 50 लाख टन गन्ना खेता में खड़ा है जब उत्तर प्रदेश के केन कमिशनर से हमारी बात हुई तो उन्होंने कहा कि 14 घण्टों तक कुछ मिल चलती रहेगी और उसके बाद भी 20 लाख टन गन्ना खेता में बच जायेगा। उत्तर प्रदेश का 50 लाख टन गन्ना वहाँ के भाव के हिसाब से 69 करोड़ रुपये का गन्ना है जो खेता में खड़ा रहे, और उसका कोई पुरमान हान्य नहीं है। मध्य प्रदेश में भी कुछ जगह गन्ना खड़ा है। कर्नाटक के हमारे मित्रों ने बताया है कि वहाँ भी गन्ना खड़ा है। इन प्रकार कुल मिला कर एक धरम रूप से ज्यादा का गन्ना खेता में खड़ा है।

सरकार ने कपड़े बीनी या जूट के मशीन कारखानों का बराबर प्रोत्साहन दिया है। उनकी भावाज को वह सुनती है। मगर जब गन्ने पर आधारित कराइयाँ किमान नबाह और बर्बाद हो रहे हैं, तो उन को मुआवजा देने के बारे में सरकार का जवाब है कि गेनी बोर्ड याजना सरकार के विचारधीन नहीं है। मैं कहना चाहता हूँ कि अगर जनता सरकार किसानों की सरकार है, तो उसे यह सोचना पड़ेगा कि इतनी बड़ी तादाद में जिन किसानों को नुकसान हो रहा है, उनके बारे में क्या किया जाए।

यह क्यों हुआ ? इसके लिए अगर कोई जिम्मेदार है, तो भारत सरकार जिम्मेदार है। आज खेता में 8 जा गन्ना खड़ा है उसका कारण यह है कि सरकार को पहले से जानकारी थी कि इन साल गन्ना पिछले साल की अपेक्षा 15 प्रतिशत से 20 प्रतिशत ज्यादा है। उसका बाहिर यह था कि—जो पन्नी सरकारों ने भी दिया है वह मिल-मालिकों को एकमात्र हफ्ते में 17½ परसेंट छूट देने की घोषणा एकदम से करती, मगर उसने नवम्बर में की। नवम्बर में घोषणा की तो मिलें दिसम्बर में खाली। एक महीना सवा महीना बाद में खाली और अगर साथी इन के ऊपर इतनी हावी है, ये बड़े बड़े मिल मालिकों के प्रभाव में इस तरह कि उन के बचाव में धा कर इन्होंने बीनी मिलों की तो छूट दे दी लेकिन साढ़े सात हजार जो खानसारी की इकाइयाँ हैं वेग में जो छोटी छोटी इकाइयाँ हैं जो बीनी पैदा करती हैं उन को इन्होंने कोई छूट नहीं दी। यह कहा कि यह ठीक चल रही होगी। जब बहुत प्रेरण पड़ा, गन्ना सूखने लगा,

गुड़ का कोई पुरसाहाय नहीं रहा, सारी इकाइयाँ बन्द होने लगी, धकेले, उत्तर प्रदेश में आई हजारा इकाइयाँ बन्द हो गईं, सब फरवरी के महीने में इन्होंने छट की घोषणा की। वो महीना पीछे किया मिलों की धपसा। पश्चिमोत्तर प्रदेश में 38 प्रतिशत गन्ना केवल मिलों में जाता है, 62 प्रतिशत बाह्यसारी इकाइयों में जाता है। नतीजा यह हुआ कि गन्ना बिका पाच रुपए, 6 रुपए निक्टल और शबरीन रुपए निक्टल भी कोई पूछने वाला नहीं है। गन्ना खेतों में खड़ा है।

दूसरी गलती इन्होंने क्या की? सरकार ने सब से पहले घोषणा की कि हम गुड़ का निर्यात करेंगे। मगर यह घोषणा ज्यादा धक्काबारी से आई उसके तीसरे दिन बन्द कर दिया गया। हम बनाया गया कि प्रधान मंत्री की नहीं चाहते क्योंकि इस से देश में गुड़ महंगा बिकेगा और गुड़ खाने वालों का सस्ता गुड़ देने के लिए इसे रोक दिया गया। इस का नतीजा यह हुआ कि जो देश गुड़ हम से खरोवते थे उन्होंने दूसरी जगह से अपनी जरूरत पूरी की और हमारा गुड़ सड़ रहा है गोवाधो में, उसका कोई पुरसाहाय नहीं है। हमारे यहां से बाजार भी चला गया और किसान नबाह हो रहा है। यह स्थिति सरकार ने पैदा की है। इसलिए मैं आप के माध्यम से यह कहना चाहता हूँ कि इस की सारी जिम्मेदारी सरकार की है। सरकार ने यह बीमारी पैदा की है। आज खेत में गन्ना खड़ा है और केवल गन्ना खड़ा नहीं है बल्कि जो गन्ना बिक गया उस का सौ करोड़ रुपया बकाया है। यह 4 जुलाई, 1978 की एकोनामिक टाइम्स की खबर है और इसे जानकारी भी है कि सारे देश में सौ करोड़ से अधिक रुपया आज भी मिलों के जेबमें बकाया है। किसान की कुर्की हो रही है सरकारी बकाये में मगर यह रुपया विलाने की कोई व्यवस्था सरकार नहीं कर रही है। इसलिए मेरा निवेदन है कि सरकार को इस पर सोचना चाहिए, सरकार सारे गन्ने का तख्तीनाम करण और जितना गन्ना हो, किसानों को सरकारी रेट से उस का मुआबजा दे, तब आकर यह गन्ना उद्योग और चीनी उद्योग चल सकेगा बरना आपे चल कर किसान गन्ना बोयेगा नहीं।

एक बात और है। मैं समझना था कि जब एक साल के बाद इन को समझ आई होगी। मगर सब से खराब दिन यह है, ब्लैक डे आज का है जो इन्होंने आज यह घोषणा कर दी कि जब चीनी की कर दी गई, जब चीनी पर कोई नियंत्रण पहली धक्कामुक्काम से नहीं होगा। यह घोषणा आज धक्काबारी में जा गई। मैं तो यह कहना कि यह इतना सीरियस मामला है कि इस से सारे देश में काफी योग्य प्रभावित होंगे। हो सकता है कि पूरे की बहुत सी मिलें बन्द हो जायें। उत्तरी भारत की जो छोटी छोटी मिलें हैं वह बन्द हो जायेंगी। माननीय मंत्री जी गन्ने के एकसपट्टे समझे जाते हैं, मैं उन से कहना चाहता हूँ कि 12 सी टन

से कम की जो पैन्टींग है इसे वह उनको बचावेंगे। वह बरबाद हो जायेंगी। वसिष्ठ की जो मिलें हैं उन की रिकवरी साढ़े म्यारह और बाह्य परसेंट है जब कि पूरे की जो पुरानी मिलें हैं बिहार और उत्तर प्रदेश की जिन की संख्या धावें के करीब है उन की रिकवरी भी प्रतिशत या साढ़े नौ प्रतिशत है। उनका जब बुला मुकाबिला होता तो वह मिलें बन्द हो जायेंगी और नतीजा यह होगा कि किसान उस से पिटेगा। आज ही यह स्थिति है।

आज चीनी की इन्होंने डी-कंट्रोल किया। जब हम लोग कहते थे कि गुड़ न, पलों के चलने के पहले और गन्ने की पैदाई के पहले कि डी-कंट्रोल कर दीजिए और इस तरह की व्यवस्था कीजिए कि चीनी तीन रुपए किलो के हिमाब से बिके, न रामान पर रहे न कुछ रहे और उस के रिलीज का सिस्टम अपने हाथ में रखिए तब नहीं किया और जब इन्होंने रिलीज का सिस्टम भी अपने हाथ में नहीं रखा, फी कर दिया बड़े बड़े मिल मालिकों के दबाव में धा कर जिस का नतीजा यह होगा कि सारी चीनी बाजार से भाएगी। हमारे देवरिया जिले में 2 रुपए पचाम पैसे किलो चीनी तो योंही बिकती थी, जब वह चीनी दो रुपए से कम में बिकेगी। बड़ी बड़ी मिलें जो देश में इनी गिनी तीस पैंतीस हैं वह दो बुलहाय हो जाएंगी। मगर बाकी सारी मिलें बरबाद होगी। जिसका नतीजा होगा जो सौ करोड़ रुपया किसानों का बाकी है वह मिलेगा नहीं। मिलें बरबाद हो मीलाम हो उन का कोई पुरसाहाय नहीं है।

तो मगर लोकी के दबाव में जो सरकार यह कर रही है मैं सरकार को चेतावनी देना चाहता हूँ। यह कोई साधारण बात नहीं है जिस को आप न कर दिया बिना सोचे समझे। धक्का नहीं दिया आप ने किसी को। जिस तरह से पुरानी सरकार करती रही है कुछ बोड़े से धक्कासरी की मदद से जो बाहरी थी धाम तब कर देती थी उसी तरह से आप ने किया बैठे बैठे जब से जूरत तो यह किया कि बकर स्टॉक नहीं रखेंगे। चीनी इस साल सब से ज्यादा पैदा हुई है। पिछले साल 16 लाख टन चीनी बची हुई थी जब मिलें चली। इस साल सरकारी तख्तीनाम के मुताबिक मिलों के चलने के पहले करीब 33 लाख टन चीनी रहेगी। तब क्या होगा मन्डार का? इसका मन्डार मैं नहीं रखूँगी क्योंकि तब चीनी का बाजार भी है वह ठीक रहेगा और मैं उसका टेम्प्लराईजेशन कर सकूँगी लेकिन आपने पूंजीपतियों को छुट दे दी कि जितना बड़ा मिल मालिक है वह सारे और भाए और किसानों के नाम पर चलने वाली जनता सरकार, जनता सरकार के मंत्री मोज करें।

[बी राजवारी वाली]

मैं आपसे सम्मेलन से दो तीन मुद्दाएं देना चाहता हूँ। अगर आप चाहते हैं कि यह देश रहे, इस देश की जनता रहे, किसानों के नाम पर मोट लेने वाले रहे और उनकी सरकार रहे तो सबसे पहला काम आप यह करें कि सारे देश में इस बात का लक्ष्य बनाया जायें, सेंट्रल टीम भेज करके, कि कितना गन्ना बाकी है और उसका मुद्दा क्या है। कोई कानून पहले से ही क्यों नहीं बनाया जाता, गन्ना मुद्दाबिना देने का कानून क्यों नहीं है इतनी बड़ी टीम आप के लिए? आप इसका जवाब दें।

दूसरी बात यह है कि पिछले साल तो आपने किसानों का धरमो रुपया नष्ट कर दिया लेकिन इस साल आप मेहरबानी करके ऐसी व्यवस्था करके कि मिलें नवम्बर के प्रारम्भ में भ्रमण चल जायें। जो भी छुट की घोषणा आपको करनी हो वह कम्प्यूटर के द्वारा तक कर दीजिए लेकिन नवम्बर में निश्चित रूप से मिलें गान्धु हो जायें। तभी जा कर किसानों का कल्याण हो सकता है।

थीनी के निर्वात के सम्बन्ध में मैं फिर कहना चाहता हूँ कि पिछले साल आपने गन्नी की, गुड़ के निर्वात को रोक कर आपने पाप किया, किसानों के साथ विश्वासघात किया, मेहरबानी करके उसका आप भूल जायें लेकिन धरमो साल के लिए सावधान रहें। थीनी और गुड़ के निर्वात के लिए आप पहले से व्यवस्था करें, पहले से ही उन देशों से आप सम्बन्ध स्थापित करें।

गन्ने के भाव के सम्बन्ध में एक बात और कहना चाहता हूँ। किसानों के साथ इनका बड़ा मोबा भाव्य कोई दुष्मन सरकार भी नहीं कर सकती थी। आपने कह दिया कि 10 रुपए पिचटल गन्ने का भाव होगा। इस साल भी 13 रुपये 50 पैसे गन्ने का भाव उत्तर प्रदेश में मिल रहा था, 12 से 50 पैसे बिहार में मिल रहा था और 15 से 40 का भाव पंजाब के कुछ हिस्सों में मिल रहा था लेकिन आपने बिना किसी पार्लमेंट के मेम्बर से पूछे, बिना किसी की राय लिए हुए हम रुपए पर किसानों को मिल गान्धु को हाथ बेच दिया। वह कितना खतरनाक काम हुआ है। आप इस घोषणा के पहले सरकार के बजट के बारे में सोचिए कि अगर वही हाथ रहा तो क्या होगा? इसलिए मैं कहना चाहता हूँ कि इन तमाम बातों को आप ठीक से मोट रहें और उसके नृताधिक अपनी वापसी बनायें।

कृषि और विपदाई संस्थान में राज्य मंत्री (श्री जगन् प्रताप सिंह): माननीय सदस्य ने कुछ बातें तो जो बर्ष बीत रहा है उसके विषय में कहीं और कुछ बातें, जो धाने वाला बर्ष है उसमें थीनी गीति के बारे में कहीं। जहाँ तक धाने वाले बर्ष का प्रश्न है, सरकार की तरफ से इस सदन में चाहे कस घोषणा होगी और उसके पूर्व सेरे लिए कुछ कहना उचित नहीं है। इस समय मैं केवल इतना ही कह सकता हूँ कि समाचार-पत्रों में जो प्रकाशित हुआ है, तीन बार समाचार-पत्रों में, उसको आप देखें तो उसमें कम्प्यूटेशन पायमेंट है।

इसलिए सरकार की घोषणा के पहले आप कोई टीका टिप्पणी न करें। पहले सरकार की घोषणा हो जाने दें उसके बाद उस पर हम विचार कर लेंगे।

जहाँ तक पिछले बर्ष की बात है, माननीय सदस्य ने दो-तीन आरोप लगाए हैं। एक आरोप तो यह है कि जो स्थिति पैदा हुई उसके लिए वर्तमान सरकार जिम्मेदार है। दूसरा आरोप यह है कि गन्ना बहुत ज्यादा खेतों में खड़ा है और उसका मुद्दाबिना सरकार की ओर से मिलना चाहिए। जहाँ तक जिम्मेवारी का प्रश्न है, मैं कहना चाहता हूँ कि जो गन्ना धनी पैदा गया है वह जनवरी, फरवरी, 1977 में बोया गया था यानी इन सरकार के धाने के पूर्व। तब तक फसल बोई जा चुकी थी और वह इतनी ज्यादा बोई जा चुकी थी कि मुख्य कठिनाई जो है वह प्रोसेस-प्रोब्लम की है। केवल दो बर्षों के धन्वर करीब 2.3 फीसदी गन्ने की पैदावार बढ़ी है। अब इतने गन्ने की पैदावार के बावजूद हमन उस की ज्यादा से ज्यादा खपत करने की कोशिश की है।

मैं यह भी बताना देना चाहता हूँ कि गन्ने की खपत दो ढंग से होती है। एक ताबड़ी बड़ी फैक्ट्रियों में पिराई होती है और कुछ घन खादकारी में जाता है लेकिन बड़े घन का गुड़ बनता है। जहाँ तक बड़े कारखानों का मवाल है, हमने पिछले बर्ष की प्रेषणा समग्र 20 लाख टन ज्यादा गन्ने की पिराई करवाई है जब कि पैदावार केवल 18 लाख टन ज्यादा हुई है। जितनी घटिक बढ़ि हुई थी, उस का फैक्ट्रीयों के द्वारा मवात करने की कोशिश की और उन में सफलता भी मिली। मैं कुछ आंकड़े भी पढ़ना चाहता हूँ। जहाँ तक बड़े कारखानों की जिम्मेवारी का सवाल है, वहाँ जो केन यूनिवर्स है, उन्होंने 202 लाख टन गन्ना धाकर किया मिला जो और उन क मुकाबले में 204.5 लाख टन गन्ना पैदा गया। बिहार में मिक 12.7 लाख टन गन्ना धाकर किया गया था और उस क मुकाबले में 31.18 लाख टन पैदा गया, हरियाणा में 18 लाख टन धाकर किया गया था और पंजाब में 18 लाख टन पैदा गया, पंजाब में जिनका धाकर किया गया 10.2 लाख टन उतना ही पैदा गया। हम प्रकार से पूरी लिस्ट में प्रगर जाएं, तो इस नतीजे पर पहुँचते हैं कि जो सोदा हुआ था गन्ना सप्तायम और कारखानों के बीच, उन से कुछ ज्यादा ही गन्ना कारखानों ने पैदा है।

मैं यह भी इस बात से सिद्ध करना चाहता हूँ कि पिछले बर्षों में कितने प्रतिशत गन्ना बड़े मिलों को जाता है, वह आप देखें। उस के आंकड़े इस प्रकार हैं—

सन्	फीसदी
1973-74	39
1974-75	33.6
1975-76	29.8
1976-77	31.7 और
1977-78	39

में यह सिर्फ इसलिए कह रहा हूँ कि एक प्रवास हुआ है लेकिन इस प्रवास के बावजूद भी अगर बागवानी और गुड़ बनाने बागों में पिछड़ी नहीं की, तो उस की कोई जिम्मेदारी भारत सरकार के ऊपर नहीं है। हम केवल प्रागेनॉइज्ड सेक्टर की जिम्मेदारी ले सकते हैं। हम ऐसे पदाधिकारी की जिम्मेदारी ले सकते हैं जो नष्ट न होने वाले हों। भाव भाव हम से गुड़ और बागवानी के बारे में कहते हैं, अगर भाव बावल हुआ होता या गैह, अगर हुआ होता या कोई ऐसी बागवानी जिस को सुरक्षित रखा जा सकता है, तो सरकार अवश्य किसानों के लिए धाने बढ़ कर कुछ नुकसान उठा कर भी खरीदती लेकिन गुड़ को रखा नहीं जा सकता है और गुड़ बनाने वालों ने जब कीमत बहुत गिर गई तो उस को बनाया और अब यह आरोप लगाया जाता है कि सरकार ने उस को एक्सपोर्ट नहीं करने दिया। श्रीमन्, मैं बताना चाहता हूँ कि पिछले 10 वर्षों के आकरे आप देखें तो पता चलेगा कि किसी एक वर्ष में भी 10,000 टन से ज्यादा गुड़ का निर्यात भारत से नहीं हुआ। 90 लाख टन इस देश में बनता है, ता उसके मुकाबले में अगर 10,000 टन बचा जाए, या न जाए तो कोई फर्क पड़ने वाला नहीं है। अब जहाँ तक मूल्यो का सम्बन्ध है, गुड़ का निर्यात बिल्कुल असम्भव है क्योंकि दुनिया के बाजारों में घाज चीनी 1-30 रुपए प्रति किलो के हिसाब से बिक रही है। अगर गुड़ बहुत विदेशों में जाएगा, तो 1-30 रुपए प्रति किलो से कम नहीं होगा। जब उसी भाव पर गुड़ और चीनी दोनों बिकेंगे तो आप स्वयं साच सकते हैं कि लोग चीनी चाहेगा या गुड़ चाहेगा। इस प्रकार यह धारण लगाना कि भारत सरकार ने किसी प्रकार की हम से बाधा डाली है, यह बिल्कुल निराधार है।

बाहर भेज देने से गुड़ की बचत बड़ जाती है, यह बात नहीं है। इस में भी कोई फर्क नहीं पड़ा। हम से हमने खास किया था और हर प्रकार से खोस दिया था—यानी स्टेट ट्रेडिंग कॉर्पोरेशन भी ले जा कर बेच सकता था, और कोई एजेंसी भी ले जाकर बेच सकती थी लेकिन उस से भी कोई फर्क नहीं पड़ा। एक टन फरवरी से मई-जून तक बाहर नहीं गया। बोझ बहुत गुड़ नेपाल तो बला गया। लेकिन और कहीं नहीं गया। कौन मरिदता? आप यदि विदेशियों के स्थान पर होते तो क्या आप भी उसे खरीदते जब कि उसी भाव पर चीनी मिल रही है और उसी भाव पर गुड़ बिक रहा है? इसलिए मिथ्या ख़बार के कारण यह स्थिति पैदा हुई। यह बात हम सब लोगों को सावधानी चाहिए।

श्रीमन् मुधावने की बात कही गयी। मैं पूछना चाहता हूँ कि कभी किसी ने गले का मुधावजा दिया है? क्या यह देना उचित होगा ?
(अवधान)

श्री रामचारी लालजी : किसी सरकार में फरवरी में छुट की घोषणा की, हमने फरवरी में इसकी घोषणा की।

श्री हुकम देव नारायण बाबू : (मुन्बरी) : सारे उत्तर प्रदेश में पहले कोई इस तरह जीता था, क्या

बिहार में कोई 54 की 54 सीटों पर इस तरह जीता था ?

श्री रामचरित कुमलदा : (सनेमपुर) अगर वही करना है जो अब तक हुआ तो फिर वही होना चाहे, भावको लाने की क्या जरूरत थी ?

SHRI S. NANJESHA GOWDA (Hassan): Is it a sin to grow more in this country? The growers are being made to suffer because they grow more.

समाप्ति बहुोदय : मेरी समझ में नहीं आता कि आप चाहते क्या हैं ? आप अपना भाव देना चाहते हैं कि या जो प्रश्न पूछे गए हैं उनका उत्तर सुनना चाहते हैं ? आप बैठिए, सब को समय मिलेगा। आप शांति रखिए। आप उत्तर सुनेंगे या अपना भाव देंगे ?

श्री जगु प्रताप सिंह : श्रीमन् मैं केवल एक निवेदन करना चाहता हूँ कि क्या ऐसे पदार्थों को उपजाने के लिए किसानों को प्रोत्साहित करना उचित होगा जिसकी मांग न भाव देश में हो और न विदेश के हो ? उसको कौन खरीदेगा ?

श्री उज्जैन : यह श्री बी० पी० सिंह की बीसिस है।

श्री जगु प्रताप सिंह : नहीं। किसानों के हितों इस फसल को डायरसीआई करने दीजिए। वह गले की बजाय कुछ कमरा पैदा करे। यह देश के हित में भी है और उनके हित में भी है। दुनिया में कोई भी खान-पान ऐसा नहीं है जो बिना श्रेष्ठफल पर खिड़कन लगाये उस की पैदावार की कीमत देवे। अमेरिका जैसा देश भी जो सपोर्ट प्राइस पर खरीदता है, जब जरूरत होती है कटौत लगाता है। इस प्रकार उत्पादन करते चले जाए और कीमत भी बनी रहे..
(अवधान) ...

SHRI P. K. KODIYAN (Adoor). This Government has no advance planning and the farmer, are suffering because of that.

MR. CHAIRMAN: You are not entitled to say anything in this half-an-hour discussion.

SHRI S. NANJESHA GOWDA: It has happened earlier, let it not happen again.

MR. CHAIRMAN: This is half-an-hour discussion under Rule 55. Members who have not given an intimation

[Mr Chairman]

in writing and whose name has not come in the ballot are not entitled to say anything I would request them not to disturb (Interruptions)

बी ज्ञानु प्रताप सिंह : श्रीमान् मैंने निवेदन किया था कि जनवरी, फरवरी, में जब गन्ना बोया गया था तब वह प्लांटिंग का टाइम था। मैंने इस देश में बारम्बार कहा है कि गन्ने की बेरोकड़ी की जाए।

बी उमसेन (देवरिया) : निम्न इस के कि मैं सबाल कन् धीर आपने सुझाव दू मुझे एक तोर याव आना है

‘बहुत शोर सुनते थे पत्र में मिल के जा बीरा तो एक बरतरे थे बून निकला।’

मन्त्री जी गन्ना किमान है। बहुत ज्यादा गन्ने की बेरोकड़ी करते हैं। गन्ने के बारे में जो उन्होंने बयान दिया है वह बिल्कुल सही है। मुझे वह इस बात का जबाब दे कि जब तक सी करोड़ से ज्यादा कब किसानों का मिल मालिकों के पास बकाया बचा है जो उन्होंने किमानों को धरा नहीं किया है। यह सी करोड़ रुपया गन्ने की कीमत किमानों को नहीं मिल पा रही है। यह आप धनिलम्ब दिलाए।

मन्त्री महोदय कहते हैं कि खजसारी से हमें मतनब नही है। मैं पूछना चाहता हू कि जब वह एससाइज ब्यूटी क्यों लेते हैं? मैंने उनका पत्र लिखा था कि इस में आप छूट दे ताकि गन्ना बे ले सकें। मैं पीटलर रह गया कि छूट दो, छूट दो—, गन्नी वी गई। फिर हुआ क्या? जब उन को छूट नहीं मिली तो उन बेचारी ने कह दिया कि मजदूर अपने अपने घरों को चले जायें, खजसारी की फील्डरिया नहीं चलेगी। लेकिन फिर दो महीने के बाद इन्होंने उन को छूट दे दी। तब खजसारी के मालिकों ने अपने मजदूरों को पत्र लिखे, अपनी टैक्सीलिमन्ड को पत्र लिखे कि आप आधो हय खजसारी बलाना चाहते हैं, सरकार को प्रकल धा गई है। लेकिन इस बीच में मजदूर अपने घरों को चले गए थे। दूसरे घरों में लग गए। यह तमाशा हुआ। खजसारी की फील्डरिया नहीं चल सकी। जो गन्ना खजसारी में जाना चाहिये था नहीं गया।

मैं आप को दो तीन सुझाव भी देना चाहता हू। मास्त्री जी ने कहा है, सन्नी कहते हैं कि मजदूर के धर्मिय सप्ताह में या ज्यादा से ज्यादा नवम्बर के पहले मप्ताह में सन्नी मिलों के मालिकों का इतना धन धार कर दें और जो मिलें न चले उनको आप बलाना। बड़े मियां तो बड़े मियां छोटे मियां सुझान आला। करोड़ीमल, मजीटिया, नरय, बापर धारि जो हैं वे तो किसानों को उनके गन्ने का धाम नहीं देते हैं लेकिन वे भी नहीं देते हैं जैसे नगर कारपोरेशन है, बी० पी० सिंह एड कम्पनी लिमिटेड है। पंद्रह करोड़ की पूंजी लगी हुई है और पांच बरस में आठ करोड़ 33 लाख का नुस्खान हो चुका है बी० पी० सिंह एड कम्पनी की। फिरीश कार-

पोरेशन जो कलकत्ते में है उस को बाटा हुआ था नहीं हुआ। उस को ही आपने बन्द कर दिया है और 742 आबवी बेकार हो गए हैं और भारे-भारे फिर रहे हैं। यहां पर बाटा हो गया है, नगर कारपोरेशन में, 19 करोड़ की पूंजी है आठ करोड़ 33 लाख का बाटा हो चुका है, इस को आप बन्द क्यों नहीं कर देते हैं। हिट्टी कलैक्टर धारि जो देखा करते हैं वे लूट कर चले गए हैं, बेगान मिल का 25 लाख का बाटा 83 लाख बना दिया है लेकिन आपने लूट नहीं किया।

मन्त्री महोदय इस तरह से नहीं सुनें। मैदान में सुनें। गन्ना हम बे जो दिया है। मैं और बेरी बीबी गन्ने की बेरोकड़ी करते हैं। गन्ना हमने भी दिया है। वे गन्ना लेने नहीं और मिल मालिक धाम नहीं देंगे। इस तरह से काम नहीं चलेगा। इस बास्ते मैं कहना चाहता हू कि मिलों के चलने के पहले मिल मालिकों से, नगर कारपोरेशन से, कोषाप्रतिन सैक्टर की मिलों से, रिस्कीरगिप धारि तमाम जो पाब सी तरह की बजाए आपने रखी है, किसी का नाम रामसेल है किसी का विष्णु तेल रखा है,—ही तो यह सब पहले यमुना का पानी, इस बास्ते आप हुबस सन्नी को दें कि सी करोड़ का ये स्पीयरेंट कर दें। गन्ने का धाम नहीं देती है तो हम को आप चलने दें।

आप जाच करवा में। सितम्बर में स्टोर के लिए पैसा उन को आप दें। रिजर्व बैंक से कहें, राज्यों के बिना मन्त्रियों से कहें कि वे स्पीयरेंट दें, उन की जा करनी की लिमिट है उस को बधा दें। इस से उन को भी बीबी सी सुविधा हो जाएगी और वे चलने लग जाएंगी।

बीनी को आपने बकटोल कर दिया है। आप देंगे कि इनका भाव तीन रुपये से ज्यादा न हो। इस में छोटी मिलें बैठ जाएगी। बाज ए और बी और सी कई तरह की बीनी बनती है। इनके दामों में, 20, 25 और 30 रुपये का अन्तर रहता है। यह जो ए बी योगिया है इनका आप बन्द करें। बड़ी मिलें जैसे मोलक गोरकम नाथ बजाव की मिल है, और बड़ी बड़ी मिलें हैं इन पर आप ज्यादा टैक्स लगा दें और जो पैसा आप उस पैसे का इस्तेमाल आप इन छोटी मिलों को छूट देने हैं करें बड़ी मिलों के मन्त्रे कुछ अधिक मद कर इन छोटी मिलों को आप सहायता प्रदान करें तो वे भी चल जाएगी और बीस लाख टन गन्ना भी फिर जाएगा। इन को आप रिहैबिलिटेशन धाट दें। उनका पैसा उनके ही मन्त्रे किमान पर कुछ इस से भार नहीं पड़ेगा।

आपने बीनी का डिक्टोल किया है तो आपको एक बीच देबानी चाहिये। 3 व० प्रति किलो से ज्यादा बीनी न बिके। 15 व० प्रति किलो से कम गन्ने का धाम नहीं होना चाहिये। आपने जो 10 व० स्टैट्यूटी प्राइस किया है उस पर कोई भी गन्ना देने वाला नहीं है।

MR. CHAIRMAN It is 7.30 p.m. now. Is it the pleasure of the House to sit for some more time?

SOME HON. MEMBERS: Yes.

श्री उमेश्वर : खडसारी की ऐक्साइज ड्यूटी छोड़ दीजिये। 10 लाख टन बीनी ऐक्स्पॉर्ट कीजिये। 40 रु० प्रति क्विंटल ऐक्साइज ड्यूटी बढ़ा दीजिये बीनी पर। 25 करोड़ रु० का कब भी बनाइये और 10 लाख टन बीनी ऐक्स्पॉर्ट कीजिये। दुनिया में कोई देश है जिसकी बीनी बिना सब्सिडी के बाहर बेची जाती है? इटनेशनल सुगर मार्केट में आपकी 7 लाख न का क्लीयरेंस मिला 1977-78 में लेकिन एक टन बीनी बेची। आप मैनिक एक्टिवेट हो गये। तो 10 लाख टन बेज दीजिये। एक लाख टन गुड़ का बकर स्टॉक एक सी० घाई० बनाये। काम के बचने 4 किलो ग्रेड और एक किलो गुड़ दिया जाये। सीजन प्रकटवर से मुक्त कीजिये और 30 पई को समान कीजिये। यदि धारा हमारे इन सुझावों को मान लेगे और सब्सिडी द्वारा दिये गये सुझावों को मान लेगे तो गन्ने का मामला हल हो जायगा। मुद्दाबजा तो आपको देना ही पड़ेगा। अपनी माय हम नष्ट कर लेंगे। और अगर आप नहीं मानेंगे हमारी माय तो बस्ती में किसानों द्वारा आपका बेराब होगा। हम तो राइट थाफ मिजिल बिसपोलीटिस को मानने वाले हैं क्योंकि स्वर्गीय रा० मोहिवा के बेटे हैं। हम अर्थात्मात्मक सत्याग्रह कर सकते हैं और हम किसानों को कहेंगे कि मंत्री जी का बेराब करो। तो क्या मंत्री जी हमारे सुझावों को मानेंगे?

सभापति महोदय : अगर इस तरह एक एक सप्ताह 8, 10 मिनट लेने तो काम नहीं चलेगा जब कि यह धारा बंद का ही विचार है। साधारणतः यह प्रथा है कि 10 मिनट पहले आइवरकेट प्रश्न कीजिये और सोते प्रश्न पूछिये।

SHRI CHITTA BASU The hon. Minister is reported to have said in this House that there has been no burning of standing sugarcane. On the other hand I have got certain press cuttings which read as follows "Mecrut to burn sugarcane stocks", that is in the Indian Express dated 19th May. "Rs. 50 lakhs worth of cane may have to be destroyed"; this is from the Times of India dated 16th June 1978. In view of this would the hon. Minister kindly say, under what circumstances he made that statement in the House, when this kind of press reports are there? The second question is whether the government has taken a decision for decontrolling sugar under the pressure of the sugar lobby. My third question is whether the government proposes to have legislation to force the farmers to curb cultivation of sugarcane area. My last question is in view of the fact that

the sugar industry as a whole is passing through a crisis, would the government reconsider and revise the old decision in regard to nationalisation of the industry and take firm steps in the direction of nationalisation of the sugar industry of the country as a whole?

श्री कल्याण जैन (इन्दौर) : सभापति जी, जो ऐक्साइज ड्यूटी कम की भी वह इंडियन सुगर मिल प्रसोसिएशन के दबाव के कारण गत वर्ष से इस सरकार ने ऐक्साइज कम किया। इस साल जो डी-कंट्रोल करने की घोषणा अभी की वह भी मेरी राय से इंडियन सुगर मिल प्रसोसिएशन के दबाव के कारण की। मैंने दो पेज का मोट माननीय कृषि मंत्री, माननीय कृषि राज्य मंत्री और प्रधान मंत्री को भेजा है और इसकी पूरी फॉलोअप जाता हू। मैं मंत्री जी से पुन कहना चाहता हू कि वह मेरे उस दो पेज के मोट को देखें। सबसे पहले हिन रखना है कि किसान को उनकी उपज का उचित मूल्य मिले, साथ ही खडसारी और फैक्टरी सुगर दोनों के बीच में कपीटीशन रहे जिससे किसान का प्रतिफल न हो सके। इसके लिए सुझाव है, और मैं उमीद करता हूँ कि मंत्री महोदय उसका उत्तर देंगे, कि जब तक फैक्टरी सुगर और खडसारी पर एक्साइज का अन्तर 100 रुपए क्विंटल नहीं होगा, तब आप न किसान को अच्छा मूल्य दे सकेंगे, न खडसारी बिना रह सकेंगे और न सुगर मिल बिना रह सकेंगे, क्योंकि खडसारी में रिकवरी कम होती है सुगर फैक्टरी में ज्यादा होती है। मैं मंत्री जी से जानना चाहता हू कि क्या वह खडसारी और फैक्टरी सुगर पर एक्साइज में कम-से-कम 100 रुपए अन्तर रखने का सोचेंगे या नहीं? अगर नहीं सोचेंगे तो जो प्राइस इस साल गन्ने की है, वही भगले साल भी रहेगी। अगर वह ऐसा करते हैं तो उससे दो फायदे होंगे, किसान को भी पैसा ज्यादा मिलेगा और सरकार को रैन्सू भी ज्यादा मिलेगा और जनता को 3 रुपए किलो तक कम मिल सकती है। मैं इसके बारे में बर्बाद करने के लिए तैयार हू, मैंने निश्चय कर भी भेजा है।

श्री जगन् प्रसाद सिंह : श्रीमान्, मैं पहले यह बताना चाहता हू कि सी० पी० सिंह एण्ड कंपनी नाम की कोई कंपनी नहीं है। वास्तव में भारत सरकार का भी कॉर्पोरेशन पर कोई अधिकार नहीं है, वह राज्य सरकारें चलाती हैं, उसको बनाने और बिगड़ने का अधिकार उनका है।

मैं पहले और बातों का उत्तर दे दूँ, फिर उसके बाद उसीन जी की बातों का उत्तर दूंगा। एक तो गन्ना जलाने के विषय में यहां पर कहा गया। मैं अभी भी कहता हू कि गन्ना जलाने की बात वह लोग करते हैं, जिन्होंने गन्ने की खेती नहीं की। यह बात अक्षबार में छप भी जाती है। वास्तविक स्थिति यह है कि जब किसान उसकी पैदाई नहीं कर पाता, नहीं पहुँचा पाता तो वह उसको छोड़ देता है और भगले वर्ष अक्टूबर-नवम्बर में मिलें जब

[श्री भानु प्रताप सिंह]

बनैगी तो वह उसे सत्याई कर देगा, क्योंकि वह इतने समय में—यह से धन्यवर के बीच में—इतना पैसा किसी और कसब से नहीं पा सकता, जितना उसको छोड़ देने से पा सकता है। धाज भी मैंने गन्ना जला हुआ कही नहीं देखा, बड़ा हुआ देखा है। कोई गन्ना फूटता नहीं है। उत्तर प्रदेश सरकार ने धाजवाहन भी दिया है कि भगले बर्ष अब चलेगा तो सबसे पहले यही गन्ना लिया जायेगा।

सैबिस्लेसन की बात कही गई कि क्या कानून से रोका जायेगा। नहीं, अभी ऐसा कोई इरादा नहीं है। अभी हम किसान को मजिदरा दे रहे हैं और हमें धासा है कि वह उस पर भ्रमल करने और गन्ने का रकबा भी घटेगा।

राष्ट्रीयकरण की बात कही गई। अगर राष्ट्रीयकृत मिलों का कुछ परफार्मेंस बेहतर होता तो इस नुस्खे को भी मैं मान लेता, लेकिन जैसा कि बताया गया है कि अगर गन्ने की कीमत की धरापगी नहीं हुई है तो वहा भी यही हालत है, बाह्य सहकारी क्षेत्र में हो या सरकारी क्षेत्र में हो। धाज मिलों की हालत ऐसी नहीं है कि वह जल्दी से वे सजे। यह कहा जाता है कि 100 करोड़ के करोड़ ब काया क्या है? 100 करोड़ तो नहीं है, प्राखिरी धाकड़े हमारे पास 84 करोड़ के हैं, लेकिन यह भी ज्यादा है। यह इसलिए है कि 46 लाख टन बीनी अभी गांवांमो में पड़ी हुई है। इन बीनी का मूल्य 1,000 करोड़ रुपये से ज्यादा होता है। 1,000 करोड़ रुपया अगर फसा हुआ हो तो उसके मुकाबले में 84 करोड़, ये वह नहीं कहता कि पैमेंट नहीं होना चाहिए, मैं पूरा भरतक प्रयत्न कर रहा हूँ और मुझे धासा भी है कि 2, 3 हफ्ते के अन्दर इस 84 करोड़ में से बहुत बड़े धासा का भुगतान हो जायेगा, लेकिन धाज उस समस्या की बिनासला पर ध्यान दें, कि धाज स्थिति क्या है। किस स्थिति के हमको मुकाबला करना पड़ा है। 1,000 करोड़ रुपये की बीनी धाज गोवांमो में पड़ी है, उसके मुकाबले में अगर 84 करोड़ का भुगतान नहीं हुआ तो यह कोई धाजर्ष की बात नहीं होगी चाहिए। पुरान रिफाई को देखिए, कि कितना स्टॉक रहता था और कितना भ्रषा बाकी रहता था। लेकिन फिर भी मैं इस सदन में और दूसरे सदन में धाजवाहन दे चुका हूँ कि इसके लिए पूरा प्रयत्न किया जा रहा है, किसी प्रकार से बीनी को राखी कर के यह जल्दी से जल्दी विलाने की कोशिश की जायेगी।

एक मुद्दा धाया है कि एक्साइज इयूटी ने 100 रुपये का अन्तर किया जाये। अगर वह अन्तर करना हो तो कम-से-कम 100 रुपये एक्साइज इयूटी हो, इस हिसाब से एक की जीरो हुई और हमारे की 100 रुपये होगी। बीनी बनाने का खर्चा 215 रुपये, 100 रुपये एक्साइज इयूटी 25 रुपये कम-से-कम (अवकाश)

श्री कल्याण शैन - प्राटेरिंग का खर्च कितना होगा ?

श्री भानु प्रताप सिंह ऐसी बात समझ-बूझ कर करिये। 100 रुपये का अन्तर न कभी होगा और न सबब है। अगर खाइसारी के सख्तन के लिए इस देश की बीनी की इकतानी को बिल्कुल बरबाद करना हो तो इस मुद्दा को माना जा सकता है। तो रुपये के अन्तर का मतलब होता है कि 325 रुपये, और 25 रुपये कम से कम डिस्टिब्यूशन कास्ट होगा, 350 रुपये हो गया। धाज उपभोक्ता 2 30 रुपये के धाज पर बीनी पाते हैं। अगर माननीय सदस्य का मन्बर मान लें, तो 3 50 रुपये पर बीनी बिकने लगती। यह ठीक है कि इस तरह वह खाइसारी की रक्षा कर सकते हैं। समझ है कि किसानों का भी दो बार वैसे ज्यादा मिलें। लेकिन खाइसारी के साथ जा सहानुभूति दिखाई गई है, वह बिल्कुल गलत स्थान पर है। खाइसारी वाला ने किसानों को कितना शोषण किया है, उसका भागन शायद कोई दूसरा बर्ष नहीं करेगा। ये किसानों के शान्त नहीं है। कहा जाता है कि जब टैम छोड़ा गया तब उन्होंने चलाया। उत्तर प्रदेश सरकार ने भी कीमत मुकर्रे की थी, वे उनका बार में हाई कोर्ट में जा कर रिट वगैर ने धाज और उल्फन हम प्रकार का वातावरण पैदा कर दिया कि दो, चार, पांच रुपये पर दा, बर्ना हम नहीं चलायेग में ममलना है कि उन मामों के साथ महानुभूति की बात मिसलेन्ड मिश्रणी है। उन लोगों ने हम बर्ष किसानों के साथ जो व्यवहार किया है, वह शर्म नहीं है।

एक माननीय सदस्य - बड़े मिन-मानिकों की तरह।

श्री भानु प्रताप सिंह ये बड़े मिन मानिकों में ज्यादा है। उन पर तो नियन्त्रण हो सकता है। उन की गिनती बांधी है। उन पर निगरानी रखी जा सकती है। लेकिन खाइसारी के दूनिट मारे देश में देहात में कौने हुए है और उन ज्यादातर धाजारी बर्ष के साथ हैं, जो बीनी पा कर किसानों का पूरा शोषण करते हैं।

पूजीपतियों के दबाव धाज की बात कही जाती है। यहा तक कहा जाता है कि टोकटोड उन के कारण हुआ। यह भी कहा जाता है कि बकर स्टॉक नहीं लिया जा रहा है। धाज पूजीपति चाहता है कि उन की बीनी बिक जाय, उसको रुपया मिल जाय। हर बात के बारे में उल्टे तीधे पूजीपतियों के दबाव का हवाला देन से साम नहीं होगा। अगर सरकार बकर स्टॉक खरीद ले, तो पूजीपतियों को पैसा मिलेगा। अगर हम न खरीदें, तो कहने हैं कि पूजीपतियों के कारण नहीं खरीदा गया। माननीय सदस्य को धासा है कि ये बड़े मन्ने धाज पर बेच सकेंगे। धाज उन में इतना काम्पटीशन है कि मुझे यह खतरा नहीं है कि धाज बढ़ेगा, बल्कि खतरा यह है, जैसा कि माननीय सदस्य, श्री राम शारी शास्त्री, ने कहा है, कि जो छोटी और पुरानी मिलें हैं, किम का कास्ट धाज प्रावधान ज्यादा

है, साथ से काम्पटीशन में बढ़ी यह सस्ती या नहीं। यह प्रश्न है यह प्रश्न नहीं है कि बीनी की कीमत बहुत ऊँची हो जायेगी।

श्री उपसैन की बातों का मैं क्या उत्तर दूँ? मैं केवल यह कहना चाहता हूँ कि अगर उनकी बात मान ली जाय, तो यथा वेशा करने वाले बर्बाद हो जायेंगे और इस देश का बीनी उद्योग समाप्त हो जायगा। उन का कहना है कि एक साख टन मुड़ करीब कर रखा जाय। कहा रखा जाये? हमने एक साख टन तो नहीं, बारह तेरह हजार टन करीब वा, और वह सब पानी हो कर बह रहा है। सब राज्य सरकारों को पत्र लिखा गया कि क्या वे गेहूँ के बबले मुड़ ले सकती हैं। उत्तर प्रदेश सरकार ने कहा कि हम नहीं ले सकते। इस लिए मम्बरा कर लेना चाहिए। मुड़ रखने का कहा प्रबन्ध है? अगर हम एक साख टन मुड़ रख लें, तो मैं सच कहता हूँ कि

श्री उपसैन : बफर स्टॉक के गोडाउन बने हैं या नहीं? व बनान पड़ेंगे।

श्री जगु प्रताप सिंह : जितना हमारा कोटा है 6.5 लाख टन वह निर्यात किया जा रहा है। अब कहते हैं कि 10 लाख करिए, 20 लाख करिए। मैं यह पूछना चाहता हूँ कि अगर हमें मुकसान उठा कर ही बीनी निर्यात करनी है तो क्या यह बुद्धिमानी नहीं होगी कि हम अपने देश वालों को ही सस्ती बीनी खिलाएं। अब हम हर क्विंटल पर

पचास सेंट रुपया मुकसान उठाने वाले हैं तो देश दुस्साह धाप देते कि जो मुकसान होने वाला है उस मुकसान को उठा कर देश के गरीबों को सस्ती बीनी दी जाये, तब तो बात समझ में आती.. (म्यबहान).. एसाइज द्यूटी बढ़ा देने तो उस का परिणाम यह होगा कि बीनी बहुत महँगी हो जायगी। साथ सब से बड़ी समस्या यह है कि बीनी की खपत कैसे बढ़े? जो बीनी पैदा हुई है और जो पैदा करने की हमारी क्षमता हो चुकी है उसकी खपत कैसे हो, मुख्य प्रश्न यह है। वह बीनी की खपत तब तक नहीं बढ़ सकती है जब तक कि बीनी का भाव सस्ता न हो। बीनी का भाव जब सस्ता होगा तो गरीब लोग भी ज्यादा बीनी खायेंगे।

श्री उपसैन : यथा 6 रुपये क्विंटल बिकना बीजिए बीनी सस्ती हो जायगी।

श्री जगु प्रताप सिंह : अब मेरी बरा कुछ धाप लोगों की तरह धाखाही नहीं है। मैंने कह दिया कि जो बकतब्य दिया जाने वाला है वह कम दिया जायगा। उसके बाद धाप उस पर टिप्पणी कीजिए। आज तो मैं वही पुनर्नी बात ही कह रहा हूँ।

MR. CHAIRMAN: The House stands adjourned till 11 A.M. tomorrow.

19.47 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, August 10, 1978/Sravana 19, 1900 (Saka).