

श्री मधु लिमये : अध्यक्ष महोदय, इसके बारे में मुझे यह अर्ज करनी है कि उनकी तरफ से श्री आर० के० गर्ग, ऐडवोकेट ने जब पुलिस स्टेशन पर टेलीफोन किया तब उन को बताया गया कि फलों-फलों धाराओं के तहत उन को गिरफ्तार किया गया। लेकिन जब बेल कराने के लिये वह आये तो इस धारा को इस में जोड़ दिया गया....

MR. DEPUTY-SPEAKER : We are not discussing it.

श्री मधु लिमये : मैं चाहता हूँ कि गृह मंत्री जी इस के बारे में बयान दें। पुलिस की आदत है कि झूठे आरोपों को लगा दे, सबूतों को फ्रैक्टेड करे और इस तरह का केस बनाये।

SHRI SHRI CHAND GOYAL (Chandigarh) : Mr. Deputy-Speaker, you are very well aware that the talks which were going on between the Government and the NGOs of Himachal Pradesh had broken down. The Congress Party had decided to hold its session at Simla and they will be faced with black flag demonstration. Today the MLAs of Jan Sangh and others are staging a dharna in front of the residence of the Prime Minister... (Interruptions.) Kindly ask the Home Minister to make a statement.

PETROLEUM (AMENDMENT) BILL—
contd.

MR. DEPUTY-SPEAKER : We take up clause-by-clause consideration of the Bill.

Clause 5.—(Amendment of section 4).

SHRI D. R. CHAVAN : I move :
THE MINISTER OF STATE IN THE
MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS.

Page 2—

For Clause 5, substitute—

'Amendment of section 4.

5. In section 4 of the principal Act,—

- (a) for the words "dangerous petroleum" wherever they occur, the words and letter "petroleum Class A" shall be substituted;

- (b) in clause (1), the words "including the charging of fees for any services rendered in connection with the import, transport and storage of petroleum" shall be inserted at the end.'(11)

The reason for this amendment is, Clause (d) of section 4 (rules for the import, transport and storage of petroleum) has been amended to insert "including the charging of fees for any services rendered" at the end as there is no provision in the present Act to charge any fees for various services, etc.

MR. DEPUTY-SPEAKER : The amendment has been circulated and the hon. Members have seen it.

MR. DEPUTY-SPEAKER : The question is :

Page 2,—

for Clause 5, substitute—

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- (a) for the words "dangerous petroleum" wherever they occur, the words and letter "petroleum Class A" shall be substituted;

- (b) in clause (1), the words "including the charging of fees for any services rendered in connection with the import, transport and storage of petroleum" shall be inserted at the end.' (11)

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is :

"That clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended was added to the Bill.

Clauses 6 and 7 were added to the Bill.

Clause 8—(Substitution of new sections for sections 7 and 8.)

SHRI SHIVA CHANDRA JHA (Madhubani) : I beg to move :

[Shri Shiva Chandra Jha.]

Page 2, line 31,—

for "two thousand and five hundred" substitute—

"one thousand" (1)

Page 2, line 35.—

for "forty-five" substitute "ten" (2)

Page 2, line 41,—

for "thirty" substitute "ten" (3)

उपाध्यक्ष महोदय, अभी तक पेट्रोलियम ऐक्ट 1934 के मुनाबिक काम चल रहा था लेकिन यह मैट्रिक सिस्टम आफ वेट्स एंड मेजर्स के इंट्रोडक्शन के फलस्वरूप यह फुट-पाउंड-सेकंड सिस्टम के रैफ़ेसिंग को रिवाइज करना और इस संशोधन विधेयक के जरिए आवश्यक हो गया है। नौमनक्लेचर को दूसरे ऐडवांसड कंट्रीज की प्रैक्टिस के अनुसार रैगुलाइज और सिम्पलीफ़ाई करना वांछनीय हो गया है। बाएलेशन के लिए इस में पैनालिटी को भी बढ़ाया जा रहा है।

क्लाज आठ पर मेरा अमेंडमेंट नम्बर एक है जिसमें मैंने यह चाहा है कि 2500 के स्थान पर 1000 सन्सचीक्यूट कर दिया जाय।

अब पेट्रोलियम आप जानते हैं कि कितनी कीमती चीज है और अर्थ व्यवस्था के लिए वह कितनी महत्वपूर्ण है और जाहिर है कि अगर यह 2500 लिटर रखने की इजाजत आप देंगे तो भ्रष्टाचार और ब्लैकमार्केटिंग आदि बातें हो सकती हैं इसलिए मैंने अपने अमेंडमेंट में इसे 1000 करने का सुझाव दिया है।

इसी तरह जहां आगे उस में पेट्रोलियम सी के लिए कहा गया है कि कुल मिकदार एक जगह पर उस के कब्जे में 4500 लिटर से ज्यादा न हो तो उसे लाइसेंस लेने की जरूरत नहीं होगी तो उस के लिए भी मैंने अपना 2 नम्बर का संशोधन दिया है कि वह 4500 के बजाय 1000 लिटर ही रहना चाहिए। 1000 से ज्यादा की क्यूट लाइसेंस के लिए नहीं होनी चाहिए।

8 (1) में ए क्लास पेट्रोलियम के लिए जो कहा गया है कि अगर उस के पास टोटल मिकदार तीस लिटर से अधिक न हो तो उसे इम्पोर्ट बगैरह के लिए लाइसेंस लेने की जरूरत नहीं है। इस के लिए भी मैंने अपने 3 नम्बर के अमेंडमेंट में तीस लिटर की जगह दस लिटर सन्सटीक्यूट करने का सुझाव दिया है। तीस लिटर की लिमिट रखने से करप्शन होने का अंदेशा रहेगा इसलिए दस लिटर से यह मिकदार अधिक न होनी चाहिए। दस लिटर तक उसे लाइसेंस लेने की जरूरत न हो।

यही क्लाज नम्बर 8 पर मेरे 1, 2 और 3 नम्बर के संशोधन हैं।

SHRI D. R. CHAVAN : In the original Petroleum Act of 1934, the reference is made to gallons. What is now proposed to be done is to convert it into litres. My hon. friend referred to 2500 litres. In the original Act, 500 gallons have been exempted. 1 gallon is equal to 4.546 litres. So, 500 gallons would be equal to 2273 litres. That has been rounded off to 2500 litres, taking into account the safety angle. Similarly all other references to gallons have been converted into litres and rounded off. That is all that has been done in this amending Act. I do not know why the hon. member wants to reduce 2500 to 1000 and so on. I do not find any reasons for accepting his amendments.

MR. DEPUTY-SPEAKER : I will now put amendments 1, 2 and 3 moved by Shri Jha.

Amendments Nos. 1 to 3 were put and negatived.

MR. DEPUTY-SPEAKER : The question is :

"That clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Clauses 9 to 13 were added to the Bill.

Clause 14—(Amendment of section 23).

MR. DEPUTY-SPEAKER : There are some amendments.

SHRI SHIVA CHANDRA JHA : I beg to move :

Page 4, line 4,—

for "one month" substitute "three months" (4)

Page 4, lines 4 and 5,—

for "one thousand" substitute "two thousand" (5)

Page 4, line 8,—

for "three" substitute "six" (6)

Page 4, line 9,—

for "five" substitute "seven" (7)

SHRI LOBO PRABHU (Udipi) : I beg to move :—

Page 4, lines 3 and 4,—

omit "with simple imprisonment which may extend to one month, or" (12)

Page 4, line 5,—

for "with both" substitute—
"with imprisonment for one month in default" (13)

Page 4, lines 7 and 8,—

omit "with simple imprisonment which may extend to three months, or" (14)

Page 4, line 9,—

for "with both" substitute—
"with imprisonment for one month in default" (15)

उपाध्यक्ष महोदय, क्लॉक नम्बर 14 द्वारा प्रिंसिपल ऐक्ट के सेक्शन 23 को अमेंड किया जा रहा है। 14 (ए) में यह दिया हुआ है :

(a) in sub-section (1), for the words "with fine which may extend to five hundred rupees", the words "with simple

imprisonment which may extend to one month, or with fine which may extend to one thousand rupees, or with both" shall be substituted;

इस के लिए मैं ने अपने अमेंडमेंट नम्बर 4 के द्वारा सुझाव दिया है कि एक महीने की जगह पर तीन महीने की सजा रख दी जाय और जुमाने का जहां तक स्वाल है उस के लिए मैं ने अपने 5 नम्बर के अमेंडमेंट में सुझाव दिया है कि 1000 की जगह बढ़ा कर वह 2000 कर दिया जाय।

14(बी) में यह दिया हुआ है :

(b) in sub-section (2), for the words "with fine which may extend to two thousand rupees", the words "with simple imprisonment which may extend to three months, or with fine which may extend to five thousand rupees, or with both" shall be substituted.

अपने 6 नम्बर के अमेंडमेंट द्वारा मैं चाहता हूँ कि यह तीन महीने की सजा की जगह 6 महीने की सजा रख दी जाय।

क्लॉक 14 पर यह मेरे तीन अमेंडमेंट हैं। पेट्रोलियम जैसा मैंने पहले भी कहा हमारी अर्थ व्यवस्था के लिए बहुत महत्वपूर्ण है और यह आवश्यक है कि सरकार इस बारे में विशेष सतर्कता बतें। वाएलेशन के लिए पेनाल्टी भी बढ़ायी जानी आवश्यक है।

SHRI LOBO PRABHU : As usual, I have to differ from my hon. friend Mr. Shiva Chandra Jha. Whenever a law is inadequate, when you want to enhance the punishment, you have to show some reason for it. You will have to assemble some data and justify the enhancement. Instead of a simple punishment of fine, you are adding imprisonment. It is a very simple rule for storage and transportation of petrol. Why do you want to punish people with imprisonment for these simple rules? You have to visualise that when you give this power to send a man to prison for having 1 gallon more or less of petrol, you are empowering an official to take money and to harass the public. I would, therefore, suggest that you do not enhance

[Shri Lobo Prabhu]

this punishment because the effect of this will be, the public will be harassed but the law itself will not be enforced. The more savage the law, the less is the willingness of the courts to inflict the punishment. I am glad the Law Minister is here. If you do want a term of imprisonment, it should be an alternative to the fine.

When I have said this I think I have made myself clear that the position which I took is one which is consistent with humanity, consistent with the purposes of the Law and, I would like to add, consistent with my own experience as a magistrate.

SHRI D. R. CHAVAN : Section 23 of the existing Act provides for a fine of Rs. 500 for the first offence and Rs. 2,000 for the subsequent offence. It has been proposed to enhance this, as has been mentioned in clause 14. Why is it proposed to be enhanced? There is a historical reason for it which I may mention for the benefit of the hon. Members. In 1960 Delhi Administration detected five cases of unauthorised storage of petroleum and the persons concerned were convicted and sentenced to fines ranging from Rs. 150 to 300. Then questions were asked in the Lok Sabha in regard to the above offences and the steps taken to check such illegal storage. It was then considered that the penalty provided in the Act was rather mild. So, I say that the punishment should not be either mild or excessive. Furthermore, the number of major accidents from petroleum which occurred during the years 1959-63 were as follows : 1959—4; 1960—5; 1961—6; 1962—8; 1963—7. A majority of these accidents took place in authorised premises and in most cases they could be attributed to non-observance of the safety rules and the conditions laid down in the old Act. Therefore, it is proposed to enhance this fine. I agree with the hon. Member that it should not be too mild or too excessive. Therefore, the punishment that has been provided here for the violation of the safety rules is quite adequate and should be accepted by the House.

SHRI LOBO PRABHU : In view of the Statement made by the hon. Minister and the details given, I would like to withdraw my amendments.

MR. DEPUTY-SPEAKER : Has the hon. Member the leave of the House to withdraw his amendments?

SOME HON. MEMBERS : Yes.

Amendments Nos. 12 to 15 were, by leave, withdrawn.

MR. DEPUTY-SPEAKER : I will now put the amendments of Shri Shiva Chandra Jha to the vote of the House.

Amendments Nos. 4 to 7 were put and negatived.

MR. DEPUTY-SPEAKER The question is :

"That clause 14 stands part of the Bill".

The motion was adopted.

Clause 14 was added to the Bill.

Clause 15.—(Substitution of new section for section 27.)

श्री शिव चन्द्र झा : उपाध्यक्ष महोदय, रिपोर्ट करने के बारे में इस में कहा गया है कि :

"Whenever there occurs in or about, or in connection with, any place in which petroleum is refined, blended or kept, or any carriage or vessel either conveying petroleum or on or from which petroleum is being loaded or unloaded, any accident by explosion or by fire as a result of the ignition of petroleum or petroleum vapour attended with loss of human life or serious injury to persons or property, or of a description usually attended with such loss or injury, the occupier of the place or the person for the time being in charge of the petroleum or the person in charge of the carriage or the master of the vessel, as the case may be, shall, within such time and in such manner as may be prescribed, give notice thereof and of the attendant loss of human life, or injury to person or property, if any, to the nearest Magistrate or to the officer in charge...."

"विघटन सच टाइम" जो है इस में बहुत देर हो सकती है। हो सकता है कि छः महीने

में खबर दे, हो सकता है कि एक साल भी लग जाय। इस लिये मियाद को इतना वेग न रख कर इस को स्वीड अप करने के लिये आप इस में "विधिन ए वीक" लिख दें ताकि अधिक से अधिक एक हफ्ते के अन्दर तो ह्यूमन लाइफ या प्रापर्टी के लाम की खबर जो इन्वार्ज पुलिस स्टेशन हो उस को मिल जाये। I move :

Page 4, line 21,—

for "such time" substitute "one week" (8).

SHRI D. R. CHAVAN : This clause says :

"...any accident by explosion or by fire as a result of the ignition of petroleum or petroleum vapour attended with loss of human life or serious injury to person or property, or of a description usually attended with such loss or injury, the occupier of the place or the person in charge of the petroleum or the person in charge of the carriage or the master of the vessel, as the case may be, shall, within such time and in such manner as may be prescribed, give notice thereof the attendant loss of human life, or injury to person or property, if any, to the nearest Magistrate or to the officer in charge of the nearest police station and to the Chief Inspector of Explosives in India."

Here, it has been mentioned that it shall be within such time and in such manner as may be prescribed under the rules. Now, the hon. Member wants that the period should be mentioned and the period should be "one week".

It has got to be remembered that all inquiries into the accident of petroleum explosions have to be carried on in accordance with the provisions of the Criminal Procedure Code. It is well known that the first information which is given at the earliest opportunity has got the greatest credence. To allow a period of "one week" for the information to be given either to the Magistrate or the officer in charge of the nearest police station and to the Chief

Inspector of Explosives will be giving an opportunity to unscrupulous persons to manipulate things and to implicate those persons who are innocent. Why not leave the matter to be decided under the rules to be prescribed? In certain types of accidents, it is very very necessary that the information should be given at the earliest opportunity.

In the original Act, the provision that had been made was that immediate information should be given to the nearest Magistrate or to the officer in charge or the nearest police station. To give a lot of time after the accident, about 8 days, will give an opportunity, as I have said before, to certain unscrupulous persons to implicate innocent persons. Therefore, it is very necessary that the information should be given as early as it could be. Instead of mentioning the time-limit, it has been left to be decided under the rules.

श्री शिव चन्द्र झा : यह कहते हैं कि पहले ऐक्ट में "इमिजिएटली" था। अब इस को वेग बना रहे हैं। अगर पहले वाला ही रहता तो भी अच्छा था।

MR. DEPUTY-SPEAKER : Now, I put amendment No. 8 in the name of Shri Shiva Chandra Jha to the vote of the House.

Amendment No. 8 was put and negatived.

MR. DEPUTY SPEAKER : The question is :

"That clause 15 stand part of the Bill".
The motion was adopted.

Clause 15 was added to the Bill,

Clause 16 was added to the Bill.

Clause 1—(*Short title and Commencement*)

SHRI D. R. CHAVAN : I beg to move :

Page 1, line 3,—

for "1969" substitute "1970" (10).

MR. DEPUTY-SPEAKER : The question is :

Page 1, line 3,—

for "1969" substitute "1970" (10).

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is :

"That clause 1, as amended, stand part of the Bill".

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

SHRI D. R. CHAVAN : I beg to move :

Page 1, line 1,—

for "Twentieth" substitute "Twenty-first" (9).

MR. DEPUTY-SPEAKER : The question is :

Page 1, line 1,—

for "Twentieth" substitute "Twenty-first" (9).

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is :

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI D. R. CHAVAN : I beg to move :

"That the Bill, as amended, be passed."

SHRI DHIRESWAR KALITA (Gauhati) : Mr. Deputy-Speaker, Sir, I do not propose to make a long speech. I am only wondering about one thing. The Shantilal Shah Committee has submitted the Report, I think, nearly one year ago regarding the pricing of petroleum products. It was constituted in 1968. 1969 passed. Now five months of 1970 have also passed. Sir, the crude oil price in India till now is based on the Persian Gulf parity price. As a result we, in India, especially in Assam, are

paying higher price for the petroleum products.

Secondly, after the report went to the Cabinet, they again referred it to a Sub-Committee to ascertain the views of the State Government. Sir, there was already a reference clause in deciding the petroleum prices that the Committee should obtain the views of the State Government. I do not understand why again the Cabinet Committee has referred this to another Sub-Committee. It is long overdue and I hope the Minister will come out with a statement here and now in this House as to when the Government is going to place this report on the Table of the House.

The Second point is : I have received a telegram which I handed over to the hon. Minister. In the ONGC in Sibsagar district they are exploring oil. Recently the ONGC in the Sibsagar district where most of the drilling was going on, dismantled six of the drilling rigs. It also came up in the Assam Assembly and the Chief Minister also had a talk with Dr. Triguna Sen but they could not get a satisfactory reply. When we need more drilling in Assam where there are possibilities of oil being struck, I do not understand why the ONGC—under what conspiracy I do not know—are dismantling the rigs and stopping oil exploration. I want that this should be properly inquired into and a satisfactory reply given.

SHRI LOBO PRABHU (Udipi) : I had an occasion yesterday to refer to the taxes from petroleum products that they amounted to Rs. 600 crores, a third of the total of the excise duty. It is for the Ministry to say what it has done about these taxes because these taxes affect vitally the transport of this country, the lighting of the poor in respect of the kerosene oil and the industry of the country which depends on furnace oil. No doubt the Finance Minister tries to get as much as possible. But the Ministry exists to protect its interests and it is supposed to protect the interests of the public.

In 1968 the Estimates Committee of which I was a Member examined this question of prices of petrol and it found that out of 85 paise per litre the taxes amounted to 54 paise as duties and another

4 paise as additional duty. That means as much as 58 paise out of 85 paise was on duties alone. In addition to that there is a sales tax ranging from 10 to 15 per cent with the result that to-day in Delhi we are paying Rs. 1.20 per litre. One has to consider what is the weight of these taxes on the people because this tax is taken from them. An amount of Rs. 600 crores has been taken from them and not even a quarter of it is returned to them in the shape of roads. The total provision in the Fourth Plan for roads is barely Rs. 800 crores which means that the Ministry has again failed to get a substantial part of the duties and I do hope that the Minister will have some explanation for this.

The second part of the price, that is, 12% comes from Marketing. The refining cost of petrol is 15 paise as against which 58 paise is the duty and 12 paise is the marketing cost. The marketing cost has been paid by the foreign companies who have been very liberal with their officers and their personnel employed and they did not mind how much they spent, but we have got the Indian Oil Company from which more was expected. I would like to know from the hon. Minister why we should still have this very high marketing cost. One reason which is apparent is this. They have put petrol pumps wherever possible and mostly in places where petrol pumps already exist. In remote areas even if you go for 30 or 40 miles you do not find any petrol pumps whereas in cities you find petrol pumps within 2 or 3 furlongs. Competition may be good from the way of making profit, but here, in this case, it does not serve any public purpose. In this connection, I would like the hon. Minister to consider the proposal made by a company which wanted collaboration with us for distributing fertilisers and which wanted that petrol pumps may be provided with garages for the upkeep of the tractors and the motor vehicles and they may also serve as distribution points for fertilisers. I would like the Minister to carefully examine how far this idea can be carried out because we are faced with this fact that nearly half of our tractors are not capable of being used because of lack of spare parts and because of lack of timely repair. If only you make it a condition that petrol pumps should have facilities to the rural

population you will be able to return some of the tax which you are taking from them.

There is again this question of profiteering which the Ministry and the Indian Oil makes on petrol. It came to me as a surprise that Cochin Oil Refinery declared a dividend of 21%. If any private sector company had declared a dividend of 21% there would have been a hue and cry from all sections of the House. Also, you may remember, the Indian Oil Company had been gloating over the high dividend it has declared. Is it fair to declare such a high dividend on the distribution of petroleum? This profiteering must stop. If you can't reduce your tax, at least reduce the price of petrol and kerosene which is required by the common man.

I now come to the last point. This is about another factor which puts up the price of petrol due to the inefficiency of our refineries and oil exploration. I see before me a learned Member, Mrs. Tarakeshwari Sinha, who, on the last occasion, declared that unless Assam got a refinery, Assam would be more inflammable than petroleum itself.

Since then you have sanctioned additional 1 million capacity for Assam. This is in addition to Haldia which has had another 2½ million tons. With these additions, what is the position even is now? You have an idle capacity of roughly 3 million gallons, because, as against 19.5 million which is your capacity, your yield last year was 16.3 million. Why do you want to add to this capacity something of the order of about 3.5 million tons of capacity costing several crores when you have this idle capacity? I am not against Assam getting a petro-chemical complex, but not this idle capacity which will add to the overhead and the cost of petroleum. I would therefore like this point also to be explained to the House as to why new capacity to petro-chemical plants is also being added unnecessarily when things like benzene and acytone are not even being produced by the plants to half of their capacity. You have got a chloride plant which is also not producing to 15% of its capacity. All this high capitalisation is not fair to the country. That money which you put in these industrial plants could have been put into

[Shri Lobo Prabhu]

the labour-intensive works for the employment of many people in our country.

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय, इस विधेयक के द्वारा 6 गैलन की जगह पर 30 लीटर लिखो, खतरनाक पेट्रोलियम को ए ग्रेड पेट्रोलियम कहो, इस तरह के मामूली सुधार लाने का प्रयास मंत्री महोदय ने किया है। लेकिन मैं मंत्री महोदय से पूछना चाहता हूँ कि पेट्रोलियम मंत्रालय में जो धांधलियाँ चल रही हैं, जो भ्रष्टाचार चल रहा है, जो अकार्य-क्षमता है और सारे उद्योग को आपने चौपट कर रखा है, उस में सुधार लाने के लिये बुनियादी कदम आप कब उठायेंगे? इस गैलन और लीटर वाले मामले में उलझा कर रख रहे हैं आप हम को।

अध्यक्ष महोदय, आप को याद होगा कि डा० त्रिगुण सेन को हल्दिया, बरीनी पाइप लाइन के बारे में एक लम्बा चौड़ा पत्र मैंने लिखा था। उस समय उन्होंने सदन में कहा था कि पब्लिक अंडरटेकिंग्स कमेटी की रपट जब आयेगी तो कोई ठोस कदम हम उठाएंगे। मैं ने अपने पत्र में जितने आरोप किए थे एक एक आरोप को पब्लिक अंडरटेकिंग्स कमेटी ने अपनी ताजा रपट में कहा है कि वह सही है। वेक्टेल कंपनी को सलाहकार के नाते बुलाया गया और इस कंपनी को कांटेक्ट पर हस्ताक्षर होने के पहले ही इन लोगों ने पैसा देने का काम किया। दूसरे, इस पाइप लाइन के बारे में शुरू में उन का जो अनुमान था, उस से अन्तिम खर्चा 14-15 करोड़ से अधिक हुआ है और उस का भी पूरा हिसाब किताब इन लोगों ने नहीं दिया। तीसरी बात यह है कि पब्लिक अंडरटेकिंग्स कमेटी ने अपनी रपट में यह साबित किया है कि चीफ इंस्पेक्टर आफ माइन्स, यह मिले हुए थे जो कोयला खानों के मालिक हैं उन से और उन्होंने उन को एक झूठा पत्र लिखा कि कोयले की खानों से कोयला निकालने का जो काम है उस के ऊपर मैं प्रतिबन्ध लगाने वाला हूँ जिस के फलस्वरूप कलकत्ता

हाईकोर्ट में मुकद्दमे दायर किये गये और जब सबूत देने का सवाल आया तो इन में से एक भी कोयले के मालिकों ने सबूत नहीं दिया। क्या यह सारी बातें रपट में नहीं आई हैं? चौथी बात—नेट्टूर श्रीनिवास राव ने जांच की थी कि कोल बेल्ट से पाइप लाइन को लाने का काम किस ने किया, उस की जिम्मेदारी किस की है। उस के बारे में भूत-पूर्व वित्त मंत्री श्री मोरार जी देसाई ने नोटिस किया था और कहा था कि इस में बड़ा घपला है और सरकार को करोड़ों रुपये का घाटा होने वाला है। तो उस की जांच होनी चाहिए। पहले कहा गया कि ए० के० राय साहब जांच करेंगे। हम लोगों ने उस पर एतराज किया कि कोयले के मालिकों से इन का संबंध है, इन को जांच करने का काम नहीं दिया जाना चाहिए। तो विजिलेंस कमिश्नर के हाथ में यह काम दिया गया। तो नेट्टूर श्रीनिवास राव व्यक्तिगत रूप से इस की जांच नहीं कर रहे थे, विजिलेंस कमिश्नर होने के नाते कर रहे थे। लेकिन जब वह सेवा-निवृत्त हो गए तो क्या वजह है कि उस के बाद जांच करने का काम नये विजिलेंस कमिश्नर को आप ने नहीं दिया? क्या यह बात सही नहीं है कि आई० सी० एस्०, पी० आर० नायक ने बिना किसी से बात किए हुए, अपनी जिम्मेदारी पर उन को पटा लिया और उन से कहा सरकार की ओर से कि आप जांच करने का काम कर दीजिए? उस के बाद डेढ़ साल तक... (व्यवधान)... मैं खत्म करने वाला हूँ। लेकिन आज मैं इन चीजों का जवाब चाहता हूँ। मंत्री महोदय हम लोगों को उलझा रहे हैं। लेकिन जो भ्रष्टाचार वहाँ चल रहा है उस के बारे में कब विचार करेंगे? अभी मेरा जो आई० सी० एस्० वाला बिल आया था उस का कुछ लोगों ने विरोध किया। अगर पब्लिक अंडरटेकिंग्स कमेटी की रपट को वह पढ़ेंगे तो कश्यप, पी० आर० नायक और गोपाल मेनन यह तीन जो आई० सी० एस्० आफिसर हैं इन के ऊपर उठकर उन को शर्म आएगी। आज वर्तमान कानून के तहत इन

आई० सी० एस० अफसरों को दंडित करने का, सस्पेंड करने का अधिकार अकेले भारत सरकार को है। तो मैं इन लोगों से पूछना चाहता हूँ कि क्या आप लोगों की हिम्मत है? आप ने इस सदन को आश्वासन दिया है कि यह सारे गन्दे काम करने वाले जो लोग हैं—यह कश्यप साहब हैं, पी० आर० नायक हैं, गोपाल मेनन हैं, क्या इन को आप धक्का देकर निकालेंगे? इन के खिलाफ कार्यवाही करेंगे? क्या उन की गुलामी करने का काम जैसे पिछले 23 सालों में आप ने किया वैसे ही आइन्दा भी किए जाएंगे? इन आई० सी० एस० आफिसर्स के बारे में कहा जाता है कि बड़े होशियार हैं, बड़े कार्यधम हैं। लेकिन आप पब्लिक अंडरटेकिंग्स कमेटी की रपट उठा कर पढ़िए, यह पी० आर० नायक, कश्यप, गोपाल मेनन, इन के जैसे आई० सी० एस० अफसरों पर आप लोगों को शर्म आएगी जिन का आप समर्थन कर रहे थे। . . . (व्यवधान) . . . आप पढ़िए पब्लिक अंडरटेकिंग्स कमेटी की रपट और उसके बाद जवाब दीजिए। तो मैं मंत्री महोदय से यह कहना चाहता हूँ कि इन मामूली परिवर्तनों से कुछ होने वाला नहीं है। अगर आप शुद्धीकरण का, सफाई का काम करने को तैयार हैं तो इन तीन अफसरों को पहले धक्का मारकर निकाल दीजिए नहीं तो डा० त्रिगुण सेन साहब और आप सब जल्दी से जल्दी इस्तीफा दे कर निकलएगा और फिर हम लोग सब मिलकर इन के खिलाफ जेहाद बोलने का, लड़ने का काम करेंगे। लेकिन आप पद पर रहेंगे, नोटिंग देते रहेंगे, यह आई० सी० एस० अफसर आप को विल्कुल पूछते नहीं, कुछ समझते नहीं आप को, फिर भी आप बने हुए हैं, मंत्री हैं, क्या मतलब है इस का? अध्यक्ष महोदय, मैं इन बातों का स्पष्ट उत्तर चाहता हूँ।

15.00 Hrs.

श्री वृजभूषण सखल (बरेली) : उपाध्यक्ष महोदय, सरकार इस अमेंडमेंट बिल को ला कर कुछ मीट्रिक तब्दीलियां गेलन के बजाय

लीटर और पेट्रोलियम की ए, बी, सी क्लासेज, इस प्रकार के कुछ मामूली संशोधन कर रही है। लेकिन मैं यह कहना चाहता हूँ कि पेट्रोल की कीमत इतनी बढ़ गई है कि जो जरूरत से ज्यादा है। साथ में कीमत तो इतनी बढ़ गई लेकिन मोटरिस्ट के लिए जो तकलीफ पेट्रोल पम्प पर होती है और जो परेशानियां होती हैं उस की तरफ मंत्री महोदय ने कतई कोई ध्यान नहीं दिया। पहली बात तो यह कि ऐसे न जाने कितने पेट्रोल पम्प हैं जहां पर पेट्रोल की क्वालिटी अच्छी नहीं दी जाती है। दूसरे यह कि मेजरमेंट सही नहीं होती। कुछ पेट्रोल पम्प ऐसे हैं कि जहां कम मेजरमेंट लगे हुए हैं। जब देखिए तो कम आ रहा है। तो मैं जानना चाहूंगा कि कोई ऐसा अमेंडमेंट या रूल रखें कि जिस के जरिए से मोटरिस्ट की जो परेशानियां हैं वह दूर हो सकें। अब आप ने पेट्रोल ए०, बी०, सी० तीन क्लास कर दिया। मेरा मुझाब वह है कि हर पेट्रोल पम्प पर ए क्लास, बी क्लास, सी क्लास जो भी पेट्रोल दिया जाय उस को एग्जिबिट करें और उस की प्राइस भी साथ में होनी चाहिए। इस के अलावा एक कम्प्लेंट बुक हो वहां पर जिस में हम अपनी कम्प्लेंट लिख सकें। आज कोई ऐसी चीज नहीं है जिस के जरिए से हम अपनी कम्प्लेंट आप तक पहुंचा सकें।

एक बात और कहना चाहता हूँ कि इंडियन आयल कारपोरेशन के पेट्रोल पम्प आप हर जगह खोलने की व्यवस्था क्यों नहीं करते? ताकि पब्लिक अंडरटेकिंग्स को हम लोग एन्करेज कर सकें। स्थिति आज क्या है कि किमी जगह 20-25 पेट्रोल पम्प हैं लेकिन इंडियन आयल कारपोरेशन का एक भी नहीं है। तो क्यों नहीं आप उस की व्यवस्था करते ताकि पब्लिक अंडरटेकिंग्स को एन्करेजमेंट मिले।

श्री स० मो० बंनर्जी : हम चाहते हैं कि यह जो एक क्लास, बी क्लास, सी क्लास पेट्रोल है, यह नहीं हो, क्लासलेस पेट्रोल होना चाहिए।

SHRIMATI TARKESHWARI SINHA : At this stage, I would like to bring to the notice of the hon. Minister certain things which have been pointed out by the PUC. Because the House is not getting the opportunity to discuss the report, we are not able to highlight those points. Unfortunately, Government do not move. Many of these Demands could not be discussed; they were guillotined. The PUC reports on one matter after another; but we have not been able to discuss those reports. The result is that those reports are being cold-stored and no improvement is taking place in the working of these undertakings, in spite of the fact that a parliamentary committee has gone in detail into every aspect of the question.

Last time this Bill was being discussed, I had drawn the attention of the hon. Minister to the faulty employment policy. Educated unemployment has become the biggest problem before the country. This has created a complicated problem in that area. In the Barauni area, it has also become a number-one law and order problem. In that famous area called zero mine, there is absolutely no order prevailing. The hon. Minister has visited the place and it is, by and large, the complaints of the officers of the department and the people there is that there is absolutely no law and order. What to talk of punishment of the disturbing elements, even to maintain the premises in conditions of security, there is no arrangement. The area has become a hotbed of intrigue, politics and also subversion. This is growing by leaps and bounds. It seems Government have not been taking any care about this. I think by tomorrow it will be too late to mend matters, and they will be faced with a situation where the entire factory will be left to the mercy of such elements who are habitual breakers of law.

So much is being said about the public sector encouraging employment. But there is no arrangement for training the recruits. It is time that all the public sector units had a training programme where apprentices could be invited to join and trained for taking up responsible positions in various departments.

It is really no use measuring the petroleum; the whole economy has been so vitiated. Whether it is the refinery or the fertiliser complex, land prices have been artificially inflated through the influence of a few political personalities. I would like the Minister and the House to take cognisance of this and inquire into whether some influential people of the area and some villages have not been given the privilege of Government buying their land at as high as Rs. 15,000 per acre. I would like to know which are those villages and who are those political leaders who have created this situation. A few favoured politicians and villages have secured this treatment, whereas there are other villages which have not even received half this price. I would like Parliament to be given this information and why this discrimination has taken place, how a few political personalities have been able to influence the refinery and the Ministry to secure this price.

Then it is strange that there is no co-ordination in regard to public services so far as the public sector units situated in the same area are concerned. There is the refinery, there is the fertiliser complex and there are many others coming up. But every unit will have its own separate hospital, school and so on. With the result that there are not enough patients for such separate hospitals.

Expenditure is duplicated on big buildings and the capacity is not fully utilised. In the beginning, I had informally suggested to all these complexes that they should have rules and regulations to have a co-ordinated approach to these matters so that one hospital, one school and so on could serve the needs of all and there is no wastage or duplication of such services. This should be readily possible when all these departments are under one Ministry. This is a clear-cut example of watertight compartmentalism in Government.

As it is, they do not even manage these services properly. You do not have good schools. You cannot allot suitable funds. I understand there is no agreement between these units about having a common hospital, common schools and so on.

We are talking about economy. But we cannot do even such co-ordination in the same department. It is as if one is in London and the other in New Delhi. Therefore, I would suggest that for public services in these complexes, there should be a co-ordinated approach.

Then so much has been said about workers' participation in management. But what has happened? No public sector unit has started it. Socialism only remains a slogan, only to make fools of the poor people of the country, to make fools of the labourers. Why do they not have it? Which are the political parties which do not want this? I understand that some of the political parties which claim to be the harbingers of socialism and their leaders are opposed to workers' participation in management because it will give them less avenue for exploitation of the workers. Therefore, they are sabotaging the entire scheme. Some of the leftist parties are also sabotaging it. I would like to have a categorical answer whether any serious effort is being made to see that all public undertakings start this very noble scheme for which so much slogan-mongering has been done, because it can be done without any legal difficulty or problems in the public sector. Start at home and then talk about socialism to others.

SHRI D. N. TIWARY (Gopalganj) : In Bihar many public undertakings have been established, but the children of the soil have not derived any benefit from them, they are disregarded. I have had occasion to draw the attention of the Ministers to this fact, but they are helpless. The undertakings are autonomous and the Ministers cannot do anything. They have said so in so many words that they cannot interfere. Nor do the head of public undertakings allow them to interfere. What to do? When the workers are harassed, when they are demoted without any rhyme or reason, where should they do? In the Railways there is a Board which hears the cases of all, even of the lowest employees. In the Postal Department also there is a Board. But in public undertakings there is no Board. Whatever the boss wants to do, he does and there is no hearing. So, I would request the Minister to appoint some Board

for the undertakings under his charge so that the grievances of the workers may be looked into by it.

In the public undertakings there is less labour trouble and more of personal troubles. When workers are superseded, they become more dissatisfied than by any general grievances. So, I would request the hon. Minister to see that a Board is established so that it may look into the grievances of workers in all the undertakings under the Ministry.

SHRI D. R. CHAVAN : The point was made by my hon. friend Shri Kalita concerning the Oil Prices Committee. He said that about a year ago this Report had been submitted to the Ministry. It is not correct, it was submitted only five or six months ago. It is a very comprehensive report. It was for quite sometime under the consideration of the Ministry. Decisions with regard to the recommendations contained in the Report have already been taken. The matter was referred to the Sub-Committee of the Cabinet. May I assure the hon. Member that the decisions will be announced next week on Monday or Tuesday.

A reference was made to the dismantling of certain rigs in the Sibsagar area. He handed over a telegram to me. I have taken up the matter with the Headquarters of O.N.G.C., Dehra Dun. I have not received any information about it. As soon as the information is received, I shall convey it to him I do not, however, understand the reference made by him to a conspiracy. I may mention for the information of the House that the demand for petroleum products is increasing considerably. The present demand is between 19 and 20 million tonnes. Certain studies have been made by the Indian Institute of Petroleum and they have come to the conclusion on that by 1973-74, i.e. the end of the Fourth Plan, the demand for petroleum products would be 32 to 34 million tonnes.

While making his speech, my friend in front of me also made a reference as to why we are building additional capacity and all that. So far as petroleum products are

[Shri D. R. Chavan]

concerned, we are reaching nearabout self-sufficiency except in respect of one or two petroleum products—kerosene, lubricating oil etc. I mentioned that the Indian Institute of Petroleum has made studies, and their studies indicate that by 1973-74 the demand for petroleum products would be between 32 million and 34 million tonnes. Therefore, to meet this demand, we have got to build up additional refining capacity in the country. On the 1st January, 1970, the total refining capacity that had been built up was 20 million tonnes. Therefore, we have to expand this by the establishment of new refineries like Haldia and others. This refining capacity has got to be increased. Otherwise, we will have to import petroleum products; that means the self-sufficiency which we have built up in respect of major petroleum products will go away.

In this context, I may mention for the information of my hon. friend, Shri Kalita, that our indigenous production in the country, both in the eastern and the western sector, is 6.7 million tonnes. The total demand is about 20 million tonnes. The gap between the demand and the supply has got to be met through import by spending nearly Rs. 100 crores. Therefore, the country needs indigenous production of crude oil. Nobody is interested in dismantling the rigs, nor is it a fact that technicians may be taken away for the sake of fancy or something like that. There are experts in the Oil and Natural Gas Commission. We should leave the matter to experts who are entrusted with the duties and responsibilities for increasing crude oil production in the country.

SHRI LOBO PRABHU : They meant a cut of 10 per cent on imports.

SHRI D. R. CHAVAN : One or two good suggestions have also been mentioned by the hon. Member; one is about the realisation of excise duty. It is true that this Department of Petroleum and Chemicals is contributing nearly Rs. 699 crores to the total excise revenue of the country, which comes to about 42.6 per cent; that is the contribution to the total excise revenue.

In his speech, the hon. Member made a reference to the fact that we are opening

retail outlets, about 500 outlets every year and asked why we were not creating facilities for repairing the tractors and other farm implements. As a matter of fact nearly 96 LDO retail outlets have been opened in various parts of the country and the Indian Oil Corporation is considering whether certain community centres should be created where the cultivators can come, purchase their LDO and HSD requirements and also bring their tractors, and other farm implements for repair which could be looked after by technical people and so on. That is being done.

My hon. friend Shri Brij Bhushan Lal made the point that these retail outlets should be classified into petroleum A class, petroleum B class and petroleum C class. It is not the intention of The Petroleum (Amendment) Bill to classify these retail outlets like that. As a matter of fact, the various types of petroleum products have been classified into three categories, that is, petroleum Class A, petroleum Class B and Petroleum Class C, depending upon their flashpoint. Petroleum Class A comprises motor gasoline, aviation gasoline, naphtha, special boiling point spirit (solvent). Class B consists of kerosene, aviation turbine fuel, solvent oil, mineral turpentine oil, high speed diesel oil. Class C comprises light diesel oil, furnace oil, jute batching oil, high sulphur heavy stock and low sulphur heavy stock, that is HSHS and LSHS. Therefore, these various types of petroleum products are classified into light, medium and heavy distillates; depending upon their flash-point, this classification is made. It is made for the purpose of transport and storing etc., what quantities are to be stored depends upon the flash-point. That is the purpose of the Bill; not for the classification of the retail outlets into petroleum Class A, petroleum Class B and petroleum Class C. I hope that point would be clear to the hon. member.

My friend, Mr. Madhu Limaye, has referred to the pipeline business. We have seen the recommendations made by the Committee on Public Undertakings. In the ministry, my senior colleague and myself are very much concerned about certain recommendations made by the committee. We are seized of the matter.

Concerning the Rao Committee's report it was submitted to the department only 4 or 5 days before. I myself have not seen it. I assure the hon. member that I will go through the report. If we are convinced that certain persons are guilty of certain things, action would be taken against them. There is absolutely no doubt about it.

श्री मधु लिये : पी० यू० सी० की रिपोर्ट में साफ लिखा हुआ है कि पी० आर० नायक ने व्यक्तिगत जिम्मेदारी पर श्रीनिवास राव से कहा कि वह जांच जारी रखें।

कश्यप साहब पेंसिल से नोटिंग करते हैं ताकि उस को बदल सकें।

SHRI D. R. CHAVAN : After going through the entire record, if we come to the conclusion that certain persons are guilty, certainly there will be no hesitation on the part of both myself and my senior colleague to take action against those persons.

Shri D. N. Tiwary referred to the policy of recruitment, promotion and demotion. We are very much concerned about the recruitment policy and certain points were made in the consultative committee meeting also. The policy we have evolved is now applicable to all the public sector undertaking under my ministry. Much concern has been expressed in the House on many occasions that the ministry's public sector undertakings are not giving fair representation to local persons in employment under them. That is the main grievance about the Barauni fertiliser factory and refinery also. I would explain briefly the policy in regard to this matter. The standing instructions to public sector undertakings in the matter of direct recruitment to posts carrying a salary of Rs. 500 and below per month require that local persons should be given preference over others and amongst local people, priority should be given to oustees and scheduled castes. Recruitment to such posts should be made through the employment exchanges and only if 'non-availability certificates' are given by the employment exchange should other sources of recruitment be tapped. It is further required that selection committees for recruitment to these

posts should include a nominee of the State Government, who should be an officer of a status commensurate with the status of the Chairman of the selection committee. These instructions have been communicated to our undertakings and reiterated from time to time. In 1966, we fulfilled an assurance given on the floor of the House in connection with the employment of persons belonging to the States in which the undertakings or their constituent units are situated.

This matter was agitated a number of times by the hon. members from Bihar. It was taken up in the consultative committee and as a result of the deliberations there this policy has been evolved.

श्री शिव चन्द्र झा : विनय कृष्ण और सतीश चन्द्र के केस की जांच करेंगे ? मजबूर कर के उस को शर्तों पर बहाल किया गया है।

SHRI D. R. CHAVAN : Vinay Kishen has already been reinstated and there is no difficulty about it.

With these words, I request the House to pass the Bill.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill, as amended, be passed."
The motion was adopted.

15.25 Hrs.

CONTINGENCY FUND OF INDIA (AMENDMENT) BILL

THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI P. C.
SETHI) : I beg to move :

"That the Bill to amend the Contingency Fund of India Act, 1950, be taken into consideration."

By virtue of the Contingency Fund of India Act, 1950, the Contingency Fund of India was established with a corpus of Rs. 15 crores to meet the requirements of unforeseen expenditure of the Central