

[श्री गणेश भूषण]

को मिलकर एसा प्रयत्न करना चाहिए कि टैक्स चारो के बिनाफ सग्त बार्योगही हो, जिस बिनाउ जनता न हमको यहा चुन कर भेजा है, वह हमस एसी ही आशा रखती है ।

SHRI K R GANISH The imendment of the hon Member is not acceptable because it will defeat the very purpose underlying the Bill. I wish to clarify his doubt. It may be mentioned that the proceedings which are pending before the appellate authorities, courts on matters other than relevant to the validity of the action taken by the income tax department on account of the procedural irregularity will not be adversely affected by the proposed legislation.

MR DEPUTY SPEAKER I shall now put the amendment of Mr Bude to the vote of the House.

Amendment No 2 was put and negatived

MR DEPUTY SPEAKER The question is

“That Clause 2 stand part of the Bill”

The motion was adopted

Clause 2 was added to the Bill

MR DEPUTY SPEAKER The question is

“That clause 1 the Enacting Formula and the Title stand part of the Bill”

The motion was adopted

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

SHRI K R GANESH Sir I beg to move

“That the Bill be passed”

MR DEPUTY-SPEAKER The question is

“That the Bill be passed”

The motion was adopted

14 12 hrs

**STATUTORY RESOLUTION RE
MYSORE STATE ELECTRICITY
BOARD**

**THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI K R
GANISH)** Sir I beg to move the following
Resolution

“Whereas in pursuance of sub-section (3) of section 65 of the Electricity (Supply) Act 1948 (54 of 1948) the Government of Mysore has with the approval of the Mysore Legislative Assembly, fixed under its Order No PWD—100 I.F.B. 69 dated 15th November, 1969 the maximum amount as rupees fifty crores for the purposes of sub-section (1) of the said section 65 with effect from the 10th September, 1969,

and Whereas the Government of Mysore proposes to raise the aforesaid maximum amount to rupees seventy five crores,

And Whereas the Mysore Legislative Assembly has been dissolved,

And Whereas under the proclamation dated 27th March, 1971, issued by the President under article 356 of the Constitution, the powers of the State Legislature are exercisable by Parliament,

Now, therefore, it is hereby resolved that Lok Sabha do accord approval to the proposal of the Government of Mysore to fix, under sub-section (3) of section 65 of the Electricity (Supply) Act,

1948 (54 of 1948), the maximum amount as rupees seventy-five crores which the Mysore State Electricity Board may at any time have on loan under sub-section (1) of the said section 65."

Section 65 (3) of the Electricity Supply Act, 1948, which fixes the borrowing limit of Electricity Boards at Rs. 10 crores, empowers the State Governments to fix higher limits with the approval of the State Legislative Assembly. The limit of Rs. 10 crores was fixed 23 years back; higher limits have been allowed by the State Governments with the approval of the State Legislatures to enable the Electricity Boards to finance their power programmes. In the case of Mysore State Electricity Board, the borrowing capacity was increased to Rs. 50 crores in November, 1969. As indicated in the background note circulated in connection with the Resolution, the amounts borrowed by the Board outstanding at present aggregate Rs 4999.88 lakhs. The Mysore State Electricity Board cannot thus raise additional resources through borrowings from the market, LIC, etc unless the borrowing limit is raised further.

The Mysore Government has proposed to fix the maximum amount of borrowing at Rs. 75 crores. Since the State is under the President's rule and Mysore Legislative Assembly has been dissolved and the powers of the State Legislature are exercisable by the Parliament, approval of the House is sought to fix the Mysore State Electricity Board's maximum borrowing at Rs. 75 crores.

The note already circulated gives necessary details in support of the proposal. If any further points are raised, I shall endeavour to cover them in my reply.

MR. DEPUTY-SPEAKER : Resolution moved :

"WHEREAS² in pursuance of sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 (54 of 1948), the Government of Mysore has, with the approval of the Mysore Legislative

Assembly, fixed under its Order No. PWD-100 FEB 69, dated 15th November, 1969, the maximum amount as rupees fifty crores for the purposes of sub-section (1) of the said section 65 with effect from the 10th September, 1969 ;

AND WHEREAS the Government of Mysore proposes to raise the aforesaid maximum amount to rupees seventy-five crores ;

AND WHEREAS the Mysore Legislative Assembly has been dissolved ;

AND WHEREAS under the Proclamation dated 27th March, 1971, issued by the President under article 356 of the Constitution, the powers of the State Legislature are exercisable by Parliament ;

NOW, THEREFORE, it is hereby resolved that Lok Sabha do accord approval to the proposal of the Government of Mysore to fix, under sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 (54 of 1948), the maximum amount as rupees seventy-five crores which the Mysore State Electricity Board may at any time have on loan under sub-section (1) of the said section 65."

*SHRI T. V. CHANDRASHEKHARAPPA VELRABASSAPPA (Shimoga) : Mr. Deputy Speaker, Sir, while supporting the statutory resolution in regard to the Mysore Electricity Board I would like to say a few words. This resolution ought to have been passed by the State Legislature but because the State is now under the President's rule, Parliament has been called upon to approve of the same.

Since the inception of the Mysore State Electricity Board, Government have been giving loans to the Board quite often. In spite of their best efforts, the Board has not been in a position to increase its revenue to repay these loans. There are several reasons for this. I would like to touch

²The original speech was delivered in Kannada.

[Shri T. V. Chandrashekharpappa Veerabasappa]

upon them. The Mysore Electricity Board have drawn up several plans for rural electrification, but the progress so far has not been upto expectations. I hail from Sharavathy area where electricity is generated. To enable the construction of the Sharavathy project, many people had to be displaced from that area. Though they have been resettled near about the project area oddly enough these village have not been supplied with electricity for which they are entitled as a matter of course. Then certain people have sacrificed their homes and lands for larger good of the State, it is ironic that these are the very same people who have been denied the benefits from the projects for which they sacrificed so much. When that is the position whom then are they going to help ?

In my area electricity is being supplied to the consumers at a concessional rate. In the areas of Soraba Sigara, Hosanagar and Thirthahalli, the Electricity Board has not been meeting the demand for power. This accentuates the intra-regional imbalances in regard to the distribution of power should be done away with. It has also been noticed that the officers responsible for the distribution of the power endeavour to see that they supply only to those regions from where they hail. This is not just and it should be the policy of the Board to supply power to the farmers who are the backbone of the society and who require to bring about the green revolution.

In some of the Malnad villages there are only four to six houses in each village. The policy of the Electricity Board is to supply power to areas where they would get a revenue of the order of 6 to 7 per cent on the cost of installation for supply of electricity. Since the Board would not be in a position to get the return of 6-7% from these Malnad villages, this should not be made a pre condition for the supply of electricity to them.

Another point I would like to mention is the supply of defective meters by the

Board to the consumers. I had many a times represented this matter to the Electricity Board in vain. Licences should not be given to those companies who manufacture defective meters. The poor farmers are blamed for owning defective meters and are sometimes prosecuted. The Board is to be blamed. But the poor farmers are penalised for no fault of theirs. The vigilance squad of the Electricity Board frequently visits the villages and harasses the villagers on this account.

The Electricity Board blames the farmers with the plea that the defect is due to mis-handling of the meters by the farmers. I got some of the meters tested and found this allegation baseless. I took up this matter with the Chairman of the Board who are satisfied with my complaint and was convinced of the inherent defects in the meters. But even then no action seems to have been taken to remedy the situation. I, therefore, request that they should supply meters of good quality and save the farmers from unscrupulous harassment.

In regard to the Mysore Electricity Board I have one more point to high light. The squad vigilance squad of the Board pays surprise visits to arecanut and betel leaves farms and impose fine on the owners of some flimsy grounds because of defects in the meters. The people are prosecuted and the court normally takes 6 months to decide a case. Pending decision of the court the Board collects the fine to the extent of Rs. 1000 to 2000/- which is beyond the capacity of farmers.

The Chairman of the Board is at present empowered to withdraw cases where fines are imposed to the extent of Rs. 250/-. This limit should be raised to Rs. 1000/-. The fault might be either of the department or of the farmers. Till the Court decides the case the estates will be without water supply causing untold suffering and loss to these farmers. There are instances where estates worth lakhs of rupees became arid due to non-supply of water, resulting in colossal loss to the farmers.

Recently I had met the Chairman of the Electricity Board and suggested to him to amend the rules in this regard to obviate hardships to the farmers.

The vigilance squad should take effective steps to see that the industrial units do not misuse the power supplied to them.

In regard to the supply of cement concrete poles I would like say that since the civil engineers employed by the Board are not fully employed throughout, the manufacture of these poles should be supervised by the civil engineers with the help of some technicians. The Government should supply them cement and raw materials. They can then manufacture even 500 poles per month with the quality much improved. For this purpose, Centre should supply the requisite raw materials at controlled rates to the Board. There are facilities for the manufacture of poles in Sharavathy. If the manufacture is taken up departmentally, there will be reduction in the cost of production and the Board can save lakhs of rupees. This would also solve the problem of un-employment to some extent.

There is a move to retrench about 400 workers employed in Mahatma Gandhi Hydro Electric Project. This is not just and human in the present context of un-employment. This has been brought to the notice of Mysore State Electricity Board and transferred to some other power corporation.

Under the President's Rule, people thought that the conditions would improve. But it is unfortunate otherwise inasmuch as even the profitable industrial units are supplied with electricity at concessional rates. I suggest that industrialists should not be given any concession in the matter of supply of electricity.

There is a Caustic Soda factory in Karwar. This factory has been making enormous profits and electricity is supplied to the factory at concessional rates. This is improper. There should be a uniform rate and the Board should not succumb to any pressure from vested interests for supply of power at concessional rates. These are some of the aspects in regard to the management and functioning of the State Electricity Board which require looking into immediately and I hope the Minister would take personal interest in this direction to get the Board on a better footing.

SHRI D. D. DESAI (Kaira) : Mr. Deputy-Speaker, Sir, Mysore has grand opportunity of collecting a very large revenue out of Sharavathi project. Why is it necessary for it to raise further amount seems to be a question. It is clear that if the Board was operated on commercial basis with its own balance-sheet it should be able to generate large amount of funds which could be ploughed back for further development of electricity board's various expansion programmes. As it is it has surplus power. It has limitation in respect of transmission lines but when they put up new transmission lines I would suggest they do do on basis of extra high tension voltage main lines because as it is we have at the most 220 K.V lines. I would strongly suggest in view of the huge power block they have, 430 KV lines or so should be for their new transmission requirements.

Then, there is a small suggestion. Mysore collects large revenue from the sale of power to other States as well as within the State. These funds should not be diverted to non-Plan expenditure. Particularly if these amounts are isolated from the Government's normal revenue or expenditure, it may be possible for Mysore to build up its own reserves out of the sale of large blocks of power to neighbouring States. The rates in Mysore are also low. Probably, it may be possible for the State Board to improve its revenue position also by adjusting its rates with those of adjacent States.

There is also a little deficiency. The purchase which the Mysore Electricity Board makes may be made on technical and commercial grounds and not on any other consideration which is not really of great interest to the Mysore Electricity Board.

SHRI K. R. GANESH : This borrowing has become necessary because Mysore State Electricity Board has an ambitious programme of electrifying about 8,500 villages every year from 1971-72. The objective is to electrify all the villages in the State in the next five years. Out of 2.64 lakh villages in the State, 1.04 lakh villages have already been electrified up to the end of March 1971. In addition, 1.32 lakh pump sets have already been energised up to the end of May, 1971. The Board

[Shri K. R. Ganesh]

has a programme of energising 30,000 pump sets during this year and 95,000 pump sets during the remaining two years of the Fourth Plan. As a result of this ambitious programme of rural electrification and energising of pump sets, it was necessary to have this borrowing and I seek the approval of this House of the same.

The various other suggestions, which hon. Members have made, will be taken into consideration and will be passed on to the Mysore State Electricity Board and the Mysore Government.

MR. DEPUTY-SPEAKER : The question is :

“WHEREAS in pursuance of sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 (54 of 1948), the Government of Mysore has, with the approval of the Mysore Legislative Assembly, fixed under its Order No. PWD-100 EEB 69, dated 15th November, 1969 the maximum amount as rupees fifty crores for the purposes of sub-section (1) of the said section 65 with effect from the 10th September, 1969 ;

AND WHEREAS the Government of Mysore proposes to raise the aforesaid maximum amount to rupees seventy-five crores ;

AND WHEREAS the Mysore Legislative Assembly has been dissolved ;

AND WHEREAS under the Proclamation dated 27th March, 1971, issued by the President under article 356 of the Constitution the powers of the State Legislature are exercisable by Parliament ;

NOW, THEREFORE, it is hereby resolved that Lok Sabha do accord approval to the proposal of the Government of Mysore to fix, under sub-section (3) of section 65 of the Electricity (Supply) Act, 1948 (54 of 1948), the maximum amount as rupees seventy-five crores which the

Mysore State Electricity Board may at any time have on loan under sub-section (1) of the said section 65.”

The motion was adopted.

14 33 hrs.

PUBLIC PREMISES (EVICTION OF
UNAUTHORISED OCCUPANTS)BILL

THE MINISTER OF STATE IN THE
MINISTRY OF WORKS AND HOUSING
(SHRI I. K. GUJRAL) : Sir, I beg to
move* :—

“That the Bill to provide for the eviction of unauthorised occupants from public premises and for certain incidental matters, be taken into consideration.”

This is a very simple and perhaps a very controversial Bill. It has come here because of some legal lacuna which has cropped up as a result of the judgment of the Delhi High Court.

This Act was passed first by this House in 1958 and was working for quite some time. It had the same provisions as those of the Punjab Public Premises Eviction Act of 1959. That was struck down by the Supreme Court. Since our Act was in conformity with the provisions of the Punjab Act in several areas, we first passed an Ordinance and then an Act in 1968. But this was struck down by the majority judgment of the Delhi High Court in 1970. Although the Government has gone in appeal against that judgment, since it is taking a lot of time, we thought that it would be better for us to come here with a revised Bill on the lines indicated by the judgment itself. The judgment of the High Court has itself suggested that we should come here with this new Bill and meet the lacunae that were pointed out in the earlier Act.

The main lacuna in the earlier Bill was that the Estate Officer had two remedies open to him, either to try the case himself and take appropriate action as a quasi-judicial authority or to take the case to a civil court and let the case be decided there. The High Court felt that it was

*Moved with the recommendation of the President.