

The House is anxious to know who is responsible for this, and what is the punishment the Government are going to give him.

**THE MINISTER OF IRRIGATION AND POWER (DR. K. L. RAO) :** I would like to submit that we have imported equipment worth about Rs. 435 crores in all, and equipment worth about Rs. 5 crores is now lying unused because the plants could not be commissioned because of the delay in these four projects. So, strictly speaking, it is not very much, but still, I would not be happy about that, because we are very short of foreign exchange and more than that, we are short of power. Therefore, we must see that we commission as many projects as possible; and we will try to do that.

The next question that he raised is, who is responsible for this. I wish to submit that all these four projects are State projects, and the State Governments are responsible for seeing that these projects are carried through. I have taken up the matter with the Chief Minister of Assam in respect of two of these projects, namely, the Tura Thermal Project and the Gauhati Thermal Project. Both of them have been delayed very considerably, and so I have written to the Chief Minister of Assam, requesting him to find out who is responsible for the delays in organization and take the necessary steps so that in future such delays do not occur.

**SHRI R. S. PANDEY :** What special steps are being taken by the Government to see that the equipment is not damaged in transit and the civil work keeps pace with the arrival of the equipment?

**DR. K. L. RAO :** What the hon. Member said is very correct. We have set to instal the equipment soon and there should not be any delay. I will try to see that such damage do not occur during transit and that the civil works are kept up. The reasons why we could not start the work in these four projects are : one, the damage in transit which is really regrettable. We should take more careful steps. We are asking the various power stations to make more careful steps in this direction. This occurred at the time of disembarking and embarking. In fact, in one case, even in New York, when one of the machines meant for Dhuvaran was being loaded, it

just slipped into the sea. There has been delay on account of such accidents for nearly a year and a half; it is certainly regrettable. But hereafter, most of these equipment will come from indigenous sources and I hope we will be avoiding such damages. Anyway, we have got to keep up with great vigilance, and...

**MR. SPEAKER :** Let the Minister's answer be brief.

**DR. K. L. RAO :** Yes, Sir. There are delays in the civil works. These delays are due to four factors.

**SHRI R. S. PANDEY :** Let the Ministry reply also to the point about the dispute between the Electricity Board and the contractor.

**DR. K. L. RAO :** There are four reasons for the delay. One is, inadequate finance; second, the contractor's lapses, third, the labour strike; the fourth reason is, some engineering difficulties that came up during construction. Here, the hon. Member is referring to Kuttiadi in Kerala in respect of the dispute between the contractor and the Electricity Board.

There has been some trouble between the labour and the contractor and Government could not maintain law and order at that time. There are one or two cases like that occurring in the country. We will be careful and we will ask the various States electricity boards also to be more careful.

**DR. RANEN SEN :** May I know which are the foreign countries which have exported these generators? Is it a fact that apart from damage during transit, even before that these generators were defective? What steps are Government taking to see that such defective generators are not supplied?

**MR. SPEAKER :** That is about non-utilisation. It does not arise out of this. I am passing on to the next question. The minister's reply was very detailed.

#### Appointment of Judicial Member in the All India Income Tax Appellate Tribunal

\*185. **SHRI N. K. SANGHI :** Will the Minister of LAW AND JUSTICE (VIDHI AUR NYAYA MANTRI) be pleased to refer to the reply given to Unstarred Question No. 47 dated the 30th March, 1971 and state :

(a) the guidelines, if any, laid down by

Government for the appointment to the post of Judicial Member, Income-tax Appellate Tribunal ;

(b) the number of practising Advocates who appeared before the Selection Committee, State-wise ; and

(c) the consideration which weighed with Government to give preference to the Members of the State Judicial Service in such appointments over the practising Income-tax Advocates of standing who had appeared before the Selection Committee ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (VIDHI AUR NYAYA MANTRALAYA MEN RAJYA MANTRI) (SHRI NITIRAJ SINGH CHAUDHURY) : (a) Persons possessing qualifications as laid down in the Income-tax Appellate Tribunal Members (Recruitment and Conditions of Service) Rules, 1963 and found suitable to hold the post of Judicial Member are appointed ; there are no other guide-lines prescribed by the Government for the purpose.

(b) The State-wise number of Practising Advocates who appeared before the Selection Board is :

1. Andhra Pradesh	2
2. Bihar	2
3. Maharashtra	2
4. Rajasthan	1
5. Tamil Nadu	4
6. West Bengal	4
7. Delhi	6

(c) No preference has been given by the Government in such appointments to candidates from the Members of the State Judicial Service over the practising Income-tax Advocates of standing.

SHRI N. K. SANGHI : From the statement laid in answer to my previous question, I found that out of 10 persons appointed, two were from advocates and 8 from the judicial service. Since we are appointing judges to the High Court also from advocates, may I know why a different method is being followed for the appointment to the judicial tribunal? May I know if something is being done in this regard and there are no instructions from the department that persons from the judicial

service will get preference over practising advocates ?

SHRI NITIRAJ SINGH CHAUDHURY : The break-up in respect of applications for the post of Judicial Member for recruitment in 1970 was : From profession 82 ; from service 117. These were the number of applications received. 22 persons from the profession and 73 from service qualified for interview. 21 from the profession and 49 from the service appeared before the selection board. Out of them a panel was made, out of which orders were issued for the appointment of 10 persons. Out of these ten, three persons—Shri V. Rajagopalan, Shri S. Basu and Shri Kalyanbrota Roy—did not join.

SHRI N. K. SANGHI : May I know what has made the department take people from the Indian Revenue Service ? Certain persons from the Indian Revenue Service—Assistant Commissioners—have been taken. Has the department made any changes in the guidelines ?

SHRI NITIRAJ SINGH CHAUDHURY : As I said, there are no guidelines. There are recruitment rules according to which recruitment has been made. The selection committee in 1970 was headed by Justice J. C. Shah. According to their recommendations, recruitment has been made.

SHRI T. BALAKRISHNIAH : In the advertisement given by the Government, two posts were reserved for scheduled castes. May I know whether those two posts were filled by scheduled caste members and if so, who are the candidates selected and from which state they were selected ?

SHRI NITIRAJ SINGH CHAUDHURY : I will have to verify and then give this information. I require notice.

श्री बी० पी० सौर्य : बाबूद इस बात के कि सिड्गुल्ल कास्ट्स और सिड्गुल्ल ट्राइब्स की आबादी देश में 23 सैकड़ा के करीब है, इनका टैक्स ऐपिलेट ट्रिब्यूनल में सिड्गुल्ल कास्ट्स का केवल एक जुडिशल मेम्बर है और सिड्गुल्ल ट्राइब्स का एक भी नहीं है। इस दशा में क्या मंत्रालय इस और कुछ विशेष ध्यान दे रहा है ?

कि शिद्यूल्ड कास्ट्स और शिद्यूल्ड ट्राइब्स को प्रारर रिप्रेवेन्टेसन मिल सके ? इस पद के लिए जो कम से कम योग्यता चाहिए, उससे कहीं अधिक योग्यता वाले शिद्यूल्ड कास्ट्स और शिद्यूल्ड ट्राइब्स में सैकड़ों की तादाद में मौजूद हैं ।

श्री नीतिरत्न चौबरी : विज्ञापन देकर आवेदनपत्र मंगाए जाते हैं और जिन लोगों के आवेदन माते हैं, उनको इंटरव्यू के लिए बुलाया जाता है । उनमें से योग्यता के अनुसार नियुक्ति की जाती है । यदि शिद्यूल्ड कास्ट्स और शिद्यूल्ड ट्राइब्स के लोगों के आवेदन माते हैं और उनके लिए स्थान सुरक्षित होते हैं, तो उपयुक्त होने पर अवश्य उनकी नियुक्ति की जाती हैं ।

श्री श्री० पी० जी० शर्मा : इस समय केवल एक जुडिशल मेम्बर है । उनके पास मिनिमम क्वालिफिकेशन होती है, लेकिन प्राप लेते नहीं हैं । दू आर प्रोच्युडिड । प्राप सिलेक्शन कमेटी में

शिद्यूल्ड कास्ट्स के लोग रक्षित । जब वे नहीं चुन कर आ जाते हैं, तो वहाँ क्यों नहीं आ पाते हैं ? You can have the law-makers but you cannot have those who can be appointed. I feel pity at this approach.

#### Paper Production

\*186. SHRI S. R. DAMANI : Will the Minister of INDUSTRIAL DEVELOPMENT (AUDYOGIK VIKAS MANTRI) be pleased to state :

(a) whether the All India Small Paper Mills Association has submitted a memorandum to the Government outlining a crash plan for increasing paper production in the country ; and

(b) whether Government have examined the proposals and if so, the decision taken thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (AUDYOGIK VIKAS MANTRALAYA MEN RAJYA MANTRI) (SHRI GHANSHYAM OZA) : (a) and (b). A Statement is laid on the Table of the House.

#### Statement

(a) Yes Sir.

(b) Main proposal made by the All India Small Paper Mills Association.

(i) Setting up of Small Paper Units with imported second hand machinery.

(ii) Enhancement of Excise Relief.

(iii) Setting up of a Central Pulp Unit by the Hindustan Paper Corporation in the Public Sector to meet the requirements of the Small Paper Units.

#### Government's decision

(i) While Government would like to give all possible assistance to small paper mills the import of second-hand paper plants has to be generally discouraged.

(ii) The Government will examine their case for further excise relief on receipt of their balance sheets and other relevant data to be submitted by them.

(iii) The existing commitments of Hindustan Paper Corporation vis-a-vis its present resources do not permit the Corporation to undertake establishment of a Central Pulp Unit for small paper mills. The Small Paper Mills have therefore been advised to form into a co-operative to set up a pulp unit in the Joint Sector.