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Tuesday, August 6, 1974  
Sravana 15, 1896 (Saka)

# LOK SABHA DEBATES

(Eleventh Session)



(Vol. XLII contains Nos. 1 to 10)

LOK SABHA SECRETARIAT  
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## LOK SABHA DEBATES

### LOK SABHA

Tuesday, the 6th August, 1974/  
Sravana 15, 1896 (Saka)

### THE LOK SABHA MET AT ELEVEN OF THE CLOCK

[MR. SPEAKER *in the Chair.*]

### ORAL ANSWERS TO QUESTIONS

#### Payment to Employees for the period of Strike

\*225. SHRI S. C. SAMANTA: Will the Minister of RAILWAYS be pleased to state:

(a) which authority is dealing with the large number of appeals filed by employees who were dismissed, retrenched or removed from service during the last All India General Strike in the Railways;

(b) what percentage of cases has been decided and how long will it take for the rest to be decided finally; and

(c) whether salaries will be paid to such of the employees whose appeals are decided favourably for the time taken in disposal of appeals in the post strike period?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c). A statement is laid on the Table of the Sabha.

### Statement

Under the Railway Servants (Discipline & Appeal) Rules, 1968, the power to decide an appeal against the orders of dismissal or removal from service has been vested in the authority next above the authority which

imposes such punishment. No retrenchment has been done in the recent railway strike.

2. About 40 per cent of the staff whose services were terminated/dismissed have since been re-instated on Representation/Appeal.

3. A decision regarding the payment of salaries for the period from the of dismissal/removal to the date of re-instatement is also taken by the Appellate Authority.

SHRI S. C. SAMANTA: I want to know in how many cases the employees were reported sick or that they were actually in the hospital. Also I would like to know how their cases will be disposed of.

SHRI MOHD. SHAFI QURESHI: I do not have the figures at this time as to how many employees were reported sick and how many were in the hospital.

SHRI JAGANNATH RAO: How are you going to dispose of them?

SHRI MOHD. SHAFI QURESHI: Those people who did not join the strike but were reported sick or were reported to be in the hospital—that can be ascertained and it will be decided on the merits of each case.

SHRI S. C. SAMANTA: The statement says that about 40 per cent of the staff whose services were terminated or dismissed have since been re-instated on representation or appeal. How many cases were decided without their coming up before the Ministry?

SHRI MOHD. SHAFI QURESHI: In the context of the latest strike, the total number of dismissals, removals from service or termination was about

16,750. According to the information that was furnished by the railways upto 15-7-74, 4,923 railway servants have been reinstated. There has been a progressive improvement in the last few days and upto 20-7-74 the number has come to 6,497. That is about 40 per cent of the staff who were dismissed or removed or whose services were terminated have been taken back on representation or appeal, and other cases are pending consideration.

**SHRI DINEN BHATTACHARYYA:** Uptodate, in all the railways, actually what is the total number of employees whose services have been terminated? Please don't say anything which is not a fact. That is No. 1.

No. 2—How many cases are of break-in-service and how many cases are of suspension of permanent workers and in how many cases substitutes and casual labourers have been refused to be employed again? ...

**MR. SPEAKER:** Please ask one continuous question.

**SHRI DINEN BHATTACHARYYA:** That is (a).

Then, (b)—instances are here with me that in many cases the courts have given injunction as well as declared void the rule under which these employees have been victimised. In how many cases the railway administration has implemented the judgement that has been given by the different courts?

**SHRI MOHD. SHAFI QURESHI:** The question pertains to the removal and dismissal of the railway employees. With regard to the information about the actual number of persons dismissed or removed from service, I have already stated in reply to a question earlier that 16,750 employees were removed from service by orders of termination or of dismissal... (Interruptions). I have given the figures upto 20-7-74. 40 per cent of these dismissed employees

have been taken back on work after they filed their appeal before the appellate authority. These figures are upto 20th July. To-day many more appeals might have been accepted and many more employees might have been taken back.

With regard to break-in service, if the employees go on a strike which has been declared illegal, the break-in service will apply to every employee who goes on strike. The total number of employees in whose cases the break-in service will apply is 5.5 lakhs. Out of these 5.5 lakhs, in more than a lakh of cases the break-in service has been condoned.

**SHRI DINEN BHATTACHARYYA:** You have not given the figures regarding the substitutes and the casual workers.

**MR. SPEAKER:** It is purely a question relating to dismissal.

**SHRIMATI PARVATHI KRISHNAN:** Sir, I would like to know from the hon. Minister, of these reinstated cases, how many have been demoted and also how much of interference is taking place from the higher authorities when the appeals have been dealt with at lower down? Our information is that where there is something regarding reinstatement in the agenda for the lower down, orders are issued from the higher authorities—selective orders—that they are not to be re-instated. Therefore we would like to know whether Government is giving a directive that victimised workers are all to be reinstated apart from those against whom cases of sabotage may be pending which may be dealt with later on. Otherwise until a policy decision is taken, victimisation will continue in the same way. So, we would like to know whether Government is taking any policy decision because mere guidelines mean nothing at all.

**SHRI MOHD. SHAFI QURESHI:** Sir, under the rules, the appeal lies

against the punishment to the authority next to the one which imposed that punishment. We are not interfering in the due process of law. All appeals are being decided on merits. All these people have been taken back on the original posts. There has been no case of demotion so far. But, I would assure the hon. Member that all appeals will be decided on merits and according to the due process of law.

**SHRI R. S. PANDEY:** It is really very unfortunate on the parts of Union leaders to ask the question when they themselves have misguided millions of innocent workers. I would like to know from the hon. Minister whether the innocent labour and other workers who had been retrenched or dismissed, if they express regret, will be reinstated (*Interruptions*).

PROF. MADHU DANDAVATE: Sir, I rise on a point of order.

**SHRI R. S. PANDEY:** I do not know why they should ask this question when the innocent workers were misled by these unfortunate leaders of the union.

PROF MADHU DANDAVATE: My point of orders is: While asking a question can the hon. Member express an opinion? Sir, he is supposed to ask question only.

MR SPEAKER: No point of order is allowed on the question.

SHRI MOHD. SHAFI QURESHI We have already said in this House and the other House that we are not going to give a harsh treatment to our own employees. We shall try to be very liberal. But, if they express their regrets, certainly, that would be considered.

श्री अदल बिहारी बाप्पे दी अध्यक्ष जी, मैं यह जानना चाहता हूं कि अभी मंत्री महोदय ने कहा कि साडे पांच लाख कम्बोरारियों का

ब्रेक इन सर्विस है तो ब्रेक इन सर्विस से क्या मतलब है ? क्या कर्मचारियों को यह माना जायेगा कि उन्होंने नये मिरे से सर्विस शुरू की है ? क्या यह भूत है कि पुरानी छुट्टियों से उनको हाथ धोना पड़ेगा और क्या वे सीनियरार्टी में मफर करेंगे ? क्या मर्कार के लिये सहानुभूतिपूर्वक यह निर्णय लेना सम्भव नहीं है कि ब्रेक इन सर्विस को नीव विडाउट पे के रूप में देख लें और किमी नरह का ब्रेक न करें ?

भी मुहम्मद शकी कुरेशी : सर, यह जो  
एक बात कही जा रही है कि ब्रेक इन सर्विस  
किसी नरह का विकिटमाईजेशन या पनिशेमेंट है  
तो ऐसी बात नहीं है । (अवधारण) यह  
एक ऐक्ट का नतीजा है जैसे कोई आदमी  
छलाग भारे, उसकी टाग टूट जाये तो आदमी  
का विकिटमाइजेशन नहीं है । इन्लीगल  
नोटिस पर जो नोग म्ट्राइक पर जायेगे उनका  
ब्रेक डन मर्विस जस्त होगा । ब्रेक इन मर्विस  
को हम श्वास श्वास केंज में माफ करेंगे  
लेकिन जिमका ब्रेक इन सर्विस होगा उमका यह  
मनलब है कि उसकी जो नौकरी है वह नये सिरे से  
गर्म होंगी और जो बीच का पीरियड है  
वह काउन्ट नहीं होगा—पेशन के भागों में,  
नीव के मामले में और पाम के मामले में ।  
उम बक्त जो हमने एटीट्यूड लिया है वह  
यही है कि पाच लाख में ऊपर कर्मचारियों का  
ब्रेक इन मर्विस हुआ था जिसमें नकरीबन  
एक लाख में ज्यादा को हमने कन्डोन कर  
दिया है और आगे हर एक केस को इडी-  
बीजुअल तरीके से परखा जायेगा लेकिन  
शाम तौर पर सभी को कन्डोन किया जायेगा,  
ऐसी गवर्नमेंट की कोई नीति नहीं है ।

श्री चन्द्रिका प्रसाद माननीय गव्यक  
जी, यह बात सही है कि रेल कर्मचारियों  
के प्रति जो हमारी सरकार की उदारपूर्ण  
नीति है उन नीतियों को कार्यान्वित करने में  
बहुत डिले हो रही है और इस डिले के लिये

मैं चाहूंगा कि जो हमारे मंत्री जी ने अपनी पालिसी डिक्सेयर की है वह पार्लीमेंट की बैठक के अवसर पर घोषित कर दें ताकि अल्दी से उसको इस्पीमेंट करने में कोई बाधा न पड़े ।

श्री भुहम्मद शफी कुरेशी : पालिसी इस्पीमेंट हो रही है, यहा सभा पटल पर रखने से क्या फायदा है ।

SHRI P. K. DEO: Sir, it is a matter of great concern that about 60 per cent of the employees have not been reinstated. I would like to know if the Government could revise their decision and not stand on false prestige and ask for an appeal from them and give a blanket order so that all may be re-instated and they get all the emoluments which are due to them for the period of strike.

SHRI MOHD. SHAFI QURESHI: The Government is of the firm view that for 'no work' there will be 'no pay'.

श्री भवु लिखवे : क्या मंत्री महोदय का व्यापक "एकोनामिक टाइम्स" की उम रपट की ओर गया है जिसमें उन्होंने रेलवे की वित्तीय स्थिति का अध्ययन करके यह कहा है कि फरवरी के बजट में जो रेल का किराया बढ़ाया गया था उमके बावजूद इस बर्ये रेल की आमदनी दस प्रतिशत घटेगी इस हड्डताल को लेकर, तो इसलिए मैं मंत्री महोदय से जानना चाहता हूँ कि क्या ममी मजदूरों को काम पर बापस लेकर उन लोगों में सन्तोष और समाधान उत्पन्न करके रेल की आमदनी को बढ़ाने का बिना किराया बढ़ि के बे प्रयास करेंगे ?

श्री भुहम्मद शफी कुरेशी : काम यह मण्डिरा इन्होंने हड्डताल में पहले उनको दिया होता तो इतना नुकसान होता ही नही ।

श्री भवु लिखवे : इन्होंने विश्वासवात करके जो नेताओं को गिरफ्तार किया उसकी बजह से हड्डताल हुई बरना सम्माननीय समझौता हो सकता था ।

श्री ग्राटल बिहारी बाजपेयी : इन्होंने हड्डताल थोपी, कमंचारी हड्डताल नही करना चाहते थे ।

श्री भुहम्मद शफी कुरेशी यह बात बिल्कुल सही है कि रेलवे को चलाने के लिए जरूरी है कि जो कमंचारी है वह खुण्डिल हो, उनके मन में मन्त्रोप हो और उसके लिए हम कोर्शन कर रहे हैं । मझे यकीन है हमारे मोहनरिम दोस्त इसमें हमारा हाथ बटायेंगे ।

श्री भवु लिखवे : आप मध्य रात्रि में छुआ मत थोपियें । आप सभी लोगों को वार्षिक नींजा काम पर, हमारा गहरोग आपसों मिलेगा ।

SHRI S. M. BANERJEE: Mr. Speaker, Sir, I would like to know from the hon. Minister whether any guidelines have been issued by the Railway Minister as to how those who have been removed, dismissed or discharged from service should be reinstated? Whether it is a fact that in this country even the worst criminal who is arrested under Section 302 is given a chance for defence but in this case none of the railway employees was given adequate opportunity which is provided in the Constitution and the various service rules. So, I would like to know whether general orders will be issued on the 15th August or before the 15th August about what type of criminals are likely to be released from jail? May I know whether there is going to be any general orders or not that all railway employees should be released, should be taken back and reinstated

in service so that a new atmosphere is created and they are able to run the railways smoothly, which will give a good name to the country?

**SHRI MOHD. SHAFI QURESHI:** All the arrested employees have been released except those who are involved in sabotage and in criminal acts. Out of a total number of more than 19000 who were arrested there are hardly 600 people now who are under arrest on criminal charges. Government's policy is that the law should have its own course in dealing with such cases. As regards termination of services and dismissals these have been done according to the rules, and all orders have been passed under law and under the rules which are prevalent today. We have given them the right of appeal, and it is as a result of their appeal that most of the employees, to the extent of about 40 per cent, have been taken back on duty. I can assure the House that so far as the very hard and difficult cases are concerned, Government's attitude is that those who are guilty should be punished and those who are innocent should be taken back on duty.

**SHRI S. M. BANERJEE** On the 15th August when the Prime Minister speaks from the house-tops, that is, from the Lal Kila, let her announce that all these poor railway employees would be reinstated in service.

श्री नाथराम अद्वितार अध्यक्ष महोदय, मैं मानवीय समीजी से जानना चाहता हूँ—मरकार ने जो निर्णय लिया है कि बिन लोगों ने हड्डताल की है और जितने समय तक की है, उनने समय का बेनन उन लोगों को नहीं पिलेगा—क्या इसकी आड़ में उनका मकदमा प्लाइ करने के लिये कुछ पार्टियों के नेताओं ने उनसे चन्दा वसूल करना मुठ कर दिया है, जो लोग भूखे मर रहे हैं उन में भी यह चन्दा वसूल किया जा रहा है? क्या आप ऐसी व्यवस्था करेंगे कि प्रधिकारियों की कोई कमेटी बना कर इन के केसेज को

जल्द से जल्द निबटारा करावेंगे ताकि वे जीव इनकी बकालत से बच सकें?

श्री मुहम्मद शफी कुरेशी. मेम्बर साहब ने जो यह कहा है कि कुछ पार्टियों के लोग इन से फण्ड जमा करके इन को बहकाते हैं, हो सकता है उनकी यह इत्तिला सही हो, लेकिन मुझ इसके बारे में जानकारी नहीं है। लेकिन हमारे कमंचारियों को कानून के तहत जो हड्कूक हार्मिल है, उन के इस्तेमाल करने का उनको पूरा हक है।

#### Recruitment to the Posts of Judges of High Court

\*226 **SHRI B. V. NAIK:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state,

(a) what is the percentage of direct recruitment to the posts of Judges of High Courts and the percentage allotted for promotion from judicial service;

(b) whether there have been representations against the present system of recruitment to the posts of High Court Judges and if so, the nature and source of complaints; and

(c) what Government propose to do in this behalf?

**THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NITI-RAJ SINGH CHAUDHARY):** (a) No percentages have been laid down for appointment of High Court Judges from the Judicial Service and the Bar.

(b) Recently representation from some Judicial Service Associations have been received urging that equal representation should be given to the members of the Service and the Bar for appointment as High Court Judges

(c) There are no quotas provided in the Constitution for recruitment of High Court Judges and merit and suitability alone are the criteria for all such appointments.

SHRI B. V. NAIK: Will the hon. Minister be pleased to state the factual data showing the number of High Court Judges in this country who have come from the judicial services, and those who have come directly from the Bar to the Bench, and what representations from judicial service organisations have been received, the contents thereof and the grounds on which they have asked for 50:50 quota?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHRI H. R. GOKHALE): I do not now have the actual number of High Court Judges taken from the services and from the Bar, but I am prepared to supply the information.

SHRI B. V. NAIK: Any estimate?

SHRI H. R. GOKHALE: There are over 350 Judges. I can tell you thus that although there is no stipulation in the law laying down any proportion, broadly the principle which has been followed is that it should be a proportion of one-third and two-thirds. That is on the basis of what the Chief Justices in their conferences from time to time have thought was a proper quota for recruitment from the judicial services and the Bar. This quota is not exactly applicable in all the High Courts because selection of Judges cannot be done mechanically. It depends on the availability of the proper persons for appointment from the services as well as from the Bar. Here and there this quota might not have been strictly adhered to, but by and large it is adhered to.

SHRI B. V. NAIK: What about the second part of my question about the content of the representations?

SHRI NITIRAJ SINGH CHAUDHARY: Representations were made by the Delhi Judicial Officers Association and the West Bengal Judicial Services Association asking for 50 per cent.

SHRI B. V. NAIK: I am afraid the Karnataka Judicial Officers have also made a representation.

SHRI NITIRAJ SINGH CHAUDHARY: We have not received it.

SHRI B. V. NAIK: Since the hon. Minister has been kind enough to admit that even though not *de jure* but *de facto* there is a quota existing in recruitment on the basis of one-third to two-thirds, since there is no constitutional bar for recruitment or fixing up of a quota and since recruitment from big cities and so on invariably puts on the Benches as High Court Judges a large number of people with no field experience like that of a civil judge at the taluk and tehsil level, why not accept the percentage of 50.50 *de facto* in the first place before making it *de jure*? What are the objections?

SHRI H. R. GOKHALE: The hon member was referring to the bigger High Courts where he thought that people having actual field experience are not there. I respectfully disagree with him. Actually, the experience has been by and large that when you are able to get good and competent people from the Bar, they have proved to be successful judges. It is also equally true that some judges who have come from the services have been found to be very competent; particularly in High Courts the kind of work which is required to be done is appellate work and also work dealing with the provisions of the Constitution, articles 226, 227 etc. Now the judicial officers, by and large, who have served in the lower ranks of the judiciary have no experience of these constitutional matters, but even then some of them have done extremely well. Therefore, in each individual case, the proper person competent to come up to the High Court and found available was recruited.

SHRI SOMNATH CHATTERJEE: At what stage does the process of

filling up the vacancies in the High Court or the Supreme Court start? How long before the retirement takes place? We have found in many cases vacancies are existing for many months together even in the Supreme Court. When is it started? How does it start? Does it start from the end of the Chief Justice or from the Law Ministry? Is it initiated by the Chief Justice of the respective High Court or the Supreme Court or by the Law Ministry? In how many cases the Chief Justice's recommendations have been rejected by the Law Ministry?

**SHRI H. R. GOKHALE:** I am sure the hon. member knows that the proposals emanate from the Chief Justice of the High Court. Although the Constitution provides only for consultation, there is no change in the existing practice which is there for the last several years that the Government, the Law Ministry in this case, should not initiate any proposals for appointment of Judges in the High Courts. The Chief Justice initiates proposals. In the case of the High Courts, the Constitution requires consultation with the Governor of the State and with the Chief Justice of India. After all this process has been gone through, the Law Ministry or the Government of India come into the picture. Invariably the recommendation of the Chief Justice of India has been accepted all over the past except that when some difficulty was found and the Government did not agree, they referred the matter again for advice to the Chief Justice of India.

There is undoubtedly, I agree with the hon. member, and this is also a matter of concern to us, some delay in some High Courts in the filling up of vacancies. The reasons are many. Unfortunately the members of the bar are not attracted; those who ought to be available are not attracted. I must state the facts. Some time is taken in consultation with the various authorities and some time is taken in considering the judicial records of the District Judges who are considered

for appointment. This causes delay. I may assure the hon. Members that it will be our endeavour to see that the delay is minimised.

**SHRI MOINUL HAQUE CHAUDHURY:** Since the appointments are made as per policies taken *ad hoc* from time to time depending on who is the Law Minister or the Home Minister, as the case may be, or who is the Chief Justice of the High Court or the Supreme Court, as the case may be, will the Government think of framing some statutory rules with regard to the appointment and promotion of judges in the High Courts taking judges from the High Court to the Supreme Court?

**SHRI H. R. GOKHALE:** Statutory rules are not considered necessary because the Constitution itself lays down the guidelines. I respectfully disagree with the hon. Member that it is done according to the views of the Law Minister or the Chief Justice. The Chief Justice of India as the highest authority in the country so far as the Judicial field is concerned, is always consulted. In fact he considers the matter first before that matter comes to the Law Minister or the Government of India. The present practice has been followed not only after Independence but also even before Independence; it has worked satisfactorily.

**SHRI P. VENKATASUBBIAH:** Arising out of the hon. Minister's reply that the best people are not attracted to the judiciary, is it a fact that better emoluments are not there and even elementary amenities are not given to the judges? If that is so 'do the Government propose to bring comprehensive legislation to see that better emoluments are given to the best people who sit on the bench and that elementary facilities such as housing are provided to them?

**SHRI H. R. GOKHALE:** I agree with the hon. Member. One principal reason why the best men in the bar are not attracted is that after the

Constitution was passed in which the salary of the High Court Judges had been laid down, there have been no changes in the conditions of service of the High Court Judges or the Supreme Court Judges. I can take the House into confidence that the Government is very actively considering the proposal for improving the service conditions of the High Court judges in various matters and I hope we will be able to do it very soon.

**SHRI P. K. DEO.** Has the Chief Justice of the High Court or the Supreme Court got a say in the matter, as a person who initiates the appointments of the various judges? From experience we have seen that Chief Justices are appointed by dubious methods, rather in a pursuit of the Government policy for a committed judiciary against which so many Judges of the Supreme Court as well as some Judges in the Haryana High Court have submitted their resignations" .. (Interruptions) Is it not possible to create some independent machinery for the appointment of the judges?

**MR. SPEAKER.** It is a suggestion for action

**SHRI P K DEO** My question has not been answered My question is whether there will be an independent machinery for the appointment of judges to replace the present practice of consulting Chief Justices who are also committed persons The entire country knows about it and it should be put an end to

**MR. SPEAKER.** The rules provide that you can put a supplementary question You are giving a suggestion.

**SHRI P. K. DEO:** Government may consider it.

**MR SPEAKER** They may consider it That is your suggestion.

**SHRI JAGANNATH RAO:** Of late the appointments of *ad hoc* judges

in the Supreme Court and High Court have become very frequent. Is it because the concerned Chief Justice recommends the appointment of retired judges as *ad hoc* judges or is it because Government are following the Law Commission's recommendations in this regard, which the Law Minister said they have accepted?

**SHRI H R GOKHALE.** Firstly, I disagree that many appointments of *ad hoc* judges are made Secondly, never has any appointment of an *ad hoc* judge been made without the recommendation of the concerned Chief Justice Usually *ad hoc* judges are appointed for disposing of the arrears which pile up Particularly after the elections a large number of election petitions are filed and under the statute they have to be disposed of within one year, I believe The nominal strength of the High Court is not enough to cope with the arrears Only in such cases which are not many *ad hoc* judges are appointed

**SHRI EBRAHIM SULAIMAN SAIT** What part is the Home Ministry playing in the appointments of judges to the High Court? Will the minister agree to the suggestion that Government should discontinue the appointment of retired judges as Governors and Chairman of various commissions, to see that they do not look for the favour of the Government at the time when they are High Court judges?

**SHRI H R GOKHALE** The Home Ministry plays no part new in the appointment of High Court judges It is only the Department of Justice in the Ministry of Law, Justice and Company Affairs which is concerned with it I do not know whether there are cases of appointment of retired judges as Governors—perhaps there was one—but normally we would be reluctant to take people who are retired. But various occasions arise for commissions of inquiry on public demand and people with judicial ex-

perience have to be appointed for this purpose.

**Setting up of a Fertilizer Plant at Bhatinda**

\*227. SHRI B. S. BHAURA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have finalised their proposals in connection with the setting up of a fertilizer plant at Bhatinda in Punjab;

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

(c) when the construction work is likely to start?

THE MINISTER OF STATE IN THE MINISTRY of PETROLEUM AND CHEMICALS (SHR SHAHNAWAZ KHAN): (a) Yes Sir

(b) and (c). The plant would have a capacity of 900 tonnes of ammonia and 1550 tonnes of urea per day and would be based on fuel oil are the feedstock. The project, according to present indications, is estimated to cost about Rs. 138 crores. Some preliminary steps have already been taken towards the implementation of the project

श्री भान सिंह भीरा पहले नो मैं यह पूछना चाहता हूँ कि आप ने (सी) का जवाब नहीं दिया है। (सी) इस प्रकार है

"What the construction work is likely to start?"

यह आप ने नहीं बताया।

श्री शाहनवाज खां : अभी तो यह प्रोजेक्ट कैबिनेट के सामने है लेकिन हम ने कुछ इच्छाई कार्यशाही शुरू कर दी है जैसे कि जमीन को लेना और दूसरे जो इच्छाई काम हैं, वे शुरू हो चुके हैं।

श्री भान सिंह भीरा क्या यह ठीक है कि इस प्रोजेक्ट के लिए जापान ने कुछ लोन दिया है? उन लोन की राम्रे में बंड बंडीशन क्या है?

श्री शाहनवाज खां यह लोन 25 माल के लिए है और पहले 7 माल म कुछ अदा भी करना पड़ेगा। उसके ऊपर चार प्रांतिशन उपरेक्ष्ट होगा।

श्री भान सिंह भीरा मैं मर्दी महोदय में पूछना चाहता हूँ कि यह प्रोजेक्ट कितनी देर में पूरा हो जायगा और प्रोडक्शन कब शुरू हो जायगी?

श्री शाहनवाज खां यह प्रोजेक्ट जो है नवमीन तीन माल उम्रमें नरेंगे और उम्मीद मन् 77 के मिडिल तक यह लान्ट प्रोडक्शन देना शुरू कर देगा।

SHRI RAGHUNANDAN LAL BHATIA Since this project is based on fuel oil, may I know whether long term arrangements for the supply of fuel oil have been made?

SHRI SHAHNAWAZ KHAN: Yes, Sir. That has been looked into and arranged

SHRI BIRENDER SINGH RAO: Under the agreement with Japan, under which this plant at Bhatinda is to be set up, there are two more plants to be set up, one of them at Panipat. What are the steps that are being taken to set up the plant at Panipat?

श्री शाहनवाज खां : इस स्टेज पर मैं आपको इतना बता देना चाहता हूँ कि जो आईंज़ इक्विपमेंट के लिए दे रहे हैं वोनों प्लाट्टम को महेनजर रख कर हम यह काम कर रहे हैं।

**Drive by I.O.C. and other Oil Companies to Conserve Fuel Oil**

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\*229. **SHRI JAGANNATH MISHRA:**

**SHRI P. K. DEO:**

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

(a) whether a concerted drive to conserve fuel oil has been launched by the Indian Oil Corporation and some foreign oil companies; and

(b) if so, what is the estimated quantity of fuel which will be so conserved as a result of this concerted drive?

**THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH):** (a) IOC has prepared a scheme of fuel efficiency project service for the furnace oil (FO) customers, jointly with National Productivity Council. The service is aimed at improving efficiency in the use of FO, thus achieving savings in consumption. Foreign oil companies are not involved in this scheme at present.

(b) It is expected that with the drive proposed by IOC jointly with NPC, a saving of 5 per cent in the consumption of FO may be possible by the existing industrial consumers, over and above the present efficiency saving of 10 per cent introduced from 1st January, 1974.

**SHRI JAGANNATH MISHRA:** May I know whether as a result of the saving in the petrol consumption during the past some time the import of crude has also been reduced and, if so, to what extent and what is the saving in foreign exchange?

**SHRI D. K. BOROOAH:** I thought this question was about fuel and not about petrol.

**SHRI JAGANNATH MISHRA:** To what extent the import of fuel oil has been affected by this drive and what has been our saving in foreign exchange?

**SHRI D. K. BOROOAH:** We use a substantial quantity of fuel oil, about two million tonnes. We do not produce the entire quantity. It is not available and the prices are going up. So, we are trying to reduce the consumption of fuel oil in this country. We have already imposed a cut of ten per cent, which will not affect the efficiency of the industries. In addition to that, we are trying to see if another five per cent can be reduced. In terms of quantity of furnace oil or fuel oil, we are already short by two million tonnes. I do not have the exact figures of the prices prevailing at present. It has certainly gone up by about 90 dollars per tonne.

**SHRI P. K. DEO:** In spite of the Minister's statement that there has been an increase in the price of oil, my impression is that in the international market the average price of oil has registered a downward trend. But I do not want to enter into a controversy whether he is right or I am right. In view of our friendly relations with the Arab countries, who are the main producers of oil, I would like to know if the Government are trying to exert their good offices with those friendly countries so that some concession could be extracted from them, so far as the import of this kind of oil is concerned.

**SHRI D. K. BOROOAH:** There has been some talk about reduction of international prices. But in the last Conference, the O.P.E. countries decided to increase their prices by 10 per cent. There has been no decision about the reduction in prices. I also do not want to enter into any controversy about it for the simple reason that I know myself to be in the right.

**SHRI P. K. DEO:** My question has not been answered.

In view of our friendly relations with Arab countries, what does the Government of India propose to do to utilise the friendly relations in our favour?

**MR. SPEAKER:** He should not put it so bluntly that because they are friendly, we must exploit them.

**SHRI P. K. DEO:** There is nothing wrong in calling a spade a spade.

**MR. SPEAKER:** Even then, that is too blunt a manner in which he has put it. Anyway, I do not come in.

**SHRI D. K. BOROOAH:** The answer is understood.

**SHRI MUHAMMED KHUDA BUKHSH:** May I know what will be the fuel savings that are likely to be effected?

**SHRI D. K. BOROOAH:** The reduction will be about 5 per cent, if you can achieve it. It will be around 200,000 tonnes of furnace oil per annum. About the price, I do not have the figures with me.

**SHRI KRISHNA CHANDRA HALDER:** I want to know from the hon. Minister whether it is a fact that in our country, there is shortage of furnace oil and, for that reason, the steel plants and other plants are suffering. May I know what is the total amount of foreign exchange involved in the import of furnace oil and also when our country will become self-sufficient in furnace oil?

**SHRI D. K. BOROOAH:** So far as the total fuel bill is concerned, it is of the order of about Rs. 1200 crores. I do not have the break-up for furnace oil. As I said, we get about 2 million tonnes of furnace oil from abroad. It is difficult to get. The prices have also gone up. Therefore, we are trying to reduce the con-

sumption of furnace oil, not only in terms of reducing allotments but also asking many of the industries to use coal. A number of industries which use furnace oil will now use coal. In fact, many of them were using coal earlier and then switched on to furnace oil. By these two methods, by switching over to coal wherever coal is available and also by economising the use of furnace oil, we hope to see that the wheels of the industry in our country do not suffer for want of energy.

**Priority for Licensing and other Facilities Sought by Drug Industry**

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**\*230. SHRI SHRIKISHAN MODI: SHRI RAGHUNANDAN LAL BHATIA:**

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

(a) whether the drug industry had asked for priority for licences for the manufacture of drugs;

(b) if so, action taken by Government thereon;

(c) whether drug industry has sought protection from foreign companies invading this sector of the economy; and

(d) if so, the facts thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN):** (a) to (d). A statement is laid on the Table of the House.

**Statement**

(a) and (b): With the introduction from 1-11-73 of the scheme of Secretariat for Industrial Approvals, the industrial licensing applications including those for manufacture of drugs are being disposed of expeditiously.

(c) and (d): Foreign majority companies and branches and subsidiaries of foreign companies have been operating in the field of drugs and pharmaceuticals since long. The majority production of drugs is, however, no longer by such companies as it has been Government's policy to encourage the Indian sector. The steps taken by Government to regulate share of foreign companies in this field and also to build up the Indian sector of the industry are:—

- (i) The Indian sector of the industry is given preference in the approval of manufacturing schemes;
- (ii) Manufacture of increasing number of bulk drugs through public sector undertakings;
- (iii) Industrial licences are usually not issued to foreign firms for production of formulations unless linked with the production of bulk drugs;
- (iv) They are asked to take up the production of bulk drugs from more basic stages and to make available a suitable portion of their bulk drugs production to non-associated formulators in the country as a condition for being permitted expansion in capacity or for taking up new activity;
- (v) Appropriate export obligations are imposed as a condition for permitting expansion in capacity or for taking up new activity.
- (vi) Progressive reduction of foreign equity participation with corresponding increase in the Indian shareholding is imposed when they are allowed expansion of their manufacturing activity. Activities of foreign companies are also covered under the

Foreign Exchange Regulation Act.

- (vii) Undertakings with an annual turnover not exceeding Rs. 50 lakhs have been exempted from the operation of certain provisions of paragraphs 9, 10 and 13 of the Drugs (Price Control) Order 1970 regarding prior approval of Government for fixing/revising the prices of drug formulations.

Government have on 8-2-1974 appointed a Committee on Drugs and Pharmaceuticals Industry under the Chairmanship of Shri Jaisukhlal Hathi one of whose terms of reference is as follows:—

“(iii) To make recommendations for promoting the rapid growth of the drugs industry and, particularly, of the Indian and small scale industries sector. In making its recommendations, the Committee will keep in view the need for a balanced regional disposal of the industry.”

**श्री श्रीकृष्ण मोदी :** मैं माननीय मंत्री महोदय से जानना चाहता हूं—भारत में जितनी दवाओं का उत्पादन होता है, उसमें से कितने परसेन्ट फोरेन-कम्पनियों तथा उनकी सहयोगी कम्पनियों के द्वारा उत्पादन होता है तथा उनसे पैमा पैदा कर के वे कितना पैसा विदेशों को भैंजते हैं?

**श्री शाहनवाज खां :** हमारे देश में दवाओं का कुल उत्पादन, टोटल टर्न-ओवर, लगभग 350 करोड़ रुपये है, इसमें फौरन कम्पनीज का, या जिनमें फारन-इविटी कैपिटल है, उन कम्पनीज का उत्पादन लगभग 45 फीसदी है। ये कम्पनीज हर साल कितना रुपया बाहर भेजती हैं—ये फिरसे इस बक्त मेरे पास नहीं हैं, इसके लिये मैं नोटिस चाहूंगा।

श्री शीरुद्धन बोदी : आपके स्टेटमेंट के अनुसार 1-11-73 को जो फैसिर्टी आप ने दी है, उसके नेहत किनमी इण्डियन कम्पनीज की दरबाराम्ते आपके पास आई है और उनमें मैं कितनों को मजूरी दी गई है ? क्या आप ने मजूरी देते वक्त यह गत लगाने की कोशिश की है कि उत्पादन के अन्दर डायरेक्ट या इनडायरेक्ट रूप में यदि किसी भी तरह कार्ड एडल्यूशन पाया गया तो उनकी पूरी फैक्ट्री जब्त कर ली जायगी ? क्या आप ने ऐसा कोई प्रावधान किया है ?

श्री शाहनवाज खां : पहली नवम्बर 1973 का लाइसेंस देने का जो प्रोमोशन था उसमें नवदारों लाई गई । उसी नारीबां मिनिस्टरी आफ ट्राइमिट्रियल डेवलपमेंट के नेहत सीरेंजिट फार ट्राइमिट्रियल प्राप्तवल्ज' के नाम में एक महत्वमा काथम किया गया है, जिसके पास मारी दरबारामें खेज दी जाती है । यह मदकमा टाटम-गाउण्ड प्राप्ताम के नेहत काम करना है इस पर्सनेंजन के लिये वक्त देने है कि 50 दिनों के अन्दर इस लाइसेंस की दरबाराम का उत्पात वर दिया जायगा । इस तरह मे दरबारामा का डिप्पजिल खापी तेज हो गया है । किन्तु दरबारामें आई है, इसकी एकजून फिलर मेरे पास इस बबत मौजूद नहीं है जैसिन उन्होंना धनना सकता है कि डिप्पजिल आफ पर्सनेंजन का वाम बहुत तेजी में चल रहा है ।

SHRI RAGHUNANDAN LAL BHATIA: The Drug industry has pleaded for special protection against the foreign companies invading this sector of the economy. They say that in the matter of licences and supply of basic raw materials foreign companies are preferred over the indigenous companies. Is it not a fact that Indian Drug and Pharmaceutical Company which is a Government of India undertaking is giving basic raw material to the foreign companies working in India and preference is not given to local drug manufacturers? I would like to know the number of foreign

drug manufacturing companies which have been given licences in most of the products which is already in the field, where already Indian Drug manufacturers are working.

श्री शाहनवाज खां पहली बात तो मैं यह अर्ज करना चाहता हूँ कि फौरन-कम्पनीज का कोई इन्वेजन नहीं हुआ है जो पहले मे है और जिन्होंने उस काम को किया हुआ है, कही अभी भी फील्ड मे है कोई नया इन्वेजन नहीं हुआ है । मन्त्रालय वी यह पालिमी है कि हमारी जा इन्डीजेनम फैस्ज है इस उनको हर तरीके मे एन्केजमेन्ट दे जहा दूसरों चीजे बराबर हा वहा लाइसेंस देने मे हिन्दुस्तानी फर्म वो तज्जीह दी जाती है । फौरन-फैस्ज को उनके फार्मलजन के लिये नये लाइसेंस नहीं दिये जाते है जब नव कि के दूसरा वा बन्द प्राइवेजन इस दश मे न बरे । दमनिये हर तरीके मे हम अपनी इन्डीजेनम फैस्ज को ही नज्जीह देने हैं ।

जहा तक ग-मैटीरियल के 1 लाइसेन्ट का गवाल है—हमारी देशी फर्म जो ही०जी०टी०डी० के माथ रजिस्टर्ड है उनके पिछले दो सालों मे जा सब मे ज्यादा वृज्जम्यन है, उनके आधार पर 15 पीसदी प्रोथ के लिये ज्यादा देने है । इसी तरह मे स्माल स्केल इण्डर्ट्रीज मे पिछले दो सालों वी कन्जर्शन मे जो ट्रेट-ईयर हो उनके उपर 30 परमेन्ट पाइडेशनल ग-मैटीरियल एलाट किया जाता है । बगाल मे जा इण्डस्ट्रीज है, स्माल स्केल ट्राइटस्ट्रीज मैवरर मे उनको 50 परमेन्ट प्रोथ के लिये पाइडेशनल ग-मैटीरियल प्राप्त करते है । हम हर तरीके मे अपनी देशी फर्म को एन्केजमेन्ट देने के लिये पूरी हीसला-एकर्जाई कर रहे है ।

आदरणीय हाउस को मालम है कि हम ने पिछली फरवरी मे एक कमेटी जनाब जयमुख-नाल हाथी माहव की मरकदर्शी मे मरमिर की है, जिसकी एक टम-आफ रेफेन्म यह भी है कि जो हिन्दुस्तानी फर्म है उनको किस तरह म

बढ़ावा दिया जाय और किस तरह से उनकी होसला-अफजाई की जाय ताकि वे जल्द से जल्द ऊपर आ सके । मैं उम्मीद करता हूँ कि हाथों कमटों की जो सिफारिश होगी, उन पर हम पूरा अमल करें ।

**SHRI RAGHUNANDAN LAL BHATIA:** He has not replied to one part of my question. I asked whether IDPL is giving basic raw material to foreign companies working in India and not giving them to Indian firms.

**SHRI SHAHNAWAZ KHAN:** We don't discriminate between them. Where foreign firms are the only users of those raw material we give them. Where Indian firms can also utilise those bulk drugs and make formulations etc. we will also make allotment to them.

**PROF. MADHU DANDAVATE:** He has said that undertakings with an annual turnover not exceeding Rs. 50 lakhs have been exempted from operation of certain provisions of para 9, 10 and 13 of the Drug Price Control order of 1970 regarding prior approval of Government for fixing and revising prices of drug formulations. Is it not a fact that there are some drug manufacturers who try to show manipulated turnover, try to circumvent the Drug Price Control Order of 1970 and try to take undue advantage? How do you propose to check them? What steps are being taken to check these malpractices?

**श्री शाहनवाज खां :** अगर इस किस्म की कोई शिकायत आयेगी तो उग्रकं ऊपर मुनाफ़िक कायंवाही की जाएगी ।

प्रो० अब बच्चबते मैंने यह मवाल पूछा था कि क्या इस तरह की मैनप्रेस्टिमिज़ की तरफ़ आपका ध्यान खीचा गया है, अगर खीचा गया है तो आप क्या कायंवाही कर रहे हैं? आप जबाब में कह रहे हैं कि अगर

आपका ध्यान खीचा जाएगा तो कायं-वाही करेंगे । अभी तक आपका ध्यान खीचा गया है या नहीं?

**श्री शाहनवाज खां :** हमारी नोटिस में अभी ऐसी चीज़ नहीं आई है ।

**श्री नवल किशोर शर्मा:** अध्यक्ष महोदय, अभी मन्त्री महोदय कर्मा रहे थे कि हर भारतीय दवा विक्रेता और दवा-उत्पादक को प्रिफरेंस देने हैं—दवाओं की खरीद के मामले में । इसी मन्दर्भ में मैं पूछना चाहता हूँ—क्या यह सही नहीं है कि डी० जी० टी० डी० के द्वारा जो दवाये खरीदी जाती है डी० जी० टी० डी० विदेशी कम्पनियों को ज्यादा प्रिफरेंस देनी है? यदि यह सही है तो क्या आप डी० जी० टी० डी० का आदेश देंगे कि जो दवाइया भारत में भारतीय कम्पनियों में पैदा होनी है उनके लिये विदेशी कम्पनियों को आईंग न दिये जायें, क्या ऐसा कोई तेज़ीने मददन में देंगे?

**श्री शाहनवाज खां :** डी० जी० टी० डी० मरी मिनिस्ट्री के मानहन नाम नहीं करनी है यह मवाल आग उम मिनिस्ट्री में पूछे ।

**श्री हुकम बन्द कछवाय:** पिछले दो वर्षों में भारतीय दवाई बनाने वाली कम्पनियों को कच्चा माल पर्याप्त मात्रा में नहीं मिलता है, जिसकी बजह में दवाइया बाजार में ठीक प्रकार में नहीं मिलती है, जबकि विदेशी कम्पनियों को पर्याप्त मात्रा मिलता है और उनका मूल्य भी देशी कम्पनियों से अधिक है, वे अधिक मुनाफ़ा कमाती हैं, मैं जानता चाहता हूँ—इस प्रकार की जो शिकायतें आप के पास आई हैं क्या आप उनकी जाच करायेंगे कि इन को कम रा-मैटीरियल क्षेत्रों दिया जाता है, क्या यह बात भी सही है कि दवाइयों का जो पैकिंग होता है, यदि 1000 कैपसूल्ज का पैकिंग है तो उसमें 750 या 800 कैपसूल्ज निकलते हैं, इसी तरह से

गोलियां भी कम निकलती है—या इस प्रकार की शिकायतें प्राप्त को मिली हैं?

**पंद्रोलियम और रसायन बंडी (श्री वेष्टकास बहादुर)** : माननीय सदस्य की जो बुनियाद है वह भी अशुद्ध है और उनका जो सिद्धान्त है वह भी अशुद्ध है।

#### WRITTEN ANSWERS TO QUESTIONS

##### Book-stall Contracts to Educated Unemployed on Indian Railways

\*221. SHRI KRISHNA CHANDRA PANDEY:

SHRI LALJI BHAI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government had decided to give book-stall contracts to educated unemployed youths and discourage monopolists; and

(b) if so, reasons for renewing the contract of Ms. A. H. Wheeler & Co?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI)** (a) The Government has decided to award bookstalls to cooperative/partnerships of unemployed graduates at new stations and at stations where bookstalls do not exist at present.

(b) Despite wide publicity to the above policy the response from the unemployed graduates has been very poor and therefore it was considered necessary to ensure service to the public through existing contractors by renewing the contracts.

##### Construction of Mangalore-Hassan Railway Project

\*222. SHRI K. LAKKAPPA:

Will the Minister of RAILWAYS be pleased to state:

(a) the reasons for the slow progress in the construction of the

Mangalore-Hassan Railway Project; and

(b) the time likely to be taken in completing first phase?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI)** (a) The slow progress in the Second phase of the project is on account of non-availability of critical materials, paucity of funds and contractual complications. In addition the work involves construction of a large number of tunnels and bridges in a difficult terrain which presents technical difficulties.

(b) The first phase of the project has already been completed.

##### Appointment of Engineers and other Educated Persons from Gujarat in O. & N.G.C.

\*223 SHRI ARVIND M PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the criteria adopted for the appointment of Gujarati young engineers and other educated persons in the O&N.G.C. in Gujarat;

(b) whether preference is not being given to local people; and

(c) if so, the reasons therefor?

**THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH)**: (a) to (c) The recruitment to all posts in the Commission carrying a basic maximum salary below Rs. 500/- per month, excepting the post of Technical Assistant Grade II in the pay scale of Rs. 260-470, is decentralised and recruitment to these posts is made on a Regional basis by the respective Regional Project authorities. Posts carrying a basic salary upto Rs. 209 are notified to local employment exchanges only and the candidates registered locally get preference in matters of employment. Posts carrying a basic salary between Rs. 210 to Rs. 499 and belonging to scientific and technical categories are

notified to the local employment exchange and also to Central employment exchange. Applications from open market for these posts are not invited unless a non-availability certificate is given by the employment exchange.

**Findings of Survey for Jagadhari-Paonta Railway Line**

\*224. SHRI NARAIN CHAND PARASHAR:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the survey for the proposed Jagadhari-Paonta Railway line has been completed;

(b) if so, the findings of the survey including the estimated cost; and

(c) the likely date by which the line would be sanctioned and the work started?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No, Sir.

(b) and (c) Do not arise.

**Legal Aid to the Poor**

\*228. SHRI D. P. JADEJA: SHRI D. K. PANDA:

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

(a) whether any final decision has been taken to provide free legal help to the poorer section in the country;

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

(c) if not, when the final decision is likely to be taken?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHLE): (a) Government have already provided for legal aid to the poor to a limited extent in sec-

tion 304 Cr. P. C., 1973, and in Order XXXIII of C.P.C. (Amendment) Bill of 1974, and in section 7 (1) (if) of the Advocates Act, 1961, as amended. So far as the comprehensive schema for providing legal aid to the poor is concerned, the Report of the Committee presided over by Shri Justice V. R. Krishna Iyer has been sent to all State Governments, High Courts, Supreme Court, Bar Council of India, State Bar Councils and other voluntary organisations for their comments. Their comments are still awaited. No final decision can be taken until their comments are received and analysed.

(b) In view of the above, does not arise.

(c) Does not arise, in view of the answer (a) above.

**Ceiling on the Number of Consumers Registered with Indane Gas Dealers of I.O.C.**

\*231 SHRI V. MAYAVAN:

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

(a) whether his Ministry has asked the Indian Oil Corporation to change the licensing procedures and to put a ceiling on the number of customers that a dealer in Indane Gas can book;

(b) if so, the reaction of the Indian Oil Corporation thereto; and

(c) when new changes will be introduced?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) The Indian Oil Corporation has been advised to review its existing dealerships in respect of their size, profitability, number of agencies with dealers, etc. It has also been advised that all new dealerships for Indane Gas are to be created in such a manner that a distributor serves on an average 5000 consumers.

(b) and (c). Action has already been initiated by the Corporation.

**Profits Earned by Soap, Tyre and Cement Producing Firms**

\*232. SHRI VAYALAR RAVI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state the total amount of profits earned by different Soap, Tyre and Cement producing firms in the country during the years 1971, 1972 and 1973?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE) The total amount profits earned by different automobile Tyre, Cement and Soap Companies in the private sector during the years 1970-71, 1971-72 and 1972-73 were as under:

	Profit before tax (Rs. in crores).		
	1970-71	1971-72	1972-73
	Rs.	Rs.	Rs.
Tyre Mfg. Cos. (7)	16.0	16.1	16.1
Cement Mfg. Cos. (18)	16.28	15.73	10.41
Soap Mfg. Cos. (9)	16.79	21.81	20.19

According to DGTD Annual publications for the year 1972, there are 24 Soap manufacturing companies. The latest information regarding profits of 15 soap manufacturing companies is not readily available. In the case of Cement, according to information furnished by DGTD, there are 22 companies manufacturing cement. The latest information regarding 4 companies is not readily available.

Out of the above 22 Cement companies, there are 4 cement manufacturing companies which are also of diversified nature and are producing

other commodities also. Soap manufacturing companies are mostly diversified companies. Companies are not required under the Companies Act to file separate profit & loss accounts products wise/unit wise and hence profit figures given above are the profits of the entire business activities of these companies.

**Violation of Payment of Wages Act in Jaipur Division (Western Railway)**

\*233. SHRI SARJOO PANDEY: Will the Minister of RAILWAYS be pleased to state:

(a) whether the authorities under the Central Industrial Relations Machinery have taken up a large number of cases of violation of Payment of Wages Act and abnormal delays in payment in respect of railway workers of Jaipur Division of Western Railway;

(b) if so, the number of claimants and the amount claimed for the years 1971, 1972 and 1973 by the workers of Jaipur Division;

(c) whether many letters were sent by Central Industrial Relations Machinery for expeditious disposal of cases; and

(d) when these cases would be finally disposed of?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) (a) to (d). No statistics regarding number of claimants and amount claimed is maintained. However, the Central Industrial Relations Machinery reported certain cases of violation under the Payment of Wages Act and cases of delays in payment in respect of railway workers of Jaipur Division of Western Railway. The year-wise

figures for the last 3 years are as under:—

Year	Total No. of violations under Payment of Wages Act.	Cases of delayed payment
1971 . .	1224	277
1972 . .	187	2
1973 . .	959	50

Communications sent by the Central Industrial Relations Machinery for disposal of the above cases were examined as a result of which out of a total of 2370 irregularities reported during the years 1971 to 1973 all but 38 cases were disposed of.

Vigorous efforts are being made to finalise the remaining cases as early as possible.

दुर्गापुर केमिकल्स में किनल तथा पश्चालिक एनीकलोरीशाल का उत्पादन

\* 234. ओ भूलचन्द डागा क्या पेट्रो-लियम और रसायन मन्त्री यह बताने की कृपा करें कि

(क) दुर्गापुर केमिकल्स प्लाट में 1971 में फिलोल तथा पश्चालिक एनीकलोरीशाल का उत्पादन कितना कम हुआ और इस कमी के क्या कारण हैं, और

(ख) क्या इस इनिट को 1961 में 6600 टन उत्पादन के लिये लाइसेंस दिया गया था, और यदि हा, तो लक्ष्य प्राप्त न करने के क्या कारण हैं?

पेट्रोलियम और रसायन मन्त्री (ओ वैच-काल बदला) : (क) दुर्गापुर केमिकल्स लि० (पश्चालिक बंगाल राज्य सरकार का उपकरण) में वर्ष 1969, 1970 और 1971 के दौरान सिन्धेटिक फिलोल और पैलिक एनीहाइड्राइड का उत्पादन निम्न प्रकार हुआ :—

	1969	1970	1971
सिन्धेटिक फिलोल	433	716	503
पैलिक एनी हाइड्राइड	1615	1288	790

इन मेंदों के लिए 3300 मी० टन/प्रति वर्ष प्रत्येक की स्थापित क्षमता के बिहद उक्त उत्पादन हुआ।

दुर्गापुर केमिकल्स मन्त्रन के अपर्याप्त कार्य-निष्पादन में प्रमुख कारण काम का बन्द होना था जिनमें बिजली बन्द होना श्रृंक समस्या, दुर्गापुर बन्द अपर्याप्त अनुरक्षण और भारी जग का लग जाना है इस भारी जग ने 10-12 महीनों की लम्बी अवधि में आवरहाल को पूरा करना अनिवार्य कर दिया था। फिलोल के कम उत्पादन होने का अन्य कारण यह भी था कि दुर्गापुर इस्पात सम्बन्ध में जीन प्राप्त करने में कठिनाई हुई। पैलिक ते० न हाइड्राइड के सम्बन्ध में, सामान्य कारणों के अलावा, अनुथ्रेय रसायन श्रेणी के अन्तर्भूत, नियांतको द्वारा आयातित सामग्री के बहुत भव्यारों के कारण सीमित मार्किट और नेपालीन की सम्बाईयों की कठिनाईयों प्रौद्योगिकी परिचालन सम्बन्धी समस्याएं विस्तृत कारण थीं।

(ख) मैमर्स दुर्गापुर कैमिकल्स वर्ष 1961 में प्रौद्योगिकी सम्बन्धी कमियों द्वारा परिचालन सम्बन्धी श्रेणी के कारण अपने पक्ष में लाइसेंस प्राप्त सिन्धेटिक फिलोल के लिए 6600 मी० टन प्रति वर्ष की क्षमता स्थापित करने में सक्षम नहीं हुई है।

मुख्य अम आयुक्त द्वारा पता लगावे गये बेतन आदायगती अधिनियम के अन्तर्गत आयगे

\*235. श्री अटल बिहारी वाजपेयी :  
श्री जगद्वारा राव जोशी :

क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या 1973 के अन्त तक मुख्य अम आयुक्त द्वारा पाये गये 18,000 मामलों में से 2100 मामलों में रेल प्रशासन को बेतन आदायगती अधिनियम के अन्तर्गत दोषी पाया गया है; और

(ख) इस सम्बन्ध में मुख्य बातें क्या हैं, ऐसा होने का कारण क्या है और क्या उपचारात्मक कार्यवाही की गयी है ?

रेल मंत्रालय में उद्योगी (श्री मुहम्मद शही कुरेशी) : (क) और (ख). वर्ष 1973 में मुख्य अम आयुक्त के संगठन द्वारा मंजूरी भुगतान अधिनियम, 1936 के अधीन 21,766 अनियमितताएं पकड़ी गयी थीं जिनमें से 14,300 अनियमितताओं को 31-12-1973 तक ठीक कर दिया गया था। ये अनियमितताएं अधिनियमों तथा नियमों और नोटिमों की प्रतिया न प्रदर्शित करने, रजिस्टरों के रख-रखाव में कमी, भुगतान में विवर, अनधिकृत कटौतियों आदि से सम्बन्धित थीं। अधिनियम की अपेक्षाओं का अनुपालन सुनिश्चित करने के लिए विभिन्न स्तरों पर पर्याप्त तन्त्र पहले में ही भौजूद है।

Complaints regarding Sale of Petrol mixed with water by some Petrol Dealers in Delhi

\*236. SHRI PRABODH CHANDRA:  
SHRI R. S. PANDEY:

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

(a) whether complaints have been brought to the notice of Government

against petrol dealers in Delhi for selling petrol mixed with water in the 1st week of July, 1974; and

(b) if so, action taken against these dealers?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) One such case was reported on 4-7-1974.

(b) Complaint was investigated by the Tilak Marg Police Station, and found that rain water had accidentally leaked into the tank through a petrol pipeline which was found to be slightly loose. No cognisable offence was found to have been committed. Police are further awaiting results of samples of petrol taken from the tanks. In case it is found that there was admixture other than with water, further action will be taken against the dealer.

रेल हड्डताल के द्वारा आपात स्थिति में किया गया व्यय

\*237. श्री अमितका प्रसाद : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या मरकार को यह पता है कि गेलवे की हड्डताल के दोगन आपात स्थिति के नाम पर अत्यधिक खर्च किया गया ;

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

(ग) क्या इस प्रकार व्यय को गई राशि की कोई लेखा परीक्षा होती है ?

रेल मंत्री (श्री एस० एस० चिंद्र) :

(क) से (ग) मई, 1974 की अवैध हड्डताल में उपचार स्थिति में निपटने के लिए, यात्री जनता की सुरक्षा और सुरक्षा के माय साथ माल/मवारी गाड़ियों के निर्बाध सचलन बनाये रखने और बड़े बड़े रेल संस्थापनाओं आदि की सुरक्षा के लिए रेलों को कुछ आपातिक व्यय करना पड़ा।

रेलों द्वारा किये गये कुल स्थाय की लेखा-परीक्षा भर्ती होनी है।

**Elections in Gujarat**

**\*239. SHRI P. MEHTA:**

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

(a) whether the Election Commission has stated that it will not be possible to hold elections in Gujarat this year;

(b) if so, reasons therefor; and

(c) when these elections are likely to be held?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE):** (a). No, Sir.

(b) Does not arise.

(c) Fresh delimitation of constituencies on the basis of 1971 Census and the preparation and revision of electoral rolls thereafter with reference to the newly de-limited constituencies are the two basic requirements which have to be fulfilled before General Elections are held in Gujarat to constitute a new Legislative Assembly. The work of delimitation of constituencies in Gujarat has already commenced and is still in progress. After its completion, the electoral rolls will be revised and the question of holding election will then be considered.

**Supply of Raw Material by S.T.C. and I. D. P. L. to Drug Units**

**\*239. SHRI D. D. DESAI:**  
**SHRI ANADI CHARAN DAS:**

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

(a) whether raw materials are not provided by the S.T.C. and I.D.P.L.

to the drug units in adequate quantities;

(b) if so, causes thereof; and

(c) measures taken to supply sufficient raw materials to the drug units?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN):** (a) and (b). STC and IDPL distribute bulk drugs and drug intermediates canalised for import to the drug and pharmaceutical units in the country as per their entitlements. Whenever shortfall in receipts of these items arises due to either inadequate indigenous production or on account of their inadequate availability in the international market including late arrivals or delayed shipments, the canalising agencies distribute the available stock on proportionate basis.

(c) Efforts are being made to procure the items in short supply and to increase the indigenous production to ensure that the requirements of the drugs and pharmaceuticals industry are met in full.

मुख्य गाड़ियों में रेल डिब्बों की संख्या बढ़ाने का प्रस्ताव

**\*240. की कूलकाल बर्ता : क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :**

(क) दूसरी श्रेणी के वालियों की संख्या में प्रतिदिन होने वाली बढ़ि को देखते हुए प्रत्येक मुख्य गाड़ी में 1973 में कितने प्रतिरिक्त रेल डिब्बों जांड़े गय, और

(ब) क्या वर्ष 1974-75 में मुख्य गाड़ियों में दूसरी श्रेणी के द्वितीय अधिक रेल डिब्बे जोड़ने का प्रस्ताव है?

ऐल शेंबलव ने उद्य-मंची (बी बूहमद शही शुरैशी) : (क) और (ख) एक विवरण सभा पटल पर रख दिया गया है।

### विवरण

1973-74 में महत्वपूर्ण मेल-एकमप्रेस गाड़ियों में जोड़े गये डिव्हॉं की संख्या

(क) गाड़ियों की संख्या और बोगियों की कम सं० विवरण संख्या बढ़ाना

### 1 बढ़ी जाइन :

1 78प/8 डाउन नूफान एकमप्रेस	1
2 303 बम्बई-कोल्हापुर महालदभी एकमप्रेस/ 310 पुणे—बम्बई जनता एकमप्रेस	4
3. 31/32 बम्बई-सिक्कन्दगाबाद एकमप्रेस	4
4. 1/2 हवड़ा कालका भेल	1
5. 33/34 कश्मीर भेल	2
6. 83/84 नखनऊ एकमप्रेस	1
7. 51/52 मियालदह—जम्मू तबी एकमप्रेस	3
8. 29/30 नखनऊ भेल	1
9. 307/308 लैंक डाय-मण्ड एकमप्रेस	2
10. 301/302 हवड़ा—टाटानगर एकमप्रेस	1
11. 25/26 पश्चिम एकमप्रेस	1
12. 43 अप/44 डाउन दार्जिलिंग भेल	1
13. 7/8 मद्रास-बैंगलूर भेल	2
14. 23/24 मद्रास-बैंगलूर एकमप्रेस	1
15. 26/25 शाइलंड एकमप्रेस	2

16. 29/30 मालाबार एकमप्रेस  
17. 41/42 केरल एकमप्रेस  
18. 51/52 मद्रास—काजी-पेट लिंक एकमप्रेस

### मोटर जाइन :

1. 97/98 बाडमेर एकमप्रेस
2. 95/96 मार्गवाड भेल
3. 5/6 त्रिवेणी एकमप्रेस
4. 17/18 वैशाली एकमप्रेस
5. 3/4 अहमदाबाद-दिल्ली
6. 3/4 आमम भेल
7. 5/6 कामस्प एकमप्रेस
8. 1अप/2 डाउन एटी भेल
9. 105/106 मद्रास—त्रिवेन्द्रम भेल
10. 177/178 राष्ट्र फोर्ट एकमप्रेस
11. 153/154 चोलान एकमप्रेस
12. 85/86 मिकन्दगाबाद-बैंगलूर एकमप्रेस
13. 31/32 जयन्ती जनता एकमप्रेस
14. 15/16 नखनऊ एकमप्रेस (ख) जी हा।
पटना घाट की भूमि को बिड़ला बन्धुओं को हस्तान्तरित करने का प्रस्ताव
1627. श्री रामाकृष्ण शास्त्री : क्या ऐल मन्दी यह बताने की कृपा करेंगे कि :
(क) क्या सरकार पटना सिटी के अन्तर्गत महफ़ज़ाज़ में बर्तमान “पटना घाट” की भूमि को, उस केन्द्र का विचान करने के बाद बिड़ला बन्धुओं को बेचने के प्रस्ताव पर विचार कर रही है; और

(क) यदि हां तो इसके क्या कारण हैं ?

ऐसा विवालय में उपर्युक्ती (अधी मुहम्मद शही तुरेशी) : (क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

**Scheme to restrict consumption of Petroleum Products**

1628. SHRI D. D. DESAI:  
SHRI P. GANGADEB:

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

(a) whether Government are considering any scheme to restrict the consumption of petrol and diesel oil, both high speed and low speed, throughout the country;

(b) whether details of the scheme have been worked out;

(c) if so, whether they have been implemented; and

(d) the broad outlines thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH-NAWAZ KHAN):** (a) and (b). Yes, Sir. The Consumption of Motor Spirit i.e. petrol has already come down since the increase in its price in November, 1973. Various measures to reduce the consumption of both high speed and light diesel oil are being considered in consultation with the concerned authorities.

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

**Ban on the use of Diesel Oil for generation of Electricity on Festive Occasions**

1629. SHRI MUHAMMED SHERIFF:

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

(a) whether Government have banned the use of high speed diesel oil and light diesel oils for generating electricity on festive occasions; and

(b) if so, the reasons thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH-NAWAZ KHAN):** (a) and (b). Yes, Sir. This has been done to curtail the non-essential consumption of these products which form the vital inputs for essential industrial and agricultural activity in the country.

**Producers of Soaps**

1631. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) who are the principal producers of soaps in the country;

(b) licensed and installed capacities of each producer as in 1965 and 1973;

(c) whether some producers have been charged with unauthorised expansion of installed capacity; and

(d) if so, the facts thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH-NAWAZ KHAN):** (a) and (b). A statement is laid on the Table of the House.

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

## Statement

Sl. No.	Name of the principal producers of the soap.	Licensed/Registered (tonnes/per year)	Installed capacity as reported by the firm (tonnes/per annum)		Produc- tion of So- ap (Qty.tns.)	
			1965	1973	1973	1973
<b>1. Hindustan Lever Ltd.</b>						
	(a) Calcutta Factory	33,000	33,000	60,000	32,916	
	(b) Bombay Factory	58,000	58,000	1,20,000	66,553	
<b>2. Tata Oil Mills Co. Ltd.</b>						
	(a) Bombay	14,400	14,400	21,200	19,710	
	(b) Tatapuram Factory	14,460	15,006	29,480	26,175	
	(c) Madras Factory	1,728	1,728	7,350	4,824	
	(d) Ghaziabad Factory	7,500	8,540	14,500	11,998	
	(e) Calicut Factory	3,000	3,000	6,405	3,806	
	(f) Calcutta Factory.	9,600	9,600	12,180	5,528	
3	M/s. Swastik Oil Mills, Bombay	10,920	10,920	—	8,970	
4	M/s. Kusum Products Pvt. Ltd.	6,500	6,500	10,000	6,808	
5	M/s. Government Soap Factory, Bangalore	6,000	6,000	6,000	5,203	
6	M/s. Asiatic Soap Co., Calcutta	4,800	4,800	11,700	3,016	
7	M/s. Bombay Soap Factory, Bombay	4,500	4,500	8,004	8,336	
8	M/s. Godra	4,032	4,032	—	5,137	
9	M/s. Calcutta Chemical Co. Ltd., Calcutta	1,500	1,500	5,004	1,758	
10	M/s. Berar Oil Industries, Akola	1,800	1,800	5,000	3,069	
11	M/s. Tungabhadra Industries, Kurnool	1,152	1,152	—	2,220	
12	M/s. Modi Soap Works, Mysore Nagar	1,500	1,500	4,800	2,364	
13	M/s. Vegetable Products Ltd., Calcutta	720	720	2,880	1,587	
14	M/s. E. S. Patanwala, Bombay	1,200	1,200	6,696	2,284	

**Action against Trade Unionists Instigating for Fresh Strike**

proposed to be taken against those trade unionists who incite railway workers to go on a fresh strike; and

(b) if so, the nature of the action taken?

1632. SHRI SHANKER RAO SAVANT: Will the Minister of RAILWAYS be pleased to state:

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI

(a) has any action been taken or is

MOHD. SHAFTI QURESHI): (a) and (b). Strike on Indian Railways continues to be prohibited under Section 118 of the Defence of India Rules and anybody inciting the railway workers to go on strike naturally attracts the provisions of the Law and action as is appropriate in each case, is and will be taken.

**Offshore Oil Exploration in Cambay and Saurashtra**

1633. SHRI S. R. DAMANI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether preparations are made to probe the oil-bearing potentialities in offshore areas of Cambay and Saurashtra;

(b) if so, the broad outlines thereof; and

(c) the main features of preliminary investigations made to locate oil in these areas?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN): (a) Yes Sir.

(b) and (c). Detailed seismic mapping in certain parts of the southern part of Gulf of Cambay (Offshore areas of Cambay) and reconnaissance seismic profiling in the south-eastern offshore area of Saurashtra have been completed. In Cambay Offshore area, three structures viz. Aliabet West, Aliabet East and Tapti have been delineated. The first offshore well drilled on Aliabet West yielded a non-commercial oil find.

The results of the reconnaissance seismic survey conducted in the Saurashtra offshore area indicated the need to carry out detailed surveys to locate drillable structures. These surveys are proposed to be carried out by ONGC using its own seismic ship which is expected to be delivered early next year.

**Decline in Production of Crude Oil in Ankaleshwar Fields**

1634. SHRI S. R. DAMANI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the reasons for the declining crude output in the Ankaleshwar fields;

(b) the estimates made as to for how many years these wells will be fit for commercial exploitation; and

(c) whether the question has been examined for prolonging the usefulness of these wells without decline in the yield and if so, what are the findings?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN): (a) Every oil field has an initial period of increasing production, another period of peak production and a third period of declining production. The Ankaleshwar oil field has been on peak production for quite some time and the production therefrom has recently started declining.

(b) The technological scheme of development prepared for this field envisages a certain number of years of commercial exploitation for the different sands. According to this, the shortest period of exploitation for the sand which is smallest in its areal extent is five years and 22 years in the sand which is largest developed in its areal extent.

(c) These studies are being planned and will be carried out in the near future to minimise the decline.

**Utilization of Oil Drilling Ship "Sagar Samrat"**

1635. SHRI S. R. DAMANI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the date from which the "Sagar Samrat" has become idle after comp-

ision of drilling operations on the first well in the Bombay High; and

(b) the expenditure incurred on its maintenance since then, including the daily expenses of foreign technicians assisting the Oil and Natural Gas Commission in the exploratory work?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN):** (a) and (b). Information is being collected and will be laid on the Table of the House.

**Indian Participation in Discussions between Oil Producing Countries and Consumers**

1636 SHRI D. P. JADEJA:  
SHRI VEKARIA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state—

(a) whether Saudi Arabia has invited India to participate in a dialogue it has proposed between the oil producing countries and the consumers; and

(b) if so, whether India will participate therein?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN):** (a) No, Sir.

(b) Does not arise.

**वित्त रेलवे के गिरफ्तार कर्मचारियों की विहार**

1637. श्री हुक्म बन्द कल्पालय : क्या रेल भवी यह बताने की हुआ करेंगे कि

(क) वित्त रेलवे में 8 मई, 1974 से की वयी हड्डताल के दौरान कुल कितने कर्मचारी गिरफ्तार किये गये थे जिन्हें रिहा किया जा चुका है ; और

(ख) इस समय कितने कर्मचारियों पर बुक्समें बलाये जा रहे हैं ?

रेल बंद्रालय में उप-मंत्री (श्री बोहम्बद शाफी कुरेशी) : (क) (i) हड्डताल के दौरान गिरफ्तार किये गये कर्मचारी—2138

(ii) भवी तक मुक्त किये गये कर्मचारी—2131

(ब) भवी तक गिरफ्तार कर्मचारी—7

मई, 1974 के दौरान पश्चिम रेलवे में बीमिल की वयी गाड़ियाँ

1638. श्री हुक्म बन्द कल्पालय : क्या रेल भवी यह बताने की हुआ करेंगे कि :

(क) क्या मई, 1974 के दौरान मरकार ने पश्चिम रेलवे में कुछ गाड़ियों को बीमिल कर दिया था

(ख) यदि हाँ, तो कितनी गाड़ियों को रद किया गया था और उसके कारण क्या थे ; और

(ग) इसमें मरकार को अनुमानत वित्ती क्षति हुई है ?

रेल बंद्रालय में उप-मंत्री (श्री बोहम्बद शाफी कुरेशी) : (क) जी हाँ ।

(ख) मई, 1974 के दौरान हड्डताल के कारण बीमिल नगमग 114 जीड़ी सवारी गाड़ियाँ प्रतिदिन रद की गयी ।

(ग) इसके फलस्वरूप करीब 1.8 करोड़ की अनुमानित हानि हुई ।

**वित्त रेलवे में बलात्त, विलम्बित तथा बहाल किये गये कर्मचारी**

1639. श्री हुक्म बन्द कल्पालय : क्या रेल भवी यह बताने की हुआ करेंगे कि :

(क) 8 मई से तुरु हुई रेलवे हड्डताल के दौरान वित्त रेलवे के कितने कर्मचारियों

को सेवा से बद्धास्त तथा निलम्बित किया गया, और

(ख) इस बीच कितने कर्मचारियों को बहाल कर दिया गया है ?

रेल भंगालय में उड़-बंडी (जो मुहम्मद शकी कुरेशी) . (क) (1) दक्षिण रेलवे पर कर्मचारियों की संख्या—13,558

(ii) बद्धास्त/तौकरी से हटाये गये या निलम्बित कर्मचारियों की संख्या—530

(iii) मुग्धति—248

(ख) (i) (क) (ii) में में बहाल किये गये कर्मचारियों की संख्या—5

(ii) (क) (iii) में से बहाल किये गये कर्मचारियों की संख्या—228

हड्डाल के दौरान दक्षिण-पूर्व रेलवे में तोड़-फोड़ की घटनायें

1640. ओ दृक्षम चन्द्र कदम्बाय क्या रेल मरी यह बताने की कृपा करेंगे कि

(क) 8 मई से यूरु द्वारा रेलवे हड्डाल के दौरान दक्षिण-पूर्व रेलवे में तोड़-फोड़ की कूल किननी घटनाये हुई, और

(ख) इसके परिणामस्वरूप कुल कितने मूल्य की रेलवे सम्पत्ति को क्षति पहुँची ?

रेल भंगालय में उड़-बंडी (जो मुहम्मद शकी कुरेशी) : (क) 19 मामले ।

(ख) लगभग एक लाख रुपये ।

मुख्य अम आयुक्त द्वारा सुने थे रेल कर्मचारियों के मामले

1641. ओ आर० ओ० बड़े : क्या रेल मरी यह बताने की कृपा करेंगे कि

(क) वर्ष 1973 के अन्त तक मुख्य अम आयुक्त द्वारा रेल प्रशासन तथा रेल कर्मचारियों के कितने मामले सुने थे ,

(ख) कितने मामलों में रेल प्रशासन को दोषी पाया गया, और

(ग) उन अधिकारियों के नाम क्या हैं जो ऐसे मामलों में वास्तविक रूप से दोषी पाये गये तथा प्रत्येक के विषद क्या कार्रवाई की गयी ?

रेल भंगालय में उड़-बंडी (जो मुहम्मद शकी कुरेशी) (क) से (ग) सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जाएगी ।

गोहाना-पानीपत रेलवे लाइन को पुनः चालू करना

1642. ओ बोरेन्स तिह राव : ओ मुक्तियार तिह अलिक :

क्या रेल मरी यह बताने की कृपा करेंगे कि

(क) गोहाना-पानीपत रेलवे लाइन को पुनः चालू करने में अब तक क्या प्रगति हुई है ,

(ख) क्या इस लाइन पर काम शुरू किया जा चुका है, और

(ग) कब तक यह परियोजना पूरी हो जायेगी ?

रेल भंगालय में उड़-बंडी (जो मुहम्मद शकी कुरेशी) (क) जून, 1974 के अन्त तक 1-4 अनियंत्रित प्रगति हुई है ।

(ख) यी हाँ ।

(ग) प्राप्ता है यह परियोजना अप्रैल, 1977 तक पूरी हो जायेगी ?

**Loss suffered by each Railway due to Violent Agitations during 1973-74**

**1643. SHRI BIRENDER SINGH RAO:**  
**SHRI MUKHTIAR SINGH MALIK:**

Will the Minister of RAILWAYS be pleased to state:

(a) the amount of loss suffered by each Railway due to violent agitations during 1973-74; and

(b) the steps taken or proposed to be taken by Government to prevent recurrence of such activities in future?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):**

(a) A Statement is attached.

(b) 1. The Security branch of the Railways keeps close liaison with the Executive and Intelligence branches of the State Police and they exchange information regarding matters affecting the running of the Railways and protection of important installations.

2. Guarding of vulnerable points and patrolling of the track in vulnerable sections is taken up by the State Police or the Railway Protection Force as the case may be, when trouble is apprehended.

3. In addition to strengthening security arrangements at Railway Stations, in areas where trouble is likely to occur, action is taken by the Government Police and the Railway Protection Force to escort trains on affected sections.

4. The local Police arrange protections of Railway Stations and the railway track adjoining educational institutions when required.

5. Steps are taken to project before the public the baneful effects of attacks on national assets like Railway property.

6. Press communique|special articles|brochures are being issued by the Railway Board and the Zonal Railways as an educative measure against such damage|destruction of Railway property. Radio talks are also given by officers and others. The subject is also brought up in the National Railway User's Consultative Council meetings, seeking their co-operation in this respect.

*Statement*

S. No.	Name of the Railways	Amount (in Rs.)
1.	Central . . .	70,85,100
2.	Eastern . . .	45,10,062
3.	Northern . . .	1,22,626
4.	North Eastern . . .	2,33,727
5.	Northeast Frontier . . .	1,66,340
6.	South Central . . .	8,97,26,000
7.	South Eastern . . .	8,59,200
8.	Southern . . .	2,14,050
9.	Western . . .	62,12,000

*Cases pending in Supreme Court and High Courts at present*

**1644. SHRI C. K. CHANDRAPPAN:**  
**SHRI SAMAR GUHA:**

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state the total number of cases pending in the Supreme Court and each of the High Courts at present?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE):** Information as on 30th June, 1974 is available only in respect of some High Courts. In respect of the other High Courts, information as at the end of December,

1973 is available. A statement giving the available information is attached

Name of the Court	Pendency at the end of June, 1974	Pendency at the end of December, 1973
Supreme Court	12,895	
<i>High Courts</i>		
1 Allahabad		69,573
2 Andhra Pradesh	22,332	45,145
3 Bombay		45,145
4 Calcutta		66,568
5 Delhi		19,730
6 Gauhati		5,263
7 Gujarat	12,860	
8 Himachal Pradesh		1,693
9 Jammu and Kash- mir		2,308
10 Karnataka	11,601	
11. Kerala	31,660	
12 Madhya Pradesh	31,569	
13 Madras		34,345
14. Orissa	5,865	
15. Patna	26,006	
16 Punjab and Haryana	25,320	
17. Rajasthan		15,931

**Differences over Indianisation of Mathura Refinery**

1645 SHRI P A SAMINATHAN  
SHRI V MAYAVAN:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether there is a Ministerial tussle on the question of constructing

the proposed Rs. 97 crores Mathura refinery with indigenous resources; and

(b) the points of difference and steps being taken to resolve them?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN):** (a) No, Sir

(b) Does not arise.

सिंगरीली में एक उर्वरक संयंत्र को स्थापना करने के लिये मध्य प्रदेश सरकार को मांग

1646. श्री शोभुराज भास्तवाल क्या पेट्रोलियम और रसायन मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या मध्य प्रदेश सरकार ने केन्द्रीय सरकार से गज्य भूमि गिरीली म्यान पर एक उर्वरक संयंत्र स्थापित करने के लिये आवश्यक बिंदु बनाए हैं और

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

पेट्रोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री शाहनवाज खान) : (क) कोयले पर आधारित अतिरिक्त उर्वरक संयंत्र की स्थापना के लिए मध्य प्रदेश सरकार द्वारा स्थानों के बारे में दिए गए सुझाव में गिरीली एक जगह है ।

(ख) सरकार ने भारतीय उर्वरक नियम को उर्वरक संयंत्र की स्थापना के लिए तकनीकी आधिक दृष्टिकोण से सिंगरीली की उपयुक्तता की जांच करने को कहा है ।

**Target of new Railway Lines in Backward Areas of Kerala**

1647 SHRIMATI BHARGAVI THANKAPPAN:

Will the Minister of RAILWAYS be pleased to state

(a) whether Government have finalised the targets of construction of new

railway lines in Kerala especially in backward areas of the State; and

(b) if so, the salient features thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) and (b): Targets for the construction of Railway lines are not laid State-wise but on over all national considerations, keeping in view the maximum utilisation of the natural resources, exploitation of mineral wealth and on operational requirements of Railways. However, the following Surveys/Projects are in progress; under consideration falling partly or wholly in the State of Kerala:—

(i) A preliminary engineering-cum-traffic survey for rail link from Kuttipuram to Trichur via Guruvayoor has recently been sanctioned at a cost of Rs. 86, 421/- . Further consideration to this proposal shall have to await till the survey reports are received and examined.

(ii) The work is in progress for the conversion of MG to BG from Ernakulam to Trivandrum and is expected to be completed by 1976

(iii) A BG rail link from Trivandrum to Tirunelveli via Nagercoil with a branch line to Kanyakumari has been sanctioned at an estimated cost of Rs. 14.53 crores and the work is in progress.

(iv) A traffic survey for a BG link from Ernakulam to Kayamkulam via Alleppey had recently been carried out. According to this report the link will be highly unremunerative. The proposal has, however, been included in the list of new railway lines proposed to be taken up in the Fifth Five Year Plan, for the development of the backward areas. Its construction, would, however, depend upon the allotment of additional funds by the Planning Commission for the purpose.

Trains cancelled in Kerala due to shortage of coal during the last six months

**1648. SHRIMATI BHARGAVI THANKAPPAN:**

Will the Minister of RAILWAYS be pleased to state:

(a) the number and particulars of trains cancelled in Kerala during the last six months due to shortage of coal together with the date on which each of them was cancelled;

(b) the names of the trains, among them, which are proposed to be re-started and the time by which these would be re-started; and

(c) if there is no proposal for re-starting these trains, the reasons therefor?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) to (c): The required information is being collected and will be placed on the Table of the Sabha in due course

#### New Railway Lines in Kerala

**1649 SHRIMATI BHARGAVI THANKAPPAN:**

Will the Minister of RAILWAYS be pleased to state.

(a) whether new Railway lines in the State of Kerala, for which survey was made during the year 1972-73 were not taken up till the end of the year 1973-74; and

(b) if so, the reasons therefor?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) and (b): No survey was carried out during the year 1972-73 in the State of

Kerala. A Traffic Survey for a rail link from Ernakulam to Kayamkulam via Alleppey was undertaken in 1970, the results of which were known in 1971. The survey report revealed that the line will be financially unremunerative. The proposed link has, however, been included in the list of new railway lines proposed to be taken up in the 5th Five Year Plan for the development of the backward areas and its construction would depend upon the allotment of additional funds for the purpose by the Planning Commission.

The work is already in progress for the conversion from MG to BG from Ernakulam to Trivandrum and for laying a new BG rail link from Trivandrum to Tirunelveli via Nagercoil with a branch line to Kanyakumari falling partly in Kerala. A survey has also been sanctioned recently for a rail link from Kuttipuram to Trichur via Guruvayor.

**Quantity of Foodgrains transported in Kerala since April**

1650. SHRIMATI BHARGAVI THANKAPPAN:

Will the Minister of RAILWAYS be pleased to state.

(a) whether the Railways have failed to transport the requisite quantity of foodgrains from one place to another in Kerala since April of the current year;

(b) the estimated target thereof and the quantity of foodgrains actually transported;

(c) the factors that came in the way of transportation of foodgrains and the difficulties experienced in this regard; and

(d) the action taken or proposed to be taken to improve the situation?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) No

(b) There are no targets fixed for movement within the State, but demands are met in full as and when indents are placed.

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

**Incentive Bonus Scheme for D.L.W. Varanasi**

1651. SHRI VEKARIA:  
SHRI ARVIND M. PATEL:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the incentive bonus scheme introduced in June, 1969 in the Diesel Locomotive Works, Varanasi has increased production in the Factory;

(b) if so, how does it compare with production prior to the introduction of the scheme; and

(c) whether the scheme has also in any way made substantial reduction in the labour force?

**THE DEPUTY MNISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) Yes

(b) Incentive working was introduced in D. L. W. in June 1969. The results achieved after the introduction of incentive scheme have been favourable in spite of such hurdles as curtailment of power supplied by U. P. State Electricity Board and labour unrest. This will be substantiated by the figures given in the Statement attached.

(c) There has been no reduction in the labour force because the surpluses generated as a result of introduction of incentive scheme were utilised for increasing the targetted out-

turn for which purpose it would normally have been necessary to recruit additional staff.

*Statement*

*Direct Manhour/Locomotive  
(figures in thousands)*

Year.	B.G.	M.G.
1968-69 . . .	35 0	30 6
1969-70 . . .	33 0	32 0
1970-71 . . .	33 0	20 0
1971-72 . . .	26 5	18 4
<b>*Last Batch closed</b>	<b>20 53</b>	<b>17 29</b>

\*B.G.—Locos Nos. 512 to 521

M.G.—Locos Nos. 121 to 131

**Broad Gauge line from Mahoba to Khajuraho**

**1652. SHRI NARENDRA SINGH:** Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 9296 on the 7th May, 1974 regarding expansion programme of Railways in Madhya Pradesh and state:

(a) whether any decision regarding construction of a new broad gauge railway line from Mahoba to Khajuraho has been taken;

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

(c) the time by which construction work is likely to be started?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) to (c) The Railway has been asked to send an estimate for carrying out the survey for construction of a railway line from Mahoba to Khajuraho. Further consideration to the proposal will be given after the survey is completed, examined and the results thereof become known.

**Construction of Satna Beohari via Rewa Railway line**

**1653. SHRI NARENDRA SINGH:** Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 9296 on the 7th May, 1974 regarding programme of Railways in Madhya Pradesh and State:

(a) whether the examination of the report regarding construction of Satna to Beohari via Rewa (B.G.) line has been completed.

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

(c) the period by which the report is likely to be examined?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) The examination of the report is in progress.

(b) The proposed line will be 127.4 Kms long and is estimated to cost Rs 18.10 crores. It has been revealed by the survey report that the project will be unremunerative. The final decision regarding the construction of the proposed line shall, however, be taken after the examination of the report is completed.

(c) The examination of the report is likely to be completed within the next two months.

**Strike in Cochin Division of F.A.C.T.  
Udyogamandal**

**1654 SHRI RAMAVATAR SHASTRI:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are aware of the strike going on in FACT Udyogamandal (Cochin Division); and

(b) if so, Government's response to the demands of workers?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN):** (a) and (b) Negotiations were held between the FACT management and the Workers Union in regard to the demands of workers and an agreement was reached. The strike was called off on 16th July, 1974.

**Amendment of Companies Act to raise Remuneration and Perquisites of Public Sector Managerial Personnel**

**1655. SHRI N. K. SANGHI:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government propose to amend the Companies Act to raise the remuneration and perquisites of public sector managerial personnel;

(b) if so, the considerations which have promoted such a move; and

(c) the nature of the benefits proposed to be given through proposed amendments?

**THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA):** (a) No, Sir.

(b) and (c) Do not arise.

**Decline in production at Cochin Refinery**

**1656. SHRI N. K. SANGHI:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether production in Cochin Refinery is likely to fall sharply during 1974 and has started falling;

(b) if so, to what extent the production in the Refinery has declined;

(c) what are the factors responsible for this fall in production; and

(d) what steps are sought to be taken to see that production is at least maintained at its 1973 level?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN):** (a) to (d) During January-June, 1974, the Cochin Refinery has achieved a crude throughput of 1:16 million tonnes as against 0.86 million tonnes during the corresponding period of 1973 and 1.97 million tonnes during the whole year 1973. In view of the limited availability of foreign exchange for import of crude oil, some of the refineries operating on imported crude oil have to operate at reduced levels during the current year. The operating levels of refineries processing imported crude including Cochin Refinery are decided keeping in view the regional demand for products and the product pattern of the refinery. But it is expected that Cochin Refinery would be supplied with about one million tonne of crude oil during the second half of 1974.

**Salient features of benefits accruing from Miabhoj Tribunal's Recommendations**

**1657. SHRI P. VENKATASUBBAIAH:**  
**SHRI CHANDU LAL CHANDRAKAR:**

Will the Minister of RAILWAYS be pleased to state:

(a) the number of railway employees benefited by the recommendations of the Miabhoj Tribunal:

(b) whether duty hours have also been curtailed as a result thereof; and

(c) if so, the salient features in this regard?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a)

About 13 lakhs (including casual labour).

(b) Yes.

(c) (i) "Excluded" class IV employees, viz. Gatemen 'C', Saloon Attendants, Caretakers of rest houses, reservoirs, etc. who had to work without limit of time have been upgraded as "Essentially Intermittent" with duty hours limited to 72 a week if there is no preparatory and/or complementary work and upto 75 a week if there is this type of work.

(ii) "Essentially Intermittent" workers other than the 3 class IV categories mentioned above and such of the other "Essentially Intermittent" staff as have been posted at road-side stations and reside within 5 Kms. from their place of work have their duty hours curtailed from 75 and 72 a week to 64½ and 60 a week respectively according as they have or have not preparatory and/or complementary work to do.

(iii) "Continuous" workers with no preparatory and/or complementary work are to work for 8 hours a day/48 hours a week as against their present rostered hours of 51/52 hours a week.

(iv) Some Section Controllers and Wireless Operators who have been upgraded from "Continuous" to "Intensive" have their duty hours curtailed from about 52 hours a week to 45 a week if preparatory and/or complementary work is involved.

#### Shortage of Essential Drugs

1658. SHRI JAGANNATH MISHRA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are aware of the reported shortage of essential drugs; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b): Reports of occassional shortages of certain drugs in some parts of the country, for which similar preparations of other manufacturers are also usually available, are received from State Drug Controllers from time to time. On receipt of such reports the manufacturing units are contacted and advised to supply the drugs to areas from which reports of shortage are received and to ensure continuity of supply.

#### Accumulation of Naphtha in Esso and Burmah Shell Refineries

1659. SHRI JAGANNATH MISHRA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether huge stocks of Naphtha have got accumulated in the ESSO and Burmah-Shell refineries during the last three-four months;

(b) if so, the total quantity of stocks available with the two refineries, the period over which the stocks have remained undisposed of; and

(c) the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c) Some accumulation of Naphtha stocks at Hindustan Petroleum and Burmah-Shell Refineries occurred during the last four-five months. Actual stocks have, however, varied from month to month. This was mainly on account of the reduced upliftments by Fertilizer plants, for various reasons. Production of Naphtha was also increased due to a reduction in demand for Motor Gasolene. With the export of a few Naphtha cargoes from Bombay, the position has normalised from last month.

**Deficit Financing in Railways till end of July, 1974**

1660. SHRI JAGANNATH MISRA: Will the Minister of RAILWAYS be pleased to state:

(a) the total amount of deficit financing in Railways till the end of July, 1974 and the reasons for increase in the deficit financing during the four months of the current financial years; and

(b) steps taken by Government to reduce the deficit?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). The Budget Estimate for 1974-75, presented to Parliament in February, 1974 forecast a deficit of Rs. 52.79 crores. The accounts for the month of June, 1974 will be closed about the middle of August and those for July, 1974 only in the first week of September, 1974. The position of net traffic receipts to end of May, 1974, as compared to the proportionate Budget upto the end of that month is as under:—

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(i) Shortfall in earnings : Rs. 76.02 crores  
 (ii) Saving in Revenue Expenditure : Rs. 18.18 ,,  
 (iii) Net shortfall in traffic receipts : Rs. 57.84 ,,

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The spate of agitations and strikes which affected train operation and loading on Railways continued in the current financial year also till May, 1974, when there was an All India Railwaymen's strike.

Due to large scale immobilisation of wagons as a result of the strike in May, and heavy arrears in maintenance of locomotives and wagons, there has not been speedy recovery in loading in the months of June and July. In July the unprecedented rains in Bombay Area also seriously affected loading. With gradual improvement

in the position, Railways are endeavouring to meet the traffic requirements during the remaining period of the current financial year.

**P.V.C. Resin Manufacturers**

1661. SHRI RAJA KULKARNI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the names of P.V.C. Resin manufacturers in the country and the total quantity produced by them during the year 1973;

(b) what controls Government exercise on prices and distribution of PVC Resin; and

(c) has Government tried to remove causes of artificial shortages created by manufacturers?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN):

<i>(a) Name of Manufacturers</i>	<i>Production in 1973 (M.T.)</i>
1. Shriram Chemicals, Delhi	9267
2. M/s. Ahmedabad Mfg. Calico Pts. Co. Ltd., Bombay	4247
3. M/s. National Organic Chemicals India Ltd., Bombay	21356
4. Chemicals & Plastic (India) Ltd., Madras	6132
5. Plastic Resins and Chemicals Ltd., Madras	7484
<b>TOTAL :</b>	<b>48486</b>

(b) and (c). There is no price and distribution control on thermoplastic resins including PVC. The production of PVC has not kept pace with the increase in demand, and shortage is being faced for some time. The main difficulties in the way of augmenting production have been

the non-availability of corresponding Vinyl Chloride production facilities in the case of two manufacturers and frequent power shortage. Necessary action is being taken to ensure that production of PVC is stepped up as early as possible.

**Loss sustained by each Zonal Railway during May, 1974 strike**

1622. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) the total loss sustained by each one of the Zonal Railways during the Railway strike in May, 1974; and

(b) the daily break-up of the loss in the case of Northern Railway?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAIFI QURESHI): (a) The loss suffered by each of the Zonal Railways during the strike in May, 1974, is approximately as under:

(In lakhs of Rs.)

Central . . . . .	823.70
Eastern . . . . .	1093.46
Northern . . . . .	850.66
North Eastern . . . . .	177.00
Northeast Frontier . . . . .	206.63
Southern . . . . .	380.55
South Central . . . . .	169.41
South Eastern . . . . .	1086.99
Western . . . . .	717.26

(b) Information is being collected and will be laid on the Table of the Sabha.

**Progress on Kangra Valley Railway Re-alignment**

1663. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) the latest position regarding the

progress on the Kangra Valley Railway re-alignment; and

(b) whether any steps have been taken to expedite the work in view of the various representations made by the people of Himachal Pradesh for an early completion of the work?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAIFI QURESHI): (a) The overall progress achieved on this project upto end of June, 1974 is 54 per cent.

(b) Every effort is being made to complete the work expeditiously and to overcome difficulties which arise from time to time, some of which are mentioned below:

- (i) failure of contracts due to delay in handing over the land by the State Government.
- (ii) Failures of power affecting the progress on bridge works.
- (iii) Shortage of matching steel for fabrication of girders for bridges.
- (iv) Shortage of labour and non-availability of essential stores and
- (v) Insufficient allotment of funds by the Beas Dam Authorities.

**Survey for Railway Line in Kashmir Valley**

1664. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether the survey to provide a railway line within the Kashmir valley has been completed;

(b) if so, the findings of the Survey including the likely cost, and

(c) the likely date of taking up the project?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI) (a) Yes

(b) The survey for an electrified MG|BG railway line from Qazigund to Baramulla via Srinagar a length of about 122.35 Kms conducted as a deposit work at the cost of State Government has revealed that the line both MG or BG will be financially unremunerative. The approximate cost of construction for MG and BG lines will be Rs 71.33 crores and Rs 78.62 crores respectively. The report is however still under examination.

(c) A decision on the project will be taken after the examination of the Survey report is completed

बिहार में ज्येष्ठ रेल स्टेशन का निर्माण

1665. श्री चन्द्र शेखर सिंह :  
क्षा० संसदीयारायण पौडेय :

व्यापार में ज्येष्ठ रेल स्टेशन की कृपा करेंगे कि

(क) क्या सरकार बिहार में कुछ ज्येष्ठ रेल स्टेशन बनाने के प्रस्ताव पर विचार कर रही है,

(ख) यदि हा, तो तमस्मवन्धी व्यौरा क्या है, और

(ग) निर्माण कार्य कब से शुरू होगा ?

रेल बंद्रालय में उप-प्रबंधी (श्री मुहम्मद शाही कुरेशी) (क) जी हा ।

(ख) और (ग) सम्बन्ध विवरण में मूल्यना दी गयी है ।

### विवरण

स्टेशन का वर्णन	कार्य प्रारम्भ होने का सम्भावित समय
दोदारनगर और भद्रोला के बीच पूरिया	याजनाथों के पूरा हो जाने तथा अनुभानों की मजूरी जिनके सम्बन्ध में कार्यवाही हो रही है और इनको आगामी विर्माण कार्यक्रमों में शामिल कर लिये जाने के बाद काम शुरू किया जाएगा ।
धौनी और माला हाल्ट के बीच हाल्ट	,,
माहिबगज और कंटाला के बीच महादेव गंग	,,
गुलजार बाग और पटना वे बीच राजनन्दनगंग	,,
तीन पाहाड़ और नगरमहल के बीच हरचाल्पुर कार्य पूरा हो जुका है । शीघ्र ही खोल दिया जायेगा ।	
शिवनारायणपुर और कल्पनाथ के बीच हाल्ट	

## स्टेशन का बर्णन

## वार्य प्रारम्भ होने का सम्भावित समय

प्रीतमधारा पर स्टेशन

चालू वर्ष में अरम्भ होने की सम्भावना है।

बरका काग रोड पर स्टेशन

"

जनयन गर और लंजोली के बीच हाल्ट स्टेशन

श्रीध्र शुरू होने की सम्भावना है

दरभंगा और मोहम्मदपुर के बीच हाल्ट

श्रीध्र ही शुरू होने की सम्भावना है

कमतोल और जागियार के बीच हाल्ट

"

निर्माकी और घोगरडीह के बीच हाल्ट

श्रीध्र ही शुरू होने की सम्भावना है।

मुरजीगंज और बुझा के बीच हाल्ट सकरी-  
हसनपुर नदी लाइन पर अंकारपुर और

नदीकहा बाजार पर दो हाल्ट

प्रतापगंज और फारवीसगंज खंड पर तीन

सम्पार स्टेशन

झंकारपुर और लोकाहाबाजार खंड पर चार

सम्पार स्टेशन

सकरी-हसनपुर नदी लाइन पर भ्रात

सम्पार स्टेशन

नदी लाइन के निर्धारण के साथ शुरू किया जायेगा

अलबल पुर (पंजाब), में काल्मीर मेल तथा

श्रीनगर एक्सप्रेस का बकाना

1666. श्री चन्द्र शेखर तिहः :

डा० लक्ष्मीनारायण पाण्डेय :

यदा ऐसे भंडी यह बताने की हुपा  
करेंगे कि :

(क) यदा काल्मीर मेल तथा श्रीनगर एक्सप्रेस गाड़ियाँ अलबल पुर स्टेशन (पंजाब) पर नहीं हटती जिससे दिल्ली से अलबल पुर जाने वाले सैकड़ों यात्रियों को बड़ी कठिनाई का सामना करना पड़ता है; और

(ब) यदि हाँ, तो इन गाड़ियों को अलबल पुर छहराने के लिये सरकार डाय  
या काल्मीरी की जा रही है?

ऐसे मंत्रालय में उप भंडो (श्री नुहम्मद शही कुरेशी) : (क) और (ब). 33/34 काल्मीर मेल और 59/60 श्रीनगर एक्सप्रेस को अलबलपुर पर रोका जाना यातायात को दूषित से उचित नहीं समझा गया है और न ही इन गाड़ियों की तेज रफ्तार बाली गाड़ियाँ बनाये रखने के हित में ऐसा करना व्यावहारिक समझा गया है।

## Export of Naphtha

1667. SHRI BISHWANATH  
JHUNJHUNWALA:

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

(a) whether India is exporting naphtha when the same is urgently needed for use within the country;

(b) if so, the total quantum of naphtha exported so far in 1973-74

and those contracted for the current year;

(c) whether the price rise on petrol was effected to save consumption of petrol for production of naphtha for fertiliser production and if so, the justification of such exports; and

(d) whether both petrol consumers and agriculturists are suffering equally within the country?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH-NAWAZ KHAN):** (a) to (c). Naphtha demands during the first six months of the current year have remained much less than earlier anticipation. This was primarily due to less demands from fertiliser plants for various reasons. Indigenous production was also increased due to the reduction in demand of motor gasoline with the increase in prices from November, 1973. To maintain the refinery operation, therefore, some exports of naphtha were firmed up early this year. The total foreign exchange earning from naphtha exports is estimated at Rs. 122 crores. There was no export of naphtha during 1973-74, except for a small quantity supplied to Bangladesh.

(d) Indigenous demands of naphtha are currently being met in full. Efforts to economise on the consumption of motor spirit (petrol) will have to continue to provide for the more vitally needed Naphtha; demand for which will continue to increase further in the coming months.

#### Negotiations for takeover of Burmah-Shell

**1668. SHRI MADHU LIMAYE:  
SHRI Y. ESWARA REDDY:**

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

(a) whether the Government have started negotiations with Burmah Shell for its takeover;

(b) whether these negotiations will also cover the question of take-over of other wings of the Burmah-Shell, viz., Burmah-Shell Oil Storage and Distributing Company of India Ltd.; and

(c) if not, the reasons therefor?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH-NAWAZ KHAN):** (a) to (c) The matter is under consideration of the Government of India.

#### Value of Goods and Passenger Traffic Carried by Railway in May, 1974

**1669. SHRI MADHU LIMAYE:** Will the Minister of RAILWAYS be pleased to state:

(a) what was the number of workmen-permanent, temporary and casual who were on strike or were absent each day from 2nd May to 27th May, 1974, Zone-wise;

(b) the value of goods and passenger traffic carried by the Railways from 8th May to 27th May, 1974; and

(c) what was the value of traffic-goods and passenger-carried by the Railways from 8th May to 27th May, in 1972 and 1973?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) The information is being collected and will be laid on the Table of the Sabha.

(b) It is presumed that the Hon'ble Member wants to know the earnings from the carriage of Goods and Passenger traffic during the period stated. The earnings from Goods traffic have been broadly estimated at Rs. 28.72 crores and those from Passenger traffic at Rs. 14.05 crores.

(c) The approximate earnings from Goods traffic during the same period in 1973 and 1972 were Rs 36.16

and 37.21 crores and from Passenger traffic Rs. 24.75 and 22.77 crores respectively.

**Preventing Foreign Firms to operate in Bombay High**

**1670. SHRI S. A. MURUGANANTHAM:**

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

(a) the reasons for which Government have decided not to allow any foreign firms to operate in the Bombay High oil exploration; and

(b) whether any other blocks have been offered to foreign firms to carry out oil exploration?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN):** (a) Since ONGC have already taken up operations in the Bombay High structure and have also made an oil discovery there, it has been decided that the area should be explored and developed by ONGC itself.

(b) Contracts have been signed with Curlsberg India Group for the Bengal basin and with the Reading and Bates Group for the Kutch basin

**Broad Gauge Line from Samastipur to Darbhanga and Barabanki Muzaffarpur Samastipur (North Eastern Railway)**

**1671. SHRI BHOGENDRA JHA:** Will the Minister of RAILWAYS be pleased to state:

(a) whether final decision for extending the broad-gauge line from Samastipur to Darbhanga and Barabanki-Muzaffarpur-Samastipur in the North Eastern Railway have been taken; and

(b) if so; the exact time schedule of the beginning and completion of the work?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) Conversion of Barabanki-Muzaffarpur-Samastipur metre gauge section into broad gauge has been sanctioned and work on this project is in progress. Conversion of Samastipur-Darbhanga metre gauge section into broad gauge has been included in the Budget for 1974-75 and the question of sanctioning the project estimate is under consideration.

(b) The work on the Barabanki-Samastipur M.G. to B.G. conversion was sanctioned in April, 1972, and is scheduled to be completed in early 1977. The schedule for the commencement and completion of work on the Samastipur-Darbhanga M.G.H. to B. G. conversion will be drawn after the project estimate is sanctioned.

**New Railway Line from Jhanjharpur to Loukaha and from Sakri to Hasanpur (North Eastern Railway),**

**1672. SHRI BHOGENDRA JHA:** Will the Minister of RAILWAYS be pleased to state:

(a) whether final decision for constructing new railway line from Jhanjharpur to Loukaha and from Sakri to Hasanpur under Samastipur Division of North Eastern Railway has already been taken; and

(b) if so, time schedule of the beginning and completion of the work?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) Construction estimate of the Jhanjharpur-Loukahabazar new M.G. line has recently been sanctioned and earthwork has been taken up. The estimate for the construction of Hasanpur-Sakri new M.G. line is under consideration and is expected to be sanctioned soon.

(b) the expected target date of opening of Jhanjharpur-Loukahabazar line is April, 1976, whereas the likely date of opening of Sakri-Hasanpur line is March, 1978.

Demand for opening halts at  
Muraitha and Korahaiya

1673. SHRI BHOGENDRA JHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether final decision for creating halts at Muraitha between Kamtaul and Jogiara stations and at Korahaiya between Jainagar and Khajauli stations under Samastipur Division of the North Eastern Railway have been taken and the villagers have completed earthwork through voluntary labour; and

(b) if so, when these two halts will start functioning?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes. Final decision for opening both the halts has been taken. Earthwork through voluntary labour for the halt between Kamtaul and Jogiara stations has not yet been completed.

(b) Date of opening of halt between Jainagar and Khajauli stations would be decided as soon as the Government of Bihar suggests a suitable name for

the same. Date of opening of a halt between Kamtaul and Jogiara stations would be decided after the earthwork is completed by voluntary labour.

Setting up of Coal-based Fertiliser Plants

1674. SHRI YESWARA REDDY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the locations and capacities of the coal based fertilizer plants approved by Government for construction so far;

(b) when they will be commissioned;

(c) whether Government propose to set up more coal-based fertilizer plants during the Fifth Plan period; and

(d) if so, the broad outlines thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). The location, capacity and the date of commissioning of the plants approved by the Government are given below:

Location	Capacity ('000MT)	Expected date of commissioning
1 Ramagundam (A.P.)	227.7 N2	April, 1976
2 Talcher (Orissa)	227.7 N2	January, 1976
3 Korba (M. P.)	227.7 N2	January 1978

(c) and (d) The public sector fertilizer programme, as presently envisaged in the Fifth Plan, does not provide for the setting up of additional fertilizer capacity based on coal as feed stock. However, studies have been undertaken by the Fertilizer Corporation of India to assess the suitability of various locations for setting up additional coal based fertilizer plants.

Switch over to Electric Traction for Railways

1675. SHRI VISHWANATH PATTAP SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to switch over to electric traction for Railways; and

(b) if so, the salient features of the present plant?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) Yes, in a phased programme on selected routes.

(b) It is proposed to energise 1800 Routes Kilometres during Fifth Five Year Plan.

**Refineries Working below Installed Capacities**

**1676. SHRI ISHAQUE SAMBHALI**  
Will the Minister of PETROLEUM AND CHEMICALS be pleased to state.

(a) whether our refineries are working very much below the installed capacity and

(b) if so, the facts thereof and steps proposed to be taken for utilisation of idle capacity?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN)** (a) and (b) All the four inland refineries which are based on indigenous crude oil are processing the entire quantities of indigenous crude oil being supplied to them from the oil fields in Assam and Gujarat. Barauni Refinery is processing 0.5 to 0.6 million tonnes per annum of imported Iraqi crude oil in addition to indigenous Assam crude

Among the five coastal refineries, some may have to operate at reduced levels during the current financial year considering the overall foreign exchange availability and the recent

**Name of the company**

**Maharashtra Cooperative Chemicals and Fertilizer Limited**

**Delhi Cloth & General Mills Co. Limited**

**Nagarjuna Fertilizers Limited,**

**Gujarat State Fertilizers Co., Ltd**

**Myansore State Industrial and Investment Development Corporation.**

developments in the international crude supply and price situation.

**Fertilizer Plants to be set up in Fifth Plan**

**1677 SHRI M. KATHAMUTHU; SHRI JHARKHANDE RAI:**

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) the names of the companies concerned and the places at which new fertilizer units in the Fifth plan period would be set up;

(b) what would be the total investment,

(c) whether there would be any foreign collaboration in this sector; and

(d) if so, the facts thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN)** (a) Government have approved in principle the setting up of five new fertilizer projects in the public sector. These are proposed to be located at Bhatinda, Panipat, Mathura, Paradeep and Trombay. A new company in the public sector is proposed to be set up to implement the projects at Bhatinda, Panipat and Mathura; the Paradeep and Trombay projects are proposed to be implemented by the Fertilizer Corporation of India. In addition, Government have approved in principle the setting up of a fertilizer plant at Phulpur (U.P.) by M/s. Indian Farmers Fertilizer Co-operative Limited. In addition, the following letters of intent have also been issued.

**Location**

**Bombay region (Maharashtra)**

**Kota (Rajasthan) (Second Expansion)**

**Kakinada (Andhra Pradesh)**

**Baroda (Gujarat)**

**Mangalore (Karnataka)**

(b) The capital cost estimates have not yet been finalised.

(c) and (d) Over the years, India has achieved a substantial measures of self-reliance in the fertilizer field and external assistance is at present limited to areas like acquisition of process know-how, supply of sophisticated equipment and services not available in the country.

**Completion of Under-ground Railway in Calcutta**

1678. DR. RANEN SEN: Will the Minister of RAILWAYS be pleased to state:

(a) what is the stage of construction work of the Under-ground Railway in Calcutta; and

(b) when it is likely to be completed?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) Upto end of June, 1974, an overall progress of 5.1 per cent has been achieved towards the construction of the Dum Dum-Tollygunj Rapid Transit line at Calcutta.

(b) The Project is programmed to be completed by the end of 1979. But settlement of question of essential imports of stores and equipments, of problems of property acquisition and road traffic diversion may interfere with the execution of the Project within the above target.

**Credit from Italy and Austria for Trombay Fertilizer Plant**

1679. SHRI M. KATHAMUTHU: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Italy and Austria have agreed to grant credit assistance for the expansion of the Trombay fertilizer plant near Bombay; and

(b) if so, the facts thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN):** (a) and (b)

According to present indications the foreign exchange requirements of the expansion project of the Trombay Fertilizer Plant (Trombay V Expansion) is likely to be financed with credits from Italy and Austria. While Austria has indicated a credit availability to the tune of US \$7-10 millions, the quantum of assistance likely to be available from Italy has not yet been finalised.

**Surface-Ground Tube Railway to meet Bombay Needs**

1680. SHRI ISHAQUE SAMBHALI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have decided to construct a mixed Surface-ground Tube Railway to meet the road and rail traffic needs of Bombay; and

(b) if so, the salient features thereof and the steps being taken in this regard?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) Yes, the matter is under consideration.

(b) It comprises of additional tracks north of Bandra and Kurla along the Western and Central Railways to Goregaon and Bhandup respectively, and additional elevated cum under-ground lines between Raoli Junction near Wadala station, and Fort Market. The portion between Raoli Junction and Fort Market is likely to be constructed in the Fifth Plan. The scheme after sanction will take 5 years to complete.

**Companies set up by Multi-National Corporations in Collaboration with Indian Monopolists**

1681. SHRI BHOGENDRA JHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) how many Multi-national Corporations have set up companies in collaborations with Indian monopolists during the last three years;

(b) the names of such multi-national corporations and Indian monopolists; and

(c) the total investment made in each company?

**THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA-BRATA BARUA):** (a) to (c): The Ministry of Industrial Development are administratively concerned with the subject foreign collaboration and the necessary information asked for is being collected and will be laid on the Table of the House.

**Offer from United Arab Emirates to Build a Refinery in India**

**1682. SHRI P. VENKATASUB-BAIAH:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the United Arab Emirates has offered to build an oil refinery in India and supply crude for it as well as for the existing refineries on soft terms of credit;

(b) if so, the broad outlines of the offer made; and

(c) the reaction of Government thereto?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN):** (a) to (c) Some preliminary discussions have been held with the UAE Vice-President, and a memorandum of undertaking signed on 18-6-1974, on the possibility of supply of crude oil to India on soft terms and participation of UAE in an oil refinery in India. No final decision has yet been arrived at.

**Excavation of Earth from the Railway Property near Kolaghat Railway Station**

**1683. SHRI M. C. DAGA:** Will the Minister of RAILWAYS be pleased to state:

(a) whether a firm engaged for construction of national highway No. 6 excavated earth upto the depth of 10.17 c.ft. valued at Rs. 1.25 lakhs from the Railway property near Kolaghat Railway station;

(b) whether the amount has been recovered from the contractor; and

(c) if not, the reasons therefor?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) Yes. About 8.31 lakhs c. ft. of earth was excavated from railway land near Kolaghat railway station and the damage is assessed at about Rs 1 lakh.

(b) and (c) No A suit before the Estate Officer, Kharagpur, under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, for recovery of damages from the firm, M/s. Associated Engineering Traders, Calcutta, has been filed.

मैंने निम्नलिखित स्टाइल द्वारा नवम्बर, 1973 से जनवरी, 1974 तक "नियमानुसार याम करने" का आन्दोलन चलाया जाना

**1684. श्री रामावतार शास्त्री क्या ऐत ती मरी यह बताने की शुणा दरेंगे कि**

(क) क्या मैंने निम्नलिखित स्टाइल ने 25 नवम्बर, 1973 ने 24 जनवरी, 1974 तक "नियमानुसार याम करने" का आन्दोलन चलाया था,

(ख) यदि हां, तो क्या आपके द्वारा आगामी शास्त्राणी पर अपील करने के बाद उक्त आन्दोलन आपस ले चिया गया था और क्या उन्होंने उक्त एसोमिण्डान के नेताओं को कर्मचारियों के विरुद्ध कार्यवाही न करने का आशासन दिया था;

(ग) क्या उनके आशासन के बाबूद मी से दो कर्मचारियों के विरुद्ध विविध

प्रकार की कार्यवाहियों की गयी तथा बिहार में आन्तरिक सुरक्षा कानून के अन्तर्गत कुछ अवित्तियों को जेल में डाल दिया गया है; और

(ब) यदि हा, तो ऐसे कर्मचारियों के नाम क्या हैं और उनके आश्वासन के बावजूद भी कर्मचारियों को परेशान करने के क्या कारण हैं?

ऐसा मंत्रालय में उपर्युक्ती (बी मुहम्मद शफी कुरेशी) - (क) जी हा।

(क) से (ब) यतो भगोदय ने "नियमानुसार कार्य" आन्दोलन समर्पण करने के लिए केवल एक सामान्य अपील की थी। केवल चार कर्मचारियों को, जो पूर्व रेलवे के ज्ञाना स्टेशन पर काय कर रहे थे हाल में हुई हड्डताल के फलस्वरूप आन्तरिक सुरक्षा अधिनियम के अन्तर्गत पुलिस द्वारा हिरासत में लिया गया था। इनमें से तीन अर्थात् सर्वश्री शोलवी राम, ज्ञमन कन्तु और एस० बी० कुमार हिरासत में हैं और चौथा श्री राम पवित्र फरार है।

#### Unremunerative Branch Lines on Indian Railways

1685. SHRI R. P. DAS Will the Minister of RAILWAYS be pleased to state:

(a) whether the present uneconomic lines were uneconomic from their very opening or have they become unremunerative with the decline of general administration and annual fare-hike or due to rush of the poor from the villages to the town; and

(b) what steps the Railways contemplate to adopt in dealing with this problem in future?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) A

large number of the branch lines now reckoned as uneconomic were constructed at different stages during the last hundred years or so. At this distant date, it is, therefore not possible to state with certitude whether these lines were uneconomic from their very opening. The unremunerativeness of these lines is primarily on account of low density of traffic.

(b) Some of the steps which have been initiated or are contemplated for reducing the losses are listed in the attached statement

#### STATEMENT

Statement showing steps taken/contemplated to reduce the losses on the uneconomic branch lines.

1 Strengthening of the track of certain narrow gauge lines is being considered with a view to increasing the speed and the load of trains

2. Rolling stock is being replaced on a phased programme basis

3 One-engine system of working has been introduced on certain sections

4. On certain narrow gauge lines block stations have been downgraded and a few others have been closed for good traffic

5 Over certain narrow gauge lines train services have been curtailed.

6. Concessional rates have been quoted with a view to capturing additional traffic.

7 Close liaison is maintained with industries located in the areas served by the uneconomic branch lines with a view to induce them to use rail facilities to the maximum extent

8. Intensive checks are conducted to combat ticketless travel.

9. Split shift duties have been introduced at certain stations.

10. Conversion of passenger trains into mixed trains has been resorted to on certain sections.

11. All possible efforts are made to move more traffic.

**Resumption of Trains suspended on Southern Railway in December, 1973**

**1688. SHRIMATI PARVATHI KRISHNAN:** Will the Minister of RAILWAYS be pleased to state:

(a) whether the trains suspended on Southern Railways on South West broad gauge section and meter gauge section in December, 1973 have not been restored as yet; and

(b) if so, the reasons therefor?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) and (b): Out of 54 trains on broad gauge and 54 trains on metre gauge cancelled fully/partially on the South West portion of Southern Railway during December, 1973, 35 trains on the broad gauge and 32 trains on the metre gauge still continue to remain cancelled. Restoration of these trains is being considered in a phase manner.

**Import of Crude for Haldia Refinery**

**1689. SHRI SAMAR GUHA:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state the estimates of import of crude, sources of import of crude for the Haldia Refinery and estimate of production of different fractions of distillation of crude there?

**THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN):** Indian Oil Corporation has a contract with M/s. Total International Ltd., for the supply of Aghajari crude for part of the requirements of the Haldia Refinery. Besides, IOC has other contracts also for supply of crude oil. In view, however, of the limited availability of imported crude due to foreign exchange constraints, its allocation to the various re-

fineries, including Haldia Refinery, will be made keeping in view the product pattern of the refineries and the demand of products in different regions.

The product pattern of Haldia Refinery when it goes into full production as envisaged in the project report based on Aghajari crude is given below:

Crude Aghajari	2.5 million tones/year
Light ends and gasses	14.7% by weight
Middle distillates	39.0% " "
Heavy ends including tubes & bitumen,	35.0% " "

**Construction of Ernakulam Alleppey Railway Line**

**1690. SHRI A. K. GOPALAN:** Will the Minister of RAILWAYS be pleased to state:

(a) when the construction work of Ernakulam Alleppey Railway line is likely to be started;

(b) the estimated cost thereof; and

(c) when the work is likely to be completed?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) to (c) Traffic Survey for a BG rail link from Ernakulam to Kayamkulam via Alleppey conducted in 1970 has revealed that the proposed link will be highly unremunerative. The proposal has, however, been included in the list of new railway lines proposed to be taken up in the Fifth Five Year Plan for the development of backward areas and its construction would depend upon the allotment of additional funds for the purpose by the Planning Commission.

**Proposals Received to Increase the Number of Judges in High Courts**

**1691. SHRI NAWAL KISHORE SHARMA:** Will the Minister of LAW,

**JUSTICE AND COMPANY AFFAIRS**  
be pleased to state:

(a) whether some proposals from the various State Governments have been received for increasing the number of Judges of the High Courts;

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

(c) the reaction of Government in this regard?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE):** (a) to (c) In 1974, proposals for the increase in the sanctioned strength have been received from the following High Courts:—

- (1) Bombay
- (2) Delhi
- (3) Gujarat
- (4) Madhya Pradesh
- (5) Allahabad
- (6) Himachal Pradesh

Proposals in respect of the High Courts of Bombay, Delhi, Gujarat and Madhya Pradesh have been agreed to and those for the High Courts of Himachal Pradesh and Allahabad are under examination.

**Drilling Operations by O. & N.G.C. in Jaisalmer District of Rajasthan**

1692. **SHRI NAWAL KISHORE SHARMA:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Oil and Natural Gas Commission has started deep oil drilling operations in Jaisalmer District of Rajasthan at Sumer Ki Talli; and

(b) if so, the broad outlines thereof and the time by which the exploration is expected to be completed?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN):** (a) Yes, Sir, at Shumarwali Talai and not at Sumer Ki Talli.

(b) The well was spudded in on 23-12-1973 and is projected to a depth of 35000 mts. It has reached a depth of 2172.25 mts, as on 27-7-1974. The drilling operations in the well are expected to be completed with about six months from now.

**Condonation of Break-in-Service period**

1693. **SHRI NAWAL KISHORE SHARMA:** Will the Minister of RAILWAYS be pleased to state:

(a) the total number of Railway employees reinstated after break-in-service for participating in the May, 1974 strike;

(b) the total number of such employees, Zone-wise, in whose cases the break-in-services have been condoned by Government; and

(c) the total number of such employees whose cases are still pending and the time by which these would also be condoned?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):** (a) Condonation of Break-in-Service has been granted to nearly 1,40,000 railway employees.

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

**Cases Pending in Bombay High Court and Nagpur Bench of High Court**

1694. **SHRI VASANT SATHE:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the total number of cases pending hearing in Bombay High Court and Nagpur Bench of that High Court till the 31st July, 1974;

(b) whether Government propose to have any scheme to dispose of the pending cases expeditiously; and

(c) if so, the salient features thereof?

**THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE):** (a) Information as on 31st July, 1974 is not readily available. However, the number of cases pending as on 31st December, 1973 in the Bombay High Court and Nagpur Bench were 34,922 and 10,223 respectively.

(b) and (c) (i) The State authorities have been advised to review the Judge strength with a view to speedy disposal of cases;

(ii) A Committee of Judges under the Chairmanship of Shri J. C. Shah had made a number of recommendations for reducing arrears and minimising delays in dispensing justice. The recommendations of the Committee which are purely administrative in nature and which do not require amendment to the Rules, statute or law, have been communicated to the State Governments and the High Courts for implementation;

(iii) The Law Commission has suggested certain specific amendments to the Code of Civil Procedure, 1908, with a view to eliminating and minimising delays in civil litigation and thereby reducing costs. The report of the Law Commission was examined and a Bill for amending the Code of Civil Procedure is before the Parliament;

(iv) The Law Commission has also made a number of recommendations for amendment of the procedural law in criminal matters. Based on those recommendations, a new Code of Criminal Procedure was enacted recently.

#### Supply of Wax to Industrial Units in Maharashtra

1695. **SHRI VASANT SATHE:** Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of Industrial Units in Maharashtra utilising Paraffin

wax;

(b) how much wax has been allotted by the Central Government during the last two years against the demand of the Industrial Units; and

(c) what steps have been taken/proposed to meet the demand for paraffin wax by the Industrial Units?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN):** (a) The information is being collected from the State Government and will be laid on the Table of the House.

(b) and (c) Allotment of paraffin wax made to the State of Maharashtra during the last two years was as under:—

1972	..	9470 tonnes
1973	..	9659 tonnes

Distribution of paraffin wax among the industrial units within the State is arranged by the State Government under the provisions of the Paraffin Wax (Supply, Distribution and Price Fixation) Order, 1972.

The State Government is responsible for taking into account the demands of the various industrial units located in the State.

#### Nominees of Government on the Boards of Directors/Managing Committees of Companies

1698 **SHRI SHANKER RAO SAVANT:** Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the names of the companies or firms on whose Boards of Directors of Managing Committee Government have appointed their own nominees during 1972-73, 1973-74 and 1974-75 upto the end of June, 1974; and

(b) how many Government nominees were withdrawn during this period and for what reasons?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) Section 408 of the Companies Act, 1956, empowers the Central Government to appoint Directors on the Boards of the Companies, the affairs of which are being conducted either in a manner which is op-

pressive to any members of the company or in a manner which is prejudicial to the interests of the company or to public interest. A statement showing the list of companies in which Central Government have appointed Directors under the aforesaid section is enclosed.

(b) Nil.

### STATEMENT

Sl. No.	Name of the company	Remarks
During the year 1972-73		
1	M/s. Indian Express Newspapers (Bombay) Pvt. Ltd., Bombay	
During the year 1973-74		
2	M/s. Andhra Prabha Pvt. Ltd., Vijayawada	
2	M/s. Belapur Sugar & Allied Industries Ltd., Bombay	
3	M/s. Great Eastern Hotel Ltd., Calcutta	
4	M/s. Shaw Wallace & Company Ltd., Calcutta	
5	M/s. Poona Electrical & Industries, Ltd., Bombay	
6	M/s. Shree Changdeo Sugar Mills Ltd., Bombay	
7	M/s. Nasik Deolali Electric Supply Company Ltd., Bombay	
8	M/s. National Rayon Corporation Ltd., Bombay	
9	M/s. W. H. Brady & Company Ltd., Bombay	
During the year 1974-75 upto 30th June, 1974		
1	M/s. Great Eastern Hotel Ltd., Calcutta	Directors appointed in the year 1973-74 resigned and the Central Government appointed two other directors.

### Recommendation to Condone Break-in-Service

Departments have so far recommended the cases?

1699. SHRI P. M. MEHTA:  
SHRI R V SWAMINATHAN:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Zonal Railway Departments have been asked to recommend the cases where break-in-service can be condoned; and

(b) if so, how many Zonal Railway condone the break in their service.

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI): (a) and (b) Instructions have been issued to the General Managers of the Zonal Railways and Production Units that in the case of those staff, where it has been found on verification that they could not report for duty for reasons beyond their control, the G.Ms. may

**Publication of Draft Proposals on  
Constituencies of Gujarat by  
Delimitation Commission**

1700. SHRI P. M. MEHTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Delimitation Commission had published its draft proposals in respect of the constituencies in Gujarat on the 28th February, 1974;

(b) whether his Ministry have not started public hearings upto now;

(c) if so, the reasons therefor; and

(d) when the same is likely to be done and the revised electoral rolls published?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NITI-RAJ SINGH CHAUDHARY): (a) Yes, Sir.

(b) It is the Delimitation Commission which has to hold the public sittings and they have not been held so far.

(c) The last date for receiving objections and suggestions from the public in respect of the Commission's proposals notified in the Gazette was specified as 31st March, 1974. The public sittings in Gujarat could not, however, be held due to the abnormal situation prevailing in the State. The Commission then had a programme of public sittings and consultations in the State of Kerala, Karnataka and Andhra Pradesh. Thereafter because of the outbreak of the monsoon and floods in the Rann of Kutch area and the Southern districts of Gujarat, it has not been possible to hold public sittings in the State, as the public would have been seriously inconvenienced in appearing before the Commission at sittings to be held in different parts of the State, for presenting their case.

(d) The Commission has yet to finalise the programme for the public sittings in the State of Gujarat. Necessary steps for the revision of electoral rolls in the State will be taken as soon as the Order for the delimitation of parliamentary and assembly constituencies in the State of Gujarat is finalised by the Delimitation Commission.

**Steps to Increase Production of Crude Oil**

1701. SHRI VAYALAR RAVI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the results achieved by Government in its efforts to increase the production of crude oil in the country by increasing the production of existing wells and by digging new wells; and

(b) the total number of new wells dug for this purpose and how many of them have produced encouraging results and the steps taken to increase the activity in this field?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Oil India Limited will be able to maintain its planned level of production of 8400 tonnes/day. The Oil and Natural Gas Commission is expected to achieve by 1st April, 1975, an increase in their production potential by 1400 tonnes/day compared with the present production of about 11800 tonnes/day.

(b) The Oil and Natural Gas Commission have drilled 31 wells for development and production in different fields during the period 1-7-1973 to 1-7-1974. Nineteen of these have shown encouraging results, nine are yet to be tested, one was found water bearing and two wells were abandoned due to technical reasons.

Oil India Limited have drilled six wells from 1-7-1974 to 30-7-1974, four

of whom shown oil, one is yet to be tested and one was found dry. Additional drilling rigs and other equipments are being procured to increase drilling activity of both the Oil and Natural Gas Commission and Oil India Limited.

**Funds for Development Works at Varkala Railway Station**

1702. SHRI VAYALAR RAVI: Will the Minister of PETROLEUM be pleased to state:

(a) the progress made in the various development works at the Varkala Railway Station in Kerala;

(b) whether smooth progress of the works has been hindered due to non-availability of adequate funds for these works; and

(c) if so, the steps taken by Government to provide enough funds to complete the development works of this important station?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) The progress of development works at Varkala Railway Station is indicated below:—

Name of work	Progress
1. Extension of passenger platform to accommodate 16 bogies trains	Since completed.
2 Improvements to water-ing arrangements	4%
3 Sheltersing the circulating area	Estimate under sanc-tion
4 Remodelling of a portion of the old station building	15%
(b) No.	
(c) Does not arise.	..

**Wagon loads of bananas and mangoes standing at Tughlakabad Station**

1703. SHRI VARKEY GEORGE: Will the Minister of RAILWAYS be pleased to state:

(a) whether fifteen wagon loads of bananas and mangoes have been standing at Tughlakabad station since 10th July, 1974;

(b) whether those wagons had arrived from Itarsi where they were held up for more than 35 hours;

(c) whether the Railway authorities have failed to bring the wagons within the stipulated period of four days with the result that the perishable fruit is rotting in the heat;

(d) whether the merchants have threatened that they would refuse to take delivery of the fruit if such conditions continued; and

(e) the appropriate measures Government propose to adopt to arrange an early delivery of the perishable fruits?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No

(b) No.

(c) Consignments have taken a little longer time as the banana traffic has just started and specials could not be run as sufficient loads were not offered

(b) No such report has been made to the Northern Railway.

(e) Normally plantain and mango traffic are moved in specials whenever there has been materialisation of traffic. In the period under reference the materialisation of traffic has not warranted the running of specials. However, special watch is being kept on the movement of this traffic. Suitable instructions for keeping special watch over this traffic exist and have been reiterated.

**Cut on Import of Crude Oil**

1704 SHRI E. V. VIKHE PATIL: Will the Minister of RAILWAYS be AND CHEMICALS be pleased to state:

(a) the extent to which a cut has been imposed on the import of crude oil during the current financial year; and

(b) whether this cut will have adverse affect on the production of various types of fertilisers?

**THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN)** (a) On the basis of existing prices, the import of crude oil during the current financial year is expected to be of the order of 13 million tonnes as against a little over 14 million tonnes last year

(b) No, Sir.

**Expenditure on Territorial Armymen during Railway Strike**

1705 PROF MADHU DANDAVATE Will the Minister of RAILWAYS be pleased to state

(a) what is the total amount spent by Government on Territorial Armymen deployed during the last Railway strike and

(b) whether this and other expenditure in connection with the strike would adversely effect the budgetary position of Railway?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI)** (a) Information is being collected and will be laid on the Table of the Sabha

(b) Yes

**Deteriorating condition of stations between Gomoh and Barwadih and Barwadih and Dehri-on-Sone**

1706 SHRI R P YADAV Will the Minister of RAILWAYS be pleased to state:

(a) whether the condition of the stations between Gomoh and Barwadih and Barwadih and Dehri-on-Sone are far from being satisfactory inasmuch as there is no sufficient arrangements of water taps on rail-

way platforms, waiting rooms are dirty and without sufficient furniture and only obsolete bogies ply between these routes, and

(b) whether in view of the above, Government propose to improve the condition of these stations?

**THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI)** (a) and (b) Information is being collected and will be laid on the table of the Sabha

‘ए’ थेणी के नगरों में रहने वाले रेल कर्मचारियों तथा धन्य सेवार्थी के कर्मचारियों की परिस्थिति में अन्तर

1707. श्री माधवराव सिंधिया :  
श्री ईश्वर चौधरी :

क्या रेल मत्ती यह ब्रान की छापा करेंगे फि

(क) ‘ग’ थेणी के नगर में रहने वाले उम रेल नमनारी का कुल मामिक बेतन कितना है जिसका मल बेतन 70 रुपये प्रति मास है

(ख) ‘ग’ थेणी के नगर में केन्द्रीय सरकार की अन्तर्राजीय कोर्ट वैको, रिजर्व बैंक तथा सरकारी फार्मसियों के प्रबन्धनों की कुल मामिक बेतन राशि कितनी-निन्नी है और

(ग) रेल नमनार्थी के बेतनों में इन विषयमता को दूर करने के लिये क्या कार्य बाही की गई है अथवा की जानी है?

रेल बंद्रालय में उत्तर (अ) मुहम्मद शफी कुरैशी (क) 70 रुपये का मूल बेतन पाने वाले आर थेणी के नगरों में रहने वाले रेल कर्मचारियों द्वारा ली गयी कुल मामिक पाबतिया 201 70 रुपये है, परन्तु 1-1-1973 से समोषित बेतनमान शुरू

किये जाने से यह रकम बढ़कर 277.35 रुपये हो गयी है।

(ख) और (ग) सूचना इकट्ठी की जा रही है और सभा-पटल पर रख दी जायेगी।

**Construction of New Railway Lines in West Bengal during Fifth Plan**

1708. SHRI JYOTIRMOY BOSU:

Will the Minister of RAILWAYS be pleased to state:

(a) how many projects for expansion of existing railway lines and construction of new lines in West Bengal have been included in the Fifth Five Year Plan,

(b) whether any scheme for expansion of railway facilities in Diamond Harbour Sub-division of 24 Parganas district and North Bengal have been included, and

(c) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Proposals for new lines to be taken up in the Fifth Five Year Plan as a whole have not yet been finalised. However, in the State of West Bengal, a 69 Kms. long line between Pankura and Haldia is under construction and work has been completed upto Durgachak. This line is also being electrified. In addition construction of (i) a B. G. line in the area served by the former Howrah-Amra Light Railway including Bargachia-Champadanga Branch and (ii) B G. line in the area served by former Howrah-Sheakhala Light Railway was included in the Supplementary Railway Budget for 1973-74. Work on the construction of Howrah-Amra/Champadanga has been inaugurated by the Prime Minister on 16-7-1974. The participation of the West Bengal State

Government is also envisaged in completing this line.

Surveys have been completed for—

(i) Purulia-Kotshila conversion from N.G. to B.G. (ii) Eklakhi-Balurghat new B.G. line and the reports therefor are under examination. In addition surveys for new lines in the Sundarban areas of West Bengal are in progress and will be completed shortly.

(b) It is proposed to carry out a traffic survey for a new B.G. line from Budge Budge to Namkhana via Diamond Harbour.

(c) The salient features will be known and the proposal further considered after the proposed survey is completed and results thereof become known.

Decision not to establish any refinery except the one at Mathura

1709 SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have taken a decision not to allow establishment of any refinery except the one at Mathura;

(b) if so, causes thereof; and

(c) whether Mathura Refinery would be adequate for the country's needs?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). In addition to the Mathura refinery, the refineries at Haldia, and Bongaigaon and expansion of Koyali will also be commissioned during the Fifth Five Year Plan period. With this additional refining

capacity it is expected to meet substantial part of the demands for petroleum products in the country. The level of product demand and the optimum refining capacity to be established in view of the recent far-reaching changes in the world crude prices are under review.

**Application of Pay Commission's Recommendations to all categories**

1710 SHRI DEVINDER SINGH GARGHA

Will the Minister of RAILWAYS be pleased to state

(a) whether a final decision has since been taken regarding implementation of the recommendations of the Pay Commission in respect of all categories of the Railway workers and

(b) if not, the reasons for the same?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI) (a) and (b) Revised scales of pay based on the recommendations of the Third Pay Commission have been notified for most of the categories of Railway employees. Revised scales in respect of the remaining categories will be announced shortly.

Most of the categories left over are minor ones not specifically dealt with by the Pay Commission for which revised scales have to be allotted on the basis of affiliations with the major categories. There are also some cases where, for certain reasons, Government has not yet been able to arrive at a final decision on the recommended scales.

**Expenditure on Implementation of Miabhey Tribunal's Recommendations**

1711 SHRI DEVINDER SINGH GARGHA:  
SHRI MOHINDER SINGH GILL:

Will the Minister of RAILWAYS be pleased to state

(a) whether all the Zonal Railways have implemented the Miabhey Tribunal's recommendations as desired by the Railway Board, and

(b) if not the reasons for the same and the financial implications of accepting these recommendations?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI) (a) A statement showing the position of implementation of the recommendations of the Miabhey Tribunal is laid on the Table of the House [Placed in Library See No LT 8130/74]

(b) The full implementation of some of the accepted recommendations entails considerable work and will naturally take time. The financial implications of accepting these recommendations according to the latest estimates are about Rs 40 crores per year.

**Fertilizer Producers in Private Sector**

1713 SHRI JYOTIRMOY BOSU:  
Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) the names of concerns in the private sector producing fertilizers in the country,

(b) who controls each of these concerns,

(c) total capital investment in each concern to date,

(d) installed capacity and actual production of fertilisers by each of the Private Sector plants, year-wise during the last three years;

(e) total profits earned by each concern, year-wise during the last three years; and

(f) performances of the public sector plants on each item referred to above?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN): (a) and (d) A Statement is laid on the Table of the House. (Statement No. I) [Placed in Library. See No. LT 8131/74].

(b), (c) and (e) The information is collected and will be laid on the Table of the House

(f) A Statement is laid on the Table of the House (Statement No II). [Placed in Library. See No. LT 8131/74].

12 hrs.

PAPERS LAID ON THE TABLE  
SUPREME COURT JUDGES (TRAVELLING ALLOWANCE) AMENDMENT RULES, 1974

शिख, यथा प्रौढ़ कदमों कार्यं मंत्रालय  
मेर राज्य मंत्री (श्री नोविराज सिंह चौधरी)  
अध्यक्ष महोदय, मैं उच्चतम न्यायालय न्यायाधीश (सेवा की शर्तें) अधिनियम, 1958 की  
धारा 24 की उपधारा (3) के अन्तर्गत उच्चतम न्यायालय न्यायाधीश (यात्रा भत्ता) संशोधन  
नियम, 1974 (हिन्दी तथा अंग्रेजी संस्करण),  
जो भारत के राजपत्र दिनाक 15 जून, 1974 मेर अधिसूचना संलग्न सांग भा० नि० 579 मेर प्रकाशित हुए थे, की एक प्रति तथा  
एक व्याप्त्यात्मक ज्ञापन सभा पट्टा पर रखता  
है।

[Placed in Library See No. LT-8125/74]

FINNCE ACCOUNTS OF THE UNION GOVERNMENT FOR 1970-71 AND NOTIFICATION UNDER CUSTOMS ACT, 1962

THE DEPUTY MINISTER IN THE MINISTRY OF FINNCE (SHRI-MATI SUSHILA ROHATGI): Sir, on

behalf of Shri K. R. Ganesh, I lay on the Table:

(1) A copy of the Finance Accounts of the Union Government for the year 1970-71 (Hindi version) [Placed in Library. See No. LT-8125/74]

(2) A copy of Notification No. G S.R. 358(E) (Hindi and English versions) published in Gazette of India dated the 1st August, 1974, under section 159 of the Customs Act, 1962 together with an explanatory memorandum [Placed in Library. See No. LT-8124/74]

Drugs (Prices Control) Amendment Order, 1971 and Review and Annual Report of Hindustan Organic Chemicals Ltd, Resawani, Maharashtra for 1972-73 with Audited Accounts etc.

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN). I lay on the Table:

(1) (i) A copy of the Drugs (Prices Control) Amendment Order 1971 (Hindi and English versions) published in Notification No. S.O. 226A in Gazette of India dated the 11th January, 1971, under sub-section (6) of section 3 of the Essential Commodities Act, 1955.

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above Notification. [Placed in Library. See No. LT-8126/74].

(2) A copy each of the following papers (Hindi and English versions) under sub-section

(1) of section 619A of the Companies Act, 1956:—

(i) Review by the Government on the working of the Hindustan Organic Chemicals Limited, Rasavani (Maharashtra), for the year 1972-73.

(ii) Annual Report of the Hindustan Organic Chemicals Limited, Rasavani (Maharashtra), for the year 1972-73 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon [Placed in Library. See No. LT-8127/74].

#### NOTIFICATION UNDER NAVY ACT 1957

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J B PATNAIK) I lay on the Table a copy each of the following Notifications (Hindi and English versions) under section 185 of the Navy Act, 1957:—

(i) The Naval Ceremonial, Conditions of Service and Miscellaneous (Sixth Amendment) Regulations, 1973, published in Notification No S R O 192 in Gazette of India dated the 8th June, 1974

(ii) The Navy (Discipline and Miscellaneous Provisions) (Second Amendment) Regulations, 1973, published in Notification No S R O 199 in Gazette of India dated the 15th June, 1974

(iii) The Naval Ceremonial, Conditions of Service and Miscellaneous (Second Amendment) Regulations, 1974 published in Notification No. S.R.O. 215 in Gazette of

India dated the 20th July, 1974. [Placed in Library. See No. LT-8128/74].

#### RAILWAY (NOTICES AND INQUIRIES INTO ACCIDENTS RULES, 1973.

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI): I lay on the Table:—

(1) A copy of the Railway (Notices of and inquiries into Accidents) Rules, 1973 (Hindi and English versions) published in Notification No G S R 575 in Gazette of India dated the 2nd June, 1973, issued under section 84 of the Indian Railways Act, 1890

(2) An explanatory note (Hindi and English versions) giving reasons for not laying the above Notification earlier. [Placed in Library. See No. LT-8129/74]

#### MESSAGE FROM RAJYA SABHA

SECRETARY-GENERAL. Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:—

"In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Pondicherry Appropriation Bill, 1974, which was passed by the Lok Sabha at its sitting held on the 30th July, 1974, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

12.03 hrs.

**CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE**

**REPORTED ILLEGAL TRANSMISSION OF FOREIGN EXCHANGE WITH FAKE RESERVE BANK PERMITS**

**SHRI YAMUNA PRASAD MANDAL (Samastipur):** I call the attention of the Minister of Finance to the following matter of urgent public importance and I request that he may make a statement thereon:—

The reported involvement of an American bank and a leading nationalised bank in illegal transmission of foreign exchange with fake Reserve Bank permits.

**THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN):** Mr. Speaker, Sir. on 11th July, 1974 Vijaya Bank Ltd. remitted a sum of US \$30,000 to Hongkong on the basis of a permit purported to have been issued by the Reserve Bank of India. This permit was presented to Vijaya Bank Ltd. by one Shri Deepak Shantilal Jain. On the 19th July, 1974, Shri Deepak Shantilal Jain approached Vijaya Bank Ltd. for remitting a sum of US \$1.30,000 to Hongkong on the basis of two similar permits amounting to US \$ 80,000 and \$ 50,000 respectively. As fairly large amounts were involved, the Manager of Vijaya Bank Ltd. approached the Reserve Bank of India on 19th July, 1974 for purposes of checking the authenticity of these permits as also the permit on the basis of which remittance of US \$ 30,000 had already been remitted. On finding the permits to be spurious, the case was handed over to the Enforcement Directorate for investigation. Naturally, the remittance to the extent of US \$ 1,30,000 was not permitted.

Preliminary investigations reveal that similar remittance based on spurious permits may have been made through more than one bank. On the

basis of investigations undertaken so far, permits involving a sum of Rs. 2.34 crores have been segregated for scrutinising their authenticity. Remittances in relation to these permits were made through Vijaya Bank Ltd., the Bank of America and the Bank of India. As the investigations are in the preliminary stage, it is not possible to quantify the exact magnitude of the remittances which have been effected through spurious permits or indicate the number of banks through whom these remittances have been made.

Shri Deepak Shantilal Jain and one of his accomplices have been apprehended. Furthermore, an amount of about Rs. 42 lakhs in the accounts in the name of Deepak Shantilal Jain and his accomplices with the Vijaya Bank Ltd. has been frozen.

Two officers of the Reserve Bank of India have been placed under suspension and criminal cases are being registered against them, as prima facie, they appear to be involved in this fraud.

**SHRI YAMUNA PRASAD MANDAL:** Mr. Speaker, Sir, All India Radio today gave this news to the country that this sort of shady thing has been happening to the great loss of the country to the tune of crores of rupees. I do not know how many crores of rupees it would amount to. We have come to know about black money and about other black things and every day, every month and every year, the people like Shri Shantilal Jain have been carrying on these nefarious activities in this country to the loss of, if I maximise it or if I exaggerate it, several hundred crores of ruppes. Only the Finance Minister can say how they do this business.

Especially there are some traders in the country who carry on over-invoicing and under-invoicing only for this purpose. It is good that the Ministry has apprehended Deepak Shantilal

Jain and his other accomplices and their accounts have been frozen within a month. But only two junior officers of the Reserve Bank of India have been brought to book whereas the really responsible big people have been left out. Criminal cases should also be started against Deepak Shantilal Jain and his accomplices. I am glad to know that the Government have acted very promptly. The statement of the hon. Minister is very carefully worded but the way of the Government should be to put all these things in such a manner so that the truth comes out. I ask the Finance Minister, is it the first case or there have been several similar cases in the past also? Even in the streets of Bombay and Calcutta people have been talking of shady business of some of the officers of the Reserve Bank of India. The Finance Ministry should be equally vigilant and careful to see that these things do not recur. To root out this evil for all time to come I would be very glad to know if there is any cell in the Finance Ministry and if the Government is thinking on these lines so that there is more coordination and the Reserve Bank of India may work more efficiently in future.

**SHRI YESHWANTRAO CHAVAN**  
 Sir, I am grateful to the hon. Member for expressing his sense of appreciation for what the Enforcement Directorate has done in this matter. There is some deficiency in the procedure. Fortunately this is the first time this thing has been revealed. I do not think any offence of this type was revealed before RBI has promptly acted and taken many steps to prevent this. Particularly, certain procedures had to be changed and certain powers of delegation which had been given to take a final view in such matters have been corrected. I think there will be much more vigilance in this matter.

श्री सत्यपाल कपूर (पटियाला) मिनिस्टर साहब ने कहा है कि इस से पहले देसा कोई

बाक्या नहीं दृग्मा है। लेकिन 31 जनवाई, का फिनांशल एक्सप्रेस लिखता है कि तीन साल पहले इसी अमराकान बैंक ने दम लाख रुपया का इसी तरह का एक परमिट बैंश करवाया। मिनिस्टर साहब बताये कि क्या यह फैक्चुन्डिल बात है या नहीं। यह बड़े अफसोस और दुख की बात है कि इन्तना प्रचला और बडिया इन्तजाम आर इन्तनी सिक्युरिटी और कानून हाने वाले जनरल रिजर्व बैंक से एक बास्पीरभो न जारी इस तरह इन्हें बड़े एमाउट के फैक्च परमिट इस्य हा, और स्टेटमेट मे यह भी नहीं बनाया गया कि यह दो जनियर अफिसर न नस्पेड किए गये उनके नाम क्या है इसमें और कौन कौन से आफिसर जाने हैं। श्री दीपक गान्धीलाल जन के अनावा और कौन-कौन सी पार्टिया इसमें इन्वाल्व हैं—ऐसा कुछ नहीं बताया गया। सिर्फ जैन के बारे मे कहा गया कि दो एकाउन्ट्स हैं—एक एकाउन्ट 28 लाख रुपए का और एक एकाउन्ट पेपर के मुनाविक 14 लाख रुपए का है लेकिन आया यह जो 42 लाख स्टेटमेट मे बनाया गया वह क्वाइट मनी था या ब्लैंक मनी था, क्या बिजनेस करते थे, उससे पहले उनका क्या कान्डकट था, उससे पहले कठ से बैंक के साथ इन्वाल्व हैं, बैंक के एकाउन्ट्स कब से खुले हुए हैं—इन सभी बातों की ओर कोई व्यापार नहीं दिलाया गया है इसपर कोई रोशनी नहीं डाली गई है। इसलिए मैं आपकी माफत काइनेस मिनिस्टर से यह प्रार्थना करता हूँ कि यह स्टेटमेट जो उन्होंने दिया है वह बहुत नाकामी है, पूरे डिटेल्स हाउस के सामने आने चाहिए। स्पीकर साहब, यह बात भी गैरमुनासिब नहीं होती कि आप कोई टाइम बुकरर करे और रिजर्व बैंक तथा बैंक आफ अमेरिका ने इस किस्म की जो गडवड की है उस पर इस हाउस मे चर्चा करने का मीका दे ताकि मेम्बर्स के ब्वाइट आफ व्यू और गवर्नरेंट का ब्वाइट आफ व्यू सामने आ सके और फैक्टम पर मेंदं अपनी राय दे सके क्योंकि यह इन्कामेंजन पूरी तौर से इस स्टेटमेट से नहीं मिलती है।

**SHRI YESHWANTRAO CHAVAN:** The hon. Member is entitled to have his own views about the statement that I have made and I do not want to comment on that. But I can only say that I have tried to give as much information as possible. Of course, he is entitled to know the names of the officers who are involved in this. The names of the officers are: Y. R. Mantri, Staff Officer, Grade II, and Shri B. S. Pradhan, Exchange Controller. These are the two officers who have been placed under suspension and the cases are being registered against them.

As I have said already, the name of the main person involved in this has been given already. His other accomplice is called Pratap Singh. Investigation are going on. They have also revealed the name of a third person but who is absconding, and therefore, in the interest of the investigation, I do not propose to reveal his name.

The number of permits which are under scrutiny reveal an amount of more than Rs. 2 crores. But I cannot say yet that the entire money can be treated as spurious amount; some of it might possibly be due to some genuine transactions. I do not know what more information I can give. As for the discussion in the House, I do not stand between the hon. Member and the Speaker.

**SHRI SAT PAL KAPUR:** What about the Rs. 28 lakhs and Rs. 14 lakhs accounts?

**SHRI YESHWANTRAO CHAVAN:** I have already said in my statement that furthermore, an amount of about Rs. 42 lakhs has been frozen.

**SHRI JAGANNATH RAO (Chatrapur):** What about his antecedents?

**SHRI SAT PAL KAPUR:** What was their *modus operandi*?

**SHRI YESHWANTRAO CHAVAN:** The *modus operandi* in this matter appears to be like this, that these

officers concerned have been alleged to have signed blank papers or blank forms which are treated as permits and handed over to some persons. It is on that basis that the whole thing has been found out.

**SHRI SAT PAL KAPUR:** Such a simple thing?

**SHRI YESHWANTRAO CHAVAN:** It is complicated.

**SHRI BHOGENDRA JHA (Jainagar):** It is a very serious incident and we were apprehending this all along. The statement of the hon. Finance Minister does not go to the depth of the matter. We were apprehending this even at the time of nationalisation of banks because the foreign banks had been left out. One cannot be sure whether only this particular American bank is involved in this.

**AN HON. MEMBER:** Most of them.

**SHRI BHOGENDRA JHA:** I do not know; most of them may be involved because it is Watergate democracy and Watergate finance and therefore, there may be nothing surprising about it.

Two days ago news appeared of the arrest of one important US citizen who is a Vice-President of the Westinghouse Corporation which is a subsidiary of some Swiss firm which is a subsidiary of an American firm which is multinational. There in India itself the payment has been made. The *Times of India* news of 4th August says:

"According to official sources, the scrutiny of the seized materials revealed that the expenses of the company in India were met out of the funds of the American company. Only a portion of the expenses was sent from abroad through legal banking channels. The balance was met through undisclosed sources

and by unauthorised deals in foreign exchange".

This is another thing, for the information of Shri Piloo Mody

SHRI PILOO MODY (Godhra)  
What did he say?

SHRI BHOGENDRA JHA I said this is another scandal. Here an American firm dealing in India which is a subsidiary of the Swiss firm Westinghouse, which is again a subsidiary of an American firm, has been meeting its expenses in India partly through legal channels and partly through unknown illegal channels, unauthorised channels. This is another instance in Delhi itself.

PROF MADHU DANDAVATE (Rajapur) How is Piloo Mody involved in it?

MR SPEAKER He is adding new dimensions to his question. Confine yourself only to this issue

SHRI BHOGENDRA JHA Here again foreign exchange is involved

MR SPEAKER Yes This deals with one issue. You are generalising. It is not very fair

SHRI BHOGENDRA JHA I stressing one point. In this case the officer in charge the Vice-President of the firm, a US citizen, was trying to escape. He was detected and not allowed to escape. He was arrested. But then he has been bailed out. I do not know what are the sureties. Here Rs 10 lakhs are involved by way of evasion of income-tax. With a bail of Rs 50 000 naturally he can go out.

MR SPEAKER: Please come to this issue

SHRI BHOGENDRA JHA Here is Rs. 12 crores are involved in the exchange racket. It is now proved that fake permits were issued. It is also admitted in the statement that this

is not last thing. Many such fake permits have been issued. At least 200 fake permits are utilised. The amount involved can only be conjectured, it cannot be exactly stated.

In such a situation, I would like to know whether for the present at least Government propose to take over the management of the Bank of America because that bank is involved. The second thing is that some junior officers have been penalised. But the Reserve Bank officers must be involved when blank permits were issued which have been misused in this way. I want to know whether some senior officers have been or are going to be penalised or not. Thirdly—this is a basic thing—in the light of the lessons learnt do Government propose to nationalise all the remaining banks including all the foreign banks or not?

SHRI YESHWANTRAO CHAVAN— As far as the preliminary remarks are concerned I do not think I can go into them. In the last part a specific question has been put to me why is it that only small officers have been penalised? Nobody has been penalised. Investigations are being made and only those against whom some *prima facie* case had been found had been suspended. Cases have been registered. If any other officer is also found to be involved, action would be taken against him also, nobody would be spared. As far as the American and other banks are concerned, I will have to be fair to the banks as such. It is quite possible that some individual officers might have been negligent or might have involved themselves even consciously. Whatever the investigations reveal, action would be taken accordingly. But I cannot say that those banks themselves are responsible for these things because they seem to have acted on *bona fide* belief.

(Interruptions) That is also a matter of further investigations. If something else is revealed, certainly action will be taken against the persons concerned. But I cannot be un-

fair to the banks as such; they have done nothing deliberately in this matter. I find it is not only the Bank of America but also one of the nationalised banks, which is involved... (Interruptions). I do not know. If you let loose your imagination many things can be said but I have to make a statement on the basis of facts as they were revealed. There is no question of taking over any bank as such.

SHRI BHOGENDRA JHA: Against this particular bank. American Bank.

SHRI YESHWANTRAO CHAVAN: There is nothing against the bank as such.

—  
12.22 hrs.

**STATEMENT RE. ALLEGED ASSAULT BY BRTF PERSONNEL ON SOME PEOPLE OF JOWAI IN MEGHALAYA**

THE MINISTER OF DEFENCE (SHRI JAGJIVAN RAM): Mr. Speaker, Sir. Hon'ble Shri Jyotirmoy Bosu mentioned in the Lok Sabha on the 29th July about an incident which took place near Jowai village on the 11th July involving the personnel of the Border Roads Organisation and local civilians resulting in an unspecified number of deaths and injuries to both sides. The Hon'ble Deputy Speaker, who was in the Chair, observed that it is in the interest of the country that the Defence Minister should come forward at the earliest opportunity to make a statement as to what the facts of the case are, what action has been taken and what is proposed to be done.

The facts of the case as gathered upto now are as follows:

(i) On 17th July, 1974, a signal was received by the Headquarters of the Border Roads Organisation from the Chief

Engineer Project PUSHPAK situated in another State about 200 miles away that on 11th July the camp of 406 Road Maintenance Platoon was attacked by local civilians between 4 P.M. and 6.15 P.M. by throwing stones and intrusion through barbed wire fencing as a result of which a number of Border Roads personnel were injured—three of them sustained serious injuries and were hospitalised in the Mission Hospital in Jowai. The signal further stated that the local police were contacted and protection for the camp was arranged.

(ii) Subsequent report from the Directorate General of Border Roads indicated that on 11th July 1974 a local fair was held near the Border Roads camp on the Jowai-Badarpur road near Jowai. This fair was organised by the local civilians. In the afternoon, some of the local civilians taking part in the fair got drunk and entered the Border Roads camp forcibly by cutting the wire fence and attacking the Border Roads personnel and their families who were in the camp. As a result of this attack, three camp members were seriously injured. All this happened while the men of the unit were away at work. On their return, the men found the injured persons and removed them to the hospital as well as made a search for the culprits who could not be found. A report was lodged with the Police who have since provided a Police Guard as the unit does not keep an armed guard itself.

(iii) The Meghalaya State Government was contacted over the telephone on 30th July 1974

and their report has now been received. According to that report—"as part of annual festival in Jamtia hills called BEHDENTNKHLM, a bull fight was organised on 11th July, 1974 at a place eight miles from Jowai-Badarpur road now looked after by BRTF. About 3000 people witnessed bull fight which ended at about 1430 hours peacefully and crowd dispersed. Suddenly about 100/150 persons of the crowd decided to hold football matches in the same field situated adjacent to a small BRTF camp. While second match was on, some BRTF personnel wanted to join the game but refused by local people and clash ensued. BRTF personnel chased to the camp and crowd pelted stones on the camp retaliated by BRTF. Meanwhile, on intimation sent to the next camp, about a furlong away, reinforcement of BRTF personnel rushed to the site. Clashes occurred at different places between personnel of the camp reinforcement and members of dispersing crowd. Many sustained injuries on both sides. Incident occurred at about 1700/1730 hours. Next morning two dead bodies of local villagers recovered in the area with marks of assault with sharp and blunt weapons. On receipt of information Superintendent of Police, Jowai rushed to the spot about 2200 hours 11/12th night. Cases registered from both sides and under investigation. No complaint of any misbehaviour by any one towards any girl/women in this incident.

Resolution adopted in a public meeting in the area on 24th July in this regard also

refers to unspecified past incidents of molestation of modesty of local women by BRTF personnel and general trespass into fields etc. but this has no direct link with incident reported above."

I regret there was a clash between the Border Roads personnel and the local civilians, resulting in casualties on both sides. The matter is now under investigation by the Police. The law enforcement machinery will no doubt take necessary action to bring the culprits to book. I may assure the House that the Border Roads Organisation will fully cooperate with the State Authorities in this regard

—  
12 27 hrs.

#### MATTERS UNDER RULE 377

##### (1) SERIOUS DROUGHT CONDITIONS IN ORISSA

**SHRI CHINTAMANI PANIGRAHI** (Bhubaneswar): Sir, I would like to draw the attention of the House and of the Government to the serious drought conditions in Orissa. Recently there was a PTI report which has been published in the Patriot dated 5th August and in other papers also. I quote

"Drought conditions have developed in varying degrees in all the 13 districts of Orissa on account of scanty, irregular, untimely and patchy rains during the last two months. The drought has brought in its train suspension of agricultural operations, unemployment and distress conditions in different parts of all the 13 districts. The prices of paddy and rice has also sharply risen during the past few weeks. The agricultural labourers in the rural areas have been worst hit by the drought conditions for want of employment."

The drought in Orissa is most severe. Famine conditions are prevailing. Recently I went to many parts of my

constituency and into the interior areas and saw the condition myself. The Prime Minister also went to Orissa recently to see how agricultural production can be stepped up there. At this stage, because of the lack of rainfall, there are serious drought conditions. I am happy the minister concerned is present here. Reports of starvation deaths are appearing. I hope the minister will give due attention to the serious drought condition there. The Government of India should sympathetically consider what further assistance can be given to Orissa at this stage so that the present crisis could be overcome and the agricultural production in Orissa could be increased.

(ii) **LARGE SCALE LANDSLIDES IN IDIKKI DISTRICT OF KERALA**

**SHRI C. M. STEPHEN (Muvattupuzha):** Mr. Speaker, Sir, I rise with a heart full of anguish and a voice cheked with pain, so to say, to report to you a case of complete disaster which has overtaken certain parts of Kerala, especially the district from where I have been elected to the House, namely, Idikki District. What has happened there is neither flood nor drought. What has happened there is landslide on a vast area. Hills after hills just exploded and huge mass of boulders, sand and dust came rushing in. Thousands of homes have been razed to the ground and thousands of people have been rendered homeless.

The Idikki District happens to be an area where we have got our hydro-electric project. Some of these areas also have been affected. Thousands of people have been affected. This district has come out of a forest area during the last twenty years. What has happened is a complete destruction of the whole district.

This is a challenge before the State Government and the Central Government. The challenge is not of extending relief to the people but of

reconstructing the whole district. This is a superhuman task, a stupendous task facing the Government. After visiting that area, our Pradesh Congress Committee President, Shri A. K. Antony, has sent a petition to the Prime Minister, a copy of which I have with me here. I would like to read one or two sentences from that. He says:

"Tens of thousands of acres have been laid waste by landslides and floods.... Never before has such a devastation occurred there. For miles on miles crops have been completely destroyed and sand and rocks cover the once very fertile lands. Thousands of homes have been razed to the ground or carried away by floods. 34 people are reported to have died in this district alone. Thousands of cattle also have succumbed to the landslides and floods... Roads have been disrupted and many parts of the district have become inaccessible... The farmlands that have been covered by rocks and sand cannot be made cultivable again very easily. In this district where agriculture is virtually the sole source of employment this will leave tens of thousands of able-bodied men and women unemployed for a long time to come.... The total damage in Idikki District alone is estimated to be in the region of Rs. 6 crores. This has got to be tackled on a war footing. Food, clothing and other materials have got to be rushed, setting aside all other priorities.... The State Government is doing all within their power and resources to rush help and provide relief to the people affected. But the immensity of the problem is far beyond their power to tackle. Without larger scale and immediate help from the Centre they cannot tackle it. Words are not enough for me to convey the whole picture."

The Finance Commission has allotted only a meagre amount. It so happens that Kerala is given only Rs. 30 lakhs

per year the lowest amount for any State. This House has got to feel the agony of the people. Therefore, Sir, I am appealing to you to give us some time to discuss this matter so that the Finance Minister could also take account of the whole situation. Money will have to be rushed to this place. This is an area here we have got cash crops which fetch foreign exchange. We are producing power for the entire area. This is an area where human labour, labour power, invested in fertile land has built a new district, so to say. The whole thing has been destroyed. It has to be reconstructed. Sir, may I appeal to you to kindly allot some time so that the whole matter could be discussed, the question of relief, the question of assistance under the recommendations of the Finance Commission, everything could be discussed. So I again request that time may be allotted for a discussion on this matter.

SHRI S M BANERJEE (Kanpur)  
Sir. I want to raise

MR SPEAKER He has written to me in the matter. Why should he not hand it over to the Minister himself? He wants me to hand it over to the Minister. Do not do it always in the way you like. You have to follow the procedure.

(iii) HANDCUFFING OF SHRI ISHWAR CHAUDHRY, M P

श्री जगद्वाय राव जोशी (ग्राजापुर) मैं आपकी अन्त्यनि से एक मामला सदन उठाना चाहता हूँ। अज के नवधारन टाइम मे यह खबर उपी है कि इसी मदन के एक सन्धाननीय मदस्य श्री ईश्वर जो चौधरी को जद पाव सारीख को कोट मे जेन मे ले जाया गया तो और सत्याप्रहियों के साथ उनको भी हथकड़ी लगा कर लाया गया। स्वाध नता के इतने सालों के स्परान्त वास्तव मे लोकतंत्र मे अपना विरोध शान्तिपूर्ण प्रकट करने का तथा सत्याप्रही के रूप मे जेल मे जाने का जो तरीका है वह सर्वेमान्य होना चाहिए। ऐसी

स्थिति मे ससद सदस्य के साथ इस प्रकार का अपमानजनक घटवाहर हो इस का माफ भर्य यह है सभः सदस्य का ही नहीं सदन का भी यह अपमान है। मुझे लगता है कि यह सवाल मसद सदस्य का भी नहीं है बल्कि शान्तिपूर्ण नरीके से सत्याप्रह करके जेन मे जाने का है और उन लोगों का हथकड़ी लगा कर उनके साथ व्यवहार करन का 'जा कि अपमानजनक और आपत्तिजनक है। मैं चाहता हूँ गह मवी इसका स्पष्टीकरण दे और आगे ऐसी घटनाये न घटे इस और ध्यान दे।

MR SPEAKER Mr Banerjee, what do you say?

SHRI S M BANERJEE Sir, this is the bottle of milk supplied by DMS, given to me by one resident, Shri Manmohan, of Old Rajendra Nagar. This bottle of milk contains insects. He says that this is the regular thing happening in that area. In North Avenue and in South Avenue where we stay we never get such milk.

MR SPEAKER These are the complaints which should normally go to the administration. They should not be raised on the floor of the House.

SHRI S M BANERJEE You may ask the Minister to take note of it.

MR SPEAKER Even if you had gone to the Minister, he is bound to take note of it. Unnecessarily, the time of the House is taken on such matters. You can go directly to the Minister. There are many other remedies available.

श्री एस० एम० बनजी : मैं आपकी गाइडेस चाहता था।

प्रध्यक्ष भ्रहोदय : जो चीज डिपार्टमेंटल हैर के नोटिस मे लाई जा सकती है उसको भी यहा ले आते हैं।

श्री एस० एब० बरुआ॒ इस दूध को  
मिनिस्टर पिये, अपने बालबच्चों को पिलाये  
तब पता चले ।

12 38 hours

**OIL INDUSTRY (DEVELOPMENT)  
BILL**

THE MINISTER OF PETROLEUM  
AND CHEMICALS (SHRI D. K.  
BAROOAH) Mr Speaker, Sir, I beg  
to move\*:

"That the Bill to provide for the establishment of a Board for the development of oil industry and for that purpose to levy a duty of excise on crude oil and natural gas and for matters connected therewith, be taken into consideration"

The purpose of this Bill is very simple and definite. As we know, one of our difficulties in the economic advancement of our country has been the non-availability of crude oil as well as its high price. Last year, we were buying crude oil at 2 dollars and 6 cents and, in the same year, it went up to more than 11 dollars with the result that our bill for crude oil has very much gone up.

MR SPEAKER Just a minute. Mr Madhu Limaye has sent me a note saying that he wants to object to certain matters relating to the Bill. I think, when he speaks on that, you reply to that also.

श्री भव० लिमये (बाबा) आपको याद हुया जब मरी महोदय ने अपना यह विधेयक पेश करना चाहा था 22 नारीख का इस विधेयक के बारे में आपत्ति उठाई गई थी कि इसका बाकायदा नोटिस नहीं दिया गया। उस समय इन्होंने कहा था कि यह गृण विधेयक है, सीकेट बिल है और इस बजह से वह इससा नोटिस नहीं दे सकते। आपने बहुत अगड़ा होने के बाद उनका इजाजत दी, लेकिन बाद में इनका जो रहस्य है वह खुल गया। और अध्यक्ष महोदय, मेरी राय में जिस

सीकेट के नाम पर उन्हें बिना नोटिस इस विधेयक को रखने का प्रयास किया था वह एक विशुद्ध धोकाधड़ी थी। आप के ऊंटर और सदन ने उपर एक क्रांत परपीटेट किया गया है और इसलिए मैं आप का फैसला नियम 74 और संविधान के अनुच्छेद 110 के तहत चाहता हूँ।

नियम 74 इस प्रकार है

"When a Bill is introduced or on some subsequent occasion, the member in charge may make one of the following motions in regard to his Bill, namely —

(i) that it be taken into consideration, or

(ii) that it be referred to a Select Committee of the House, or

(iii) that it be referred to a Joint Committee of the Houses with the concurrence of the Council, or

(iv) that it be circulated for the purpose of eliciting public opinion."

मवाल यह होता है कि मदम्यो का भी सशोधन देने वा अधिकार है। मैं सोच रहा था इस विधेयक के बारे में मैं संस्करण बमटी का प्रस्ताव दूँ, जैसे "पाम बाब०" ने दिया है, या मैं ज्वाइट पार्लियामेंटरी कमेटी के लिये प्रस्ताव दूँ। इसके ऊंटर मैंने बहुत सोचा लेकिन जब तक इसका फैसला नहीं होता है कि यह मरी बिल है या नहीं तब तब इसके बारे में नोटिस देना मेरे लिये सम्भव नहीं था।

बब इन्होंने खुद कहा कि सीकेट बिल और फाइनेम बिल एक तरह का बिल है। लेकिन मेरी समझ में नहीं आया कि इस बिल में दो अलग-अलग कल्पनाएं थीं। एक कल्पना,

\*Moved with the recommendations of the President.

एक सुझाव तो यह है कि तेल उद्योग के विकास के लिये एक बोर्ड का गठन किया जाय और दूसरा यह है कि एक्साइब ड्यूटी कूड़ आयल के ऊपर लगायी जाय जो कूड़ आयल द्वाते देश में पैदा होता है। अब अध्यक्ष बहुदय, एक्साइब ड्यूटी को जहां तक बढ़ाने का सदाचाल है क्या वित मवी ढारा जो बिल 31 जुलाई को यहां रखा था उसके तहत यह सुझाव नहीं आ रखता था? और अगर उन को रखना ही था तो एक अन्य बिल के रूप में रखने। इन दोनों बोर्डों को मिलाकर सदाचाल के माय बहुत बड़ा ग्रन्थाय किया है।

अध्यक्ष महोदय, अनुच्छेद 110 में यही बिल की व्याख्या की गई है और उसका इस बिल से मन्बन्ध आता है।

"110(1) For the purposes of this Chapter, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely -

(a) the imposition, abolition, remission, alteration or regulation of any tax;"

और इसके तहत आपको यह अधिकार दिया जाया है। तो सरे अनुच्छेद में

"If any question arises whether a Bill is a Money Bill or not, the decision of the Speaker of the House of the People thereon shall be final."

अब मेरा यह कहना है कि एक्साइब आविष्यान को लेकर यदि आप यह निर्णय देते हैं कि यह भनी बिल है तो नीतीजा यह होगा कि राज्य सभा के जो अधिकार हैं विद्यमान के बारे में, और उसके अधिकारों और हमारे अधिकारों में भोट तौर पर कोई फ़र्क नहीं है, राज्य सभा के अधिकार खाली ही नहीं हैं। और इसको यदि आप भनी बिल मानते से इन्कार करते हैं तो इसमें टैक्सेशन का प्रोपोजल है और टैक्सेशन के प्रोपोजल

के बारे में आप जानते हैं कि राज्य सभा के अधिकार बहुत सीमित हैं और हमारे अधिकार ज्यादा हैं। तो अगर आप इसको कहते हैं कि भनी बिल नहीं है तो भतलब होता एक्साइब ड्यूटी के बारे में जो सुझाव है उस के ऊपर आपनी राय देते सभी लोक सभा और राज्य सभा एक स्तर पर आ गई। तो कैसी विविध स्थिति उत्पन्न हो जाती है। अगर आप इसको नान-भनी बिल कहते हैं तो लोक सभा के अधिकारों का हनन होता है, और भनी विद्येयक मानते हैं तो क्या राज्य सभा को यह अधिकार समान रूप में आप दे सकते हैं टैक्सेशन के बारे में? अगर एक्साइब अमेडमेंट बिल होता तो राज्य सभा को सविष्यान के अनुच्छेद 109 के तहत ये अधिकार दिए हुए हैं।

"109(1) A Money Bill shall not be introduced in the Council of States.

(2) After a Money Bill has been passed by the House of the People it shall be transmitted to the Council of States for its recommendations and the Council of States shall within a period of fourteen days from the date of its receipt of the Bill return the Bill to the House of the People with its recommendations and the House of the People may thereupon either accept or reject all or any of the recommendations of the Council of States"

और अध्यक्ष महोदय, उस के बावजूद राज्य सभा के सुझावों को हम नहीं मानते तो भी यह कानून हो जायेगा। और यदि राज्य सभा 14 दिन के अन्दर बिल रिटैन नहीं करती तो भी हमारे ढारा पास हो जाये के बाद यह विद्येयक कानून बन जायगा। तो मामला सीधा सादा नहीं है। अगर इस को आप भनी बिल मानते हैं तो राज्य सभा हमारे अधिकारों के ऊपर अतिक्रम करती है। अगर नान भनी बिल मानते हैं

तो लोक सभा के टैक्सेशन के बारे में जो अधिकार हैं उनका हजार हो ता है। इसलिये मेरा कहना है कि यह बहुत ही गलत काम है मंत्री महोदय। एकसाइज के बारे में जो उनका सुझाव है, आयल इंडस्ट्री के डेवलपमेंट के बारे में जो सुझाव है उनको मिलाकर उन्होंने दोनों सदनों का घोर अपभान किया है और दोनों सदनों के ऊपर आक्रमण किया है। राज्य सभा वाले मंत्री महोदय का किस तरह से स्वागत करेंगे वह भी कहना है कि टैक्सेशन का सवाल है उस के बारे में निर्णय करने का हमारा अधिकार है, राज्य सभा केवल रिफरिंग कर सकती है। अमेंडमेंट देने का और पास करने का उनको कोई अधिकार नहीं है।

आगर यह सीक्रेट बिल के रूप में नहीं आता तो उस दिन इन का जो बोर्ड का सुझाव वा उस के बारे में हम लोग अपनी राय अभिव्यक्त कर सकते थे। यह आयल इंडस्ट्री बोर्ड जो कायम किया है इन्होंने वह कुछ अपने चेलों को नौकरी देने के लिये रखा है। विंग नं. 7, 8 दिन में लगातार एक के बाद एक बिल प्राप्त है, आप जनता के ऊपर टैक्स लगाते जा रहे हैं, लेकिन नौकरानी का विस्तार करने वाले सारे आपके बिल हैं। इसी तरह भाननीय गुजरात का विधेयक आया, एमी-कल्चर कमीशन की भी वही बात है।

आयल बोर्ड क्या है? यह यहां से कुछ ऐसा आयल बोर्ड को देना चाहते हैं ताकि इन के ऊपर सदन का नियंत्रण समाप्त हो। वही इनकी भूमा है। बर्तमान पेट्रोलियम मिनिस्ट्री का जो सेट अप है उसके तहत यह काम क्यों नहीं हो सकता है? इसके लिये स्टटमेंट आक्र औबजन्ट्स और रिजन्म में कोई दलील नहीं दी गई है। इसलिये वास्तविकता कन्ट्रोल से मुक्त होने के लिये वह गंगा जमुनी बिल, विश्वित बिल, मिलावटी

बिल आप लाये हैं। इसका और कोई उमड़ा उद्देश्य नहीं है।

**SHRI SHYAMNANDAN MISHRA** (Begusarai): You have to consider whether two entirely different concepts could be joined together as it is sought to be done in this Bill. That is to say, we have to see whether the concept of management and the concept of raising tax could be joined together. In the past such instances have met with the disapproval of the Chair. Speaker Mavalankar disapproved of such joining together of two entirely different concepts and Mr. T.T. Krishnamachari had once to concede that it was not proper to do so. What we think is that it is a matter for you to consider whether the Minister can be allowed to join two different concepts. It is a composite Bill. It is a cross of two different things. Whether such a Bill could be presented to the House is the main question before us just now. Also the House is being placed in such a position in which it has to deprive the other House of its right as Mr. Madhu Limaye said.

**SHRI MADHU LIMAYE:** Or the other way round.

**SHRI SOMNATH CHATTERJEE** (Burdwan): What I wish to submit is this. Clause 15(2) of the Bill says:

“Every duty of excise leviable under sub-section (1) on any item shall be payable by the person by whom such item is produced.”

This is the provision for imposition of duty. Then, Sir, the entire amount goes to the Consolidated Fund of India. Please see Clause 16. It says:

“The proceeds of the duties of excise levied under section 15 shall first be credited to the Consolidated Fund of India and the Central Government may, if Parliament by appropriation made by law in this behalf so provides, pay to the Board from time to time, from out of such proceeds, after deducting the expenses of collection such sums of money.”

as it may think fit for being utilised exclusively for the purpose of this Act."

Sir, under Article 110(1), a Bill shall be deemed to be a money Bill if it contains only provisions dealing with all or any of the following matters, namely:—

"(a) \* \* \* \* \*

(b) \* \* \* \* \*

(c) the custody of the Consolidated Fund or the Contingency Fund of India, the payment of moneys into or the withdrawal of moneys from any such Fund."

Therefore, any bill dealing with the payment that goes into the Consolidated Fund and expenses out of it shall be a money Bill within the meaning of Article 110. Kindly see the main object of the Bill. That is to impose taxation. As it appears from the Statement of Objects and Reasons of this Bill also, the primary objects of the Bill is to impose taxation in the grab of regulating and controlling the oil industry by setting up a Development Board.

The real object is, therefore, to recover money by imposition of duty and new taxes. Therefore this is a Money Bill. The question arises, if the primary purpose of this Bill is to recover excise duty or levy taxation, can such a Bill can be brought forward in the garb of a regulatory Bill for controlling the industry? It is being sponsored by the Petroleum Minister and not by the Finance Minister. Under Art. 110, it has to be a Money Bill. Therefore it is not fair to Lok Sabha. As Shri Limaye pointed out, Rajya Sabha has got all the powers of amendments and to bring about changes in the Bill.

SHRI R. V. BADE (Khargone): In the Statement of Objects and Reasons of the Bill, it is said:

"To begin with, it is proposed to recover by way of a cess in the

form of a duty of excise of Rs. 60 per tonne on crude oil produced in the country and delivered to the refineries."

That means they want to collect Rs. 60 per tonne on crude oil and want to put it in the Consolidated Fund. If it is so, then, it is purely a money Bill and therefore, I agree with what Shri Somnath Chatterjee said just now.

SHRI H. N. MUKERJEE (Calcutta—North-East): I submit that the technical plea with which this Bill is brought has to be taken very seriously into consideration, because we cannot have miscellaneous and anomalous legislation of this sort passed almost on the sly in this House. I say this because, earlier, the Government came forward in this House in a surprise manoeuvre, and even though they gave notice, after all, that kind of manoeuvre could not so easily pass muster. They have come forward again with this hybrid composition in jurisprudence, which is a very peculiar thing. I would wish you, in your wisdom, to not only give your ruling in regard to the utter inadmissibility of this particular form of Bill but also in regard to the kind of manouvre which the Government appears to have been practising, for Heaven knows what reasons might lie behind it.

MR. SPEAKER: It is since this morning when I received this intimation from Shri Madhu Limaye that I have been trying to apply my mind to it. The basic trouble has started—I am not to blame for it—because I thought that that was a very very confidential thing, and if that goes out it deprives the State of a lot of funds, budget and all that, and so I accepted that it was all right let that Bill remains secret. But, I must say with a lot of hesitation that again I have been thinking over it and, indirectly, I referred my views to the hon. Minister also I think a very extraordinary procedure was adopted in this.

Now, if the Minister says that this Bill is a secret one and if the Speaker says something and if something goes out, the heavens may rock. If we have it, then the Speaker is to be blamed. As the whole story unfolds, I find that in this Bill, under clauses 15 and 16 you are levying taxes. The Chair is there afterall, to see that we observe the rules, we follow the Constitution and not completely tilt everything in your favour. This is my view. Now you have put me in a very difficult situation, Mr. Minister. If I now say it will not be a money Bill, I will be unjust to myself. If I say it is a money Bill, I will be depriving Rajya Sabha. Now, let me know what I should do. What is there in the code of secrecy that you planned for these unforeseen objections? So, I would ask you to please explain it.

SHRI D. K. BOROOAH Sir, I am grateful to the hon. Members as well as to you for the views expressed. This Bill, when it was introduced, was introduced as a secret Bill, because our Constitution permitted a secret Bill to be introduced.

MR. SPEAKER That is during the war.

SHRI D. K. BOROOAH I placed it before you that it should be permitted to be introduced as a secret Bill. The decision is not mine.

SHRI SHYAMNANDAN MISHRA He is letting down the Chair

SHRI D. K. BOROOAH: What am I here? Who am I here? I am an ordinary member. I have the same rights as any other Member

(Interruptions)

MR. SPEAKER: May I request you, after all we have to reach certain conclusions. He can have his say.

SHRI D. K. BOROOAH: Therefore, it was brought because it was understood that this Bill, the day it is in-

troduced, will enable the Government to collect the levy which is envisaged by the Government. You will remember, an hon. Member, Shri Jyotirmoy Bosu asked the specific question whether on the introduction of this Bill you will levy anything on the oil companies as well as O.N.G.C. I replied that we will collect from O.N.G.C., Assam Oil Company and also Oil India—50 per cent of which is owned by Government and 50 per cent by the BOC. The purpose is very simple. It will enable us to collect dues as soon as it is introduced in this House. Therefore, it was introduced and you permitted its introduction and the House accepted it. I am the servant of the House as well as under your control. I will abide by whatever you decide. When I introduced this Bill there was objection from some of the Members, but in spite of this I was allowed to introduce this Bill and the House permitted its introduction. Now, what is the point in raising it at this stage now. (Interruptions).

I will entirely abide by your decision. I suggest that this Bill is a Bill which certainly charges a levy on crude oil but it has one motivation only, that charges/levies is a cess on the crude oil and the point is that this money will be used by a Board subject to the control of the Comptroller and Auditor General of India.

That is the purpose. There is no dual purpose in this. The purpose is that this money will be collected and it will be spent for the development of the oil industry in accordance with the decision of this House, subject to the control of the Comptroller and Auditor-General. That is the purpose.

13 hrs.

SHRI MADHU LIMAYE: May say a word?...

MR. SPEAKER: Let him please sit down. I know it.

SHRI MADHU LIMAYE: I want to read out from the proceedings of

the 22nd July, just to refresh your memory.

MR. SPEAKER: Why is he so impatient?

I may tell Mr. Borooah that when this Bill was just brought on the spot, since no Member has seen it, I had said that after it was introduced, hon. Members could raise their objections at the time it was taken up because they said that the Bill had just been laid on the Table and they did not have the time to go through it. That is why they have a right to raise their objections now.

Now, according to the hon. Minister, if I were to accept what he has said, his levy may come, but he expects me to go out of the rules and the constitution for the sake of his levy; he expects the Speaker to ignore the rules and ignore the constitutional provisions. It means also the setting of a very very bad precedent. If it were only for myself, I might oblige him, but this has to go down to my successors also. That is the reason. The hon. Minister himself has been Speaker of the Assam Assembly, and I do not think that he would have accepted this position. For the sake of his levy, he is advising me that I should ignore the rules and the Constitution.....

SOME HON. MEMBERS: You cannot.

MR. SPEAKER: Of course, I cannot. He is giving me the bait in the form of the money that will come to the country; he had justified it in his own way; that may be all right for him, but he thinks that I must also swallow everything.

Now, let him proceed on. But it is for me to further consider in the light of this as to what I shall do.

I shall have to evolve a procedure. But in future, let all the Ministers take it for granted that I shall never allow a secret Bill unless they assure

me in writing that there are no taxation proposals in it. I thought that this must be something very innocent and in the interests of the country and it might be something very big and, therefore, I had allowed it.

SHRI MADHU LIMAYE: It is a fraud.

MR. SPEAKER: Let him not call it so. The hon. Minister is very genuine and he is desiring to have the money; he is not having this levy for himself, but it is for all of us, and for the Government. But here is the poor Speaker who is also asked to safeguard it. I am going to keep this and I am going to study that. We shall have to evolve a procedure.

SHRI MADHU LIMAYE: We cannot proceed with the Bill now.

SHRI SHYAMNANDAN MISHRA: There is one other thing also to which you have to address yourself. Probably, the hon. Minister would have done some justice to the House if he could have made this also a part of the second Finance Bill.

MR. SPEAKER: That was the proper thing.

SHRI SHYAMNANDAN MISHRA: The second Finance Bill was already in the offing and he should have done it.

MR. SPEAKER: That was the proper thing which should have been done, but he has not done it. So, what can we do? Both the cats have already come out of the bag. His cat is out of the bag, and the Finance Minister's cat is also out. We cannot put them in the bag again. That is also out of the secrecy bag. We cannot help it. Everything is now in the interests of the country. We shall have to evolve certain procedures.

SHRI SHYAMNANDAN MISHRA: If all the Ministries were to have their own levies, then there would be no need for a Finance Minister or a Finance Bill or a budget.

**SHRI SOMNATH CHATTERJEE:** The point is that this levy will be on Government undertakings or semi-Government undertakings. What was the difficulty in realising the tax from them? It is not going to be realised from the common people at least directly but perhaps only indirectly. So, what was the secrecy about it? Why should the Government undertakings not pay the cess?

**MR. SPEAKER.** In the broader interests, now it is all right. We cannot put them in the bag again

**SHRI SHYAMNANDAN MISHRA:** My submission is that the cess aspect, the levy aspect, of it could be put in the Finance Bill and separated from the management aspect. That is the simple thing which can be done. Let them amend the Finance Bill.

**SHRI H N MUKERJEE:** Let there be a short adjournment.

**SHRI MADHU LIMAYE** Let us adjourn it

श्री अटल बिहारी वाजपेय (गांधी) अक्षय नहोर्य, इस विषयक पर चर्चा मध्यित हो रही जाती है। इस विषयक पर आगे चर्चा नहीं हो सकती। आगे इस मर्दों को देख लेंगे कि किस तारे में रास्ता निर्दलाया जाए, उसके बारे में विवार कर लें। पर इस मर्यादा पर चर्चा मध्यित की जाए।

**MR. SPEAKER:** It is a very difficult situation in which we are put. We want time to apply our minds to it. You kindly wait for some time. Postpone it.

1300 hrs.

#### STATEMENT ON FLOODING OF POWER HOUSE AT BHAKRA

**THE MINISTER OF IRRIGATION AND POWER (SHRI K. C. PANT):** Flooding of the galleries at El. 1180 of the Left Bank Power House at Bhakra, apparently through draft tube dewatering valve, was noticed,

at 11.50 hrs. on 5-8-74. All the Units of the Left Power House were stopped and dewatering operations were started immediately. Since the inflow exceeded the pumping capacity, the water level in the galleries kept rising and reached an elevation of 1150 at 1900 hours. The water started receding at that time and the dewatering operations were completed at 7 AM today (6-8-74). Drying operations of air compressors, motors, cooling water motors etc. of Unit I were started and it was brought back into operation at 1045 AM today (6-8-74). The power supply position is now normal. With the shutting of Left Power House (generating 180 MW at that time) at 1150 hrs load shedding was resorted to from 1200 hrs on 5-8-74 when the system load was 598 MW. The load was transferred to the right bank of the Power House and the Nangal Power House (Gangotri and Kotla). The load was progressively reduced to 235 MW at 1400 hrs. to facilitate dewatering operations and thereafter it was again raised which reached 394 MW at 1600 hrs which was almost the normal demand of that time. However the Nangal Fertiliser load (72 MW) which is directly connected to the Left Power House could not be met because of limitations of transfer of load from the right side Power House. The factory was being supplied 48 MW since 1600 hrs. yesterday but has since been raised to 72 MW with effect from 1045 hrs this morning. The total generation during 24 hrs ending 1800 hrs. on 5-8-74 was 1173 M Units against the normal schedule of 1180 M Units.

श्री अटल बिहारी (गांधी) पानी के द्वारा इस बात को क्या कहा जाए ?

अक्षय होर्य पानी ने आज मुख्य अव्याप्ति में आ बाया कि रिमीर हो गया।

**SHRI DINEN BHATTACHARYYA (SERAMPORE):** We wanted to ask some questions.

**MR. SPEAKER.** Mr. Kamlaipati Tripathi.

**THE MINISTER OF SHIPPING AND TRANSPORT (SHRI KAMLA PATTI TRIPATHI):** I thought my Bill could be taken up after the lunch recess.

**MR. SPEAKER:** Yes.

**SHRI C. M. STEPHEN:** rose—

**MR. SPEAKER:** Mr. Stephen, we will try to find out time. I think we will save one hour tomorrow and finish it tomorrow evening. I will have to see the time already allocated to the business. Out of that, we will have to squeeze some time.

**SHRI DINEN BHATTACHARYYA:** Let us adjourn the discussion.

**MR. SPEAKER:** I am referring to a debate. They say there was some earthquake, that it was not because of the floods or some hills falling, but due to an earthquake, boulders and all that. I said they could have half an hour or one hour separately for that.

—  
13.10 hrs.

*The Lok Sabha adjourned for Lunch till fifteen minutes past Fourteen of the Clock.*

*The Lok Sabha re-assembled after Lunch at twenty minutes past Fourteen of the Clock.*

(**MR. DEPUTY-SPEAKER** in the Chair)

**MAJOR PORT TRUSTS (AMENDMENT) BILL**

**THE MINISTER OF SHIPPING AND TRANSPORT (SHRI KAMLA PATTI TRIPATHI):** Sir, I beg to move:

*"That the Bill to amend the Major Port Trusts Act 1963 be taken into consideration."*

भाष्यकार, यह बिल मेरठर पोर्ट्स कमीशन की सिफारिशों के मुताबिक लाया गया है। इस सभय बम्बई, कलकत्ता और मद्रास—ये हालारी तीनों बहुत मेरठर पोर्ट्स हैं और इन

के अलग अलग कानून हैं। बम्बई का कानून 1874 में बना, कलकत्ता का 1890 में और मद्रास का 1905 में बना था। उम बाद के 1963 में इसी सदन में एक कानून बना—मेरठर पोर्ट्स ट्रस्ट, 1963, उस के मुताबिक बम्बई, कलकत्ता और मद्रास तीनों छोड़ कर जितनी दूसरी मेरठर पोर्ट्स थी, वह उम के अधीन लाई गई, जैसे विशाखापत्नम परगदीप, कोचीन, मारमाणोवा, ये सब इस नये कानून के अधीन लाये गये।

उम बक्त भी सदन में इस बात की चर्चा दृष्टि थी कि जब इस एकट को ला रहे हैं, तो इस में बम्बई, कलकत्ता और मद्रास को अलग क्यों नहीं रहे हैं। उस सभय यह सोचा गया कि इन पोर्ट्स के एक्ट्सबहुत पुराने हैं, इस लिये इन पोर्ट्स के लिय बाद में एक काम्पोहैनिस्ट्रॅक्ट लाया जायगा। इसी बजह से 1968 में एक कमीशन बनाया गया—“मेरठर पोर्ट्स के कमीशन”, उस ने मिफारिश की कि एक एग्रा एक्ट होना चाहिये जो मारी मेरठर पोर्ट्स को कवर करे, बम्बई, कलकत्ता और मद्रास जहाँ अब तक उनके पुराने कानून लागू हैं, उनके लिय भी एक एक्ट होना चाहिये जिस के जरिये उन्हें भी कवर किया जा सके। उन की मिफारिशों में यह भी निखा था कि ये पुराने एक्ट्सन हैं, आज की स्थिति में ये एक्ट्स बहुत बाकार हो गये हैं और उन की जरूरत को पुरा नहीं करने हैं। पुराने एक्ट में कुछ इस प्रकार की एडमिनिस्ट्रेटिव तथा फाइनेंशियल रिजोडिटी है जिन की बजह से काम करने में बाधा हो रही है। बल्कि 1963 के एक्ट में काफ़ी फैसिलिटी है, एडमिनिस्ट्रेटिवली भी यह एक ज्यादा अच्छा है। इस लिये उम को ही बेसिल बना कर बड़ा एक्ट लाया जाये जिस से यह तीनों पोर्ट्स—बम्बई, कलकत्ता और मद्रास—उस के अधीन आ जाये। उसी सिफारिश के अधीन यह बिल लाया गया है—मेरठर पोर्ट्स ट्रस्ट एक्ट अमेनेंट बिल, जिसे आप की आक्रा से प्रस्तुत कर रहा हूँ। हम सोचों ने इस के लिये यह अवसर इस लिये भी

उपर्युक्त समझा कि 1963 के एकट में जहाँ कही कुछ कभी रह गई है या पिछोे 10 साल के अनुभव के भूताविक कोई कमी मालूम हुई है तो उसे भी इस बदत अमेष्ट कर दिया जाय और ऐसा एकट बना दे जिस से मद्रास, बम्बई और कलकत्ता के एकटम रिपोल हो जाये और उन की जगह पर वह नया एकट आ जाय ।

इस सम्बन्ध में बम्बई पोर्ट के चेयरमैन, कलकत्ता पोर्ट के कमिशनर और मद्रास पोर्ट के चेयरमैन से भी बातचीत हुई और इन लोगों ने भी बातचीत के बाद ऐसी किया कि यह अच्छी बात है कि एसा एकट बनाया जाय । यह बिल उसी एकट को बनाने के लिये बदलन के सामने पेश किया गया है ।

अब इस बिल में 1963 के एकट की कर्टन बारीब 24 धाराओं में हम सशाधन कर रहे हैं ।

यह आपके सामने पेश है । सशोधन के द्वारा इसमें कुछ नयी बातें रखी गई हैं । उसे कि पुराने एकट में यह आदेश नहीं था कि गवर्नरमेन्ट विसो पालिसी के मामले में पोर्टस को कोई नियन्त्रण दे सकती है । कोई डायरेक्टर इस्यु थाने का अधिकार रेन्टल गवर्नरमेन्ट को पालिसी मेटसे में भेज पट्टस के इस्टियो के लिए नहीं था—न बम्बई में, न मद्रास में और न कलकत्ता पोर्ट में । कमीशन जो बना था उसने बहुर गिफ्टरिंग की थी कि जब कोई कानून बने तो उसमें सेन्ट्रल गवर्नरमेन्ट को पोर्टस को डायरेक्टर देने का अधिगार होना चाहिए बर्तीग अब सेन्ट्रल गवर्नरमेन्ट वा बडा पैसा बहा संख्या होता है और बहुत सी एडमिनिस्ट्रेटिव बहुते बहु गई हैं इस्लिए पालिसी मैटस में जगहो डायरेक्टर इस्यु थाने का अधिकार सराहा दो होना चाहिए । तो एक और यह संज्ञादात के माध्यम से कर रहे हैं कि जो डायरेक्टर है वह नेट्रल गवर्नरमेन्ट को और क्षि पार्म्पासा मैटस में इस्यु की जा सके ।

बेपर पोर्टस कमीशन की दूसरी सिफारिश यह कि फाइनेशियल और एडमिनिस्ट्रेटिव

अधिकार जो पुराने एकटस में दिए गए हैं 1879, 1890 और 1905 में कलकत्ता, बम्बई और मद्रास पोर्टस को वह बहुत कठोर हैं, उसमें बहुत रिजिडिटी है और आज के जमाने में उसे फेलिजिबिल बनाने की जरूरत है, वह थोड़ा सा लचीला बने जिससे और अधिकार दिय जा सके । फाइनेशियल भी और एडमिनिस्ट्रेटिव भी । इसके लिए एक दूसरा सशोधन इस अमेडिग बिल में किया गया है जिससे इस को लचीला बनाने की कोशिश की गई है कि किसी प्रकार उनको और अधिकार हो जाये प्रशासनिक भी और फाइनेशियल भी ।

तीसरे हमारे पोर्टम के पर्सोनेल और उसके कम्पोजीशन के बारे में इसमें मेर पोर्टस व मैशन की सिफारिश के मुनाविर संज्ञोधन किया गया है यद्यपि उनमें यादा मा भत्तेद है । यादी पोर्टम का कम्पोजीशन भिन्न भिन्न है जैसे कलकत्ता म बलवत्ता बोड जो है उसके निंग 24 मेस्वर हा माने है, मद्रास में 21 ट्रस्टीज हो माने है । तो कमीशन की सिफारिश यह थी कि इसमें एक यूनिफार्मटी नाई जानी चाहिए । कमीशन ने खुद सिफारिश की कि 19 होने चाहिए भेजर पोर्टम—कलकत्ता, बम्बई, मद्रास—मे और 17 होने चाहिए एकमक्सूडिग चेयरमैन एण्ड हिप्टी चेयरमैन यानी उनको लेकर 19 होने चाहिए । इसी प्रकार जो छोट पोर्टम हैं उनमें 13 होने चाहिए । एकस क्लूडिग चेयरमैन एड हिप्टी चेयरमैन और उनको मिलाकर हो जायेंगे 15, तो यह 19 और 15 की जो सिफारिश भी उस पर बहुत विचार किया गया और उसके बाद हम इस नीतीजे पर पहुँचे कि यह संख्या कुछ कम होनी लेकिन यूनिफार्मटी बहर जानी चाहिए परन्तु संख्या थोड़ी सी ऐसी हो जिससे पोर्टस के ट्रस्टीज बनाने में सरकार को सुविधा हो सके, नाभिनेशन करने में और जो इन्स्ट्रूस्ट्रूशन पैदा हों उनका प्राप्त रिप्रेजेंटेशन हो सके । इसलिए यह रखा गया है कि यह संख्या 21 कर दी जाये भेजर पोर्टम

के लिए ओर 19 की संख्या कर दी जाये स्मालर पोर्ट्स के लिए। इस के लिए भी एक संशोधन इसमें रखा गया है। इसमें प्रिंजेन्टेशन के लिए भी पहले यह था कि जो प्रिंजेन्टेशन होता था उसमें यूचर्स का प्रिडेमिनेम होता था, जो उसको उपयोग में लाते थे। इस प्रधार चेम्बर आफ पारमर्स के बड़े बड़े लोगों का प्रिंजेन्टेशन होता था और उन्हीं के ज्यादा अधिकार होते थे। तो इसमें सॉन्टिन को बदलने वी भी कुछ कोशिश की गई है। इसमें यह कि 1 गया है कि शिप-आनसें, शिपमें हो सकते हैं और उसके बाद ऐसे इन्ट्रेस्टग भी। इसमें प्रिंजेन्ट किए जा सकते हैं लैचलन आंगर पार्टिलक शाडीज के जिन्हे गवर्नेमेन्ट भुगतानिक समझते। जैसे हमारे यहा बड़ी बड़ी पर्लिक अन्डर्टार्टिशन है जो बहुत भा माल बाहर एक्सपोर्ट और इंपोर्ट बताती है इन लिए उनका प्रिंजेन्टेशन भी अलग से हो जायेगा। इगलिए उननी तादाद रखी जाये और उतने अधिकार दिये जाये कि गवर्नेमेन्ट जिसको जिनका चाहे नामिनेट कर सके। आवश्यकता के मूलाधिक उसी संख्या के भीतर उतने आद-मियों को गवर्नेमेन्ट नामिनेट कर सकती है।

इसमें एक बात और रखी गई है। भजदूरों के प्रतिनिधि पुराने एक्ट में है उसको नहीं बदला गया है। भजदूर जो है वह दो रह मरकते हैं। भजदूरों के दो प्रतिनिधि रहे। (अवधारण) शास्त्री जी का एक अमेन्ट-मेन्ट है लेकिन इसमें ऐसा है कि गवर्नेमेन्ट वो अधिकार दिया गया है और यह 2 लो मिनिम है, इसको डिस्ट्रॉन्ट नहीं किया गया है, कोई चाहे उसमें 4 करदे तो उसके लिए रुकावट नहीं है क्योंकि उसमें कोई संख्या निर्धारित नहीं की गयी है कि इसनी इसकी होनी चाहिए। अपर थे जीके तक सारी संख्या में गवर्नेमेन्ट अपने डिस्ट्रॉन्ट के मूलाधिक इन्स्टीज रख सकती है, हां लेबर के जहर 2 प्रतिनिधि होने चाहिए क्लिक 2 की जगह 4 रखने पर

कोई बैन नहीं है। फिर 4 ही क्यों, कहीं जहरत हों तो 6 रख जाय। इसमें इसलिए कोई संशोधन करने की आवश्यकता नहीं है।

मैं आपसे निवेदन कर रहा था कि ट्रटीज की यह संख्या बनाई गई है। जो मेजर पोर्ट्स ट्रस्ट एक्ट है उसमें यह प्राविजन है दि लेबर का प्रतिनिधि पोर्ट वा एम्प्लाई भी हो सकता है, पहले यह था कि पोर्ट के जो एम्प्लाई हों, जिनका कोई किसी तरह का प्रतिनिधि नहीं है इन्ट्रेस्ट हो वह उसमें ट्रस्टों नहीं हो सकते। तो मेजर पोर्ट्स एक्ट जब बना उसमें नहा गया, मजदूरों के निया लेबर का प्रतिनिधि जो है, अगर एम्प्लाई भी होता है तब भी हो गता है। इन प्रकार हमने वह बैन हटाया है कि लेबर के प्रतिनिधि भी हो, पहलक अन्डर्टार्टिश के प्रतिनिधि हो अब वह डिस्ट्रॉन्ट में तथा बोर्डिंग में पार्ट ले रखते हैं। सभी कमीटोज में वे हिस्सा ले रहे हैं। इस रह जो बैन रहा है वह हटाया गया है। इम प्रधार इसमें 5-6 मेजर सुधार किए गए हैं।

इसी प्रधार इसमें नियुक्त और पदोन्नति के बारे में भी बोर्ड को उसके बोझ ने आगया दिया गया है। पुर्ने ने बानूनों में यह था कि बोर्ड जो है वह एव्वाइन्ट एन्ड फारा था लेकिन अब यह हा गया है यि के-सैन और डिप्टी चेयरमैन का एव्वाइन्टमेन्ट नो सरकार करेगी, हेड आफ दि डिप्टी एन्टर्न नो एव्वाइन्ट-मेन्ट और जनरल मैनेजर वा एव्वाइन्टमेन्ट भी सरकार करेगो। ऐसे पदाधिकारी जिनसी तात्पराह दो हजार वा उससे अधिक हो उनका एव्वाइन्टमेन्ट एन्टर्न गवर्नेमेन्ट करेगी इन ०८० टेन विद दि ८८८;। बोर्ड वो अब उन्हें अलग किया गा है क्योंकि बोर्ड में जब कोई एव्वाइन्टमेन्ट वा सामर्दा होता है तो बहुत सी लाबीय और बहुत भी लारी-टिक्स चलती है कि बोन जिसको भर्ती कराता है। अब यह अधिकार सरकार अपने

हाथ में ले रही है। हम प्रभार यह कुछ संशोधन इसमें दिए गए हैं। पिछले 10-12 वर्षों में मेजर पार्ट्स एक्ट के अन्तर्गत जो काग हुआ है उसे जो कमिया थी उसे संशोधित रखके यह विल पेश किया गया है।

इसमें यह भी किया गया है कि अभी तक जो रूल्स एण्ड रेग्युलेशन्स बने हुए हैं वह कन्ट्रोल्यू करेगे ताकि ऐन न हो कि काम में अपसेटिंग हो जाये। जरुर तरफ़ न पेश एक्स के अन्तर्गत रूल्स एण्ड रेग्युलेशन्स नहीं बने 1975-76 तक तब तक वह कन्ट्रोल्यू करेगे ताकि कर्म शून्यता न पैदा हो जाये। इसमें रखा गया है कि तब तक वह कन्ट्रोल्यू करेगे जो तक कि नए कानून के मतानुकार नये नाई प्रावाइट नहीं हो जाते। इस प्रभार की ओरें इसमें रखो गई हैं और यह एक ऐसा विल है जिनमें यह एक वारां की अवहन तो नहीं है। हमारे शारीरी जी का एक प्रस्ताव है वह जब पेश करेगे तब यदि सम्मत हुआ तो आपात एक आध प्रस्ताव स्वीकार भी कर लेंगे। यद्यपि उसकी कोई आवश्यकता नहीं है फिर भी एक आध संशोधन मजूर कर लेन से माननाय सदस्य प्रसन्न हो जाते हैं। तो आपको प्रनत्रण के लिये उने मजूर कर लगा। बहरहान आप की माजा में मान्यवर, विवार करने के लिये मैं यह विधेयक प्रस्तुत करता हूँ फिर हूँ पर विवार किया जाय।

SHRI SOMNATH CHATTERJEE (Burdwan). This Bill purports to give effect to some recommendations of the Commission on Major Ports which gave its report in 1970. I find from this report that altogether 160 recommendations were made by this Commission and after about four years of supposed deliberations, the Government has thought fit now to bring forward a Bill dealing with one or two of the recommendations. To the major recommendations of this Commission for the better and improved functioning of the different ports in India no attention has been given, as is apparent from the Bill that has been brought. The only proposal is to constitute or reconstitute the Port

Trusts or the Boards of Management without looking into the various important recommendations of the Commission. Therefore, it seems that the Government thought that since an important Commission has made some recommendations about 4 or 5 years ago, something has to be done and let us do with the minimal of it, namely, the constitution of the Board. And the Major things remain unattended.

So far as the reconstitution which has been contemplated, kindly see that the whole of the Bombay Port Trust Act and the Calcutta Port Trust Act have been stated here to be no longer operative except in respect of one very important thing—see clause 38 relating to the municipal assessment of the property. Now, one of the major recommendations was that these provisions in the old Act would not be retained. Now, this is an attempt still to continue those provisions whereby the Government avoid payment of the municipal rates and taxes in respect of the Port Trust property. Although the Commission has recommended otherwise, the Government has not accepted it. Now, an attempt is sought to be made to create an impression as if the Board is not functioning properly and that if there is a change in the Board, all the ills and difficulties faced by the different ports will be solved. That is not the position. I want to make this submission that this is a sort of an attempt to create an impression for the people that these different Boards which have been constituted under the old Act are not functioning properly and the only cure is to reconstitute or change them. I do welcome any change for the better. But why is this piecemeal legislation like this, tinkering with the problem and not facing and trying to solve the problem?

I do not wish to sound parochial. But what is the position of the Calcutta Port to-day, which is the most important port in the whole of the country? What is being done with

regard to the Calcutta port? Even in the last two years, the volume of traffic has fallen from 6.6 million tonnes in 1972-73 to 6.23 million tonnes in 1973-74. It appears now that in view of the present navigable position of the river Hooghly, no ship with a draft of 18' and above will be able to reach Calcutta port or leave it after 4 years if in the meantime no water is released from Farakka. This is the position with regard to the Hooghly river. The Calcutta port depends upon the navigability of the Hooghly river. Now, what is being done? We have been promised by this Government that this water will come from Farakka, but this, like their usual promise, has not been kept. The position is—I will just read a report from the Statesman which says:

"At present navigation on the Hooghly was carried out by day-to-day manoeuvres "

This is the stage to which it has brought the Calcutta port

"They said it was easier for ships to reach Calcutta by taking the help of the tide but they had to face many obstacles during their way back."

Sir, many suggestions have been made but they have not been implemented. The usual speeches are there. And I find once or twice, our popular Deputy Minister here had gone there. He gave us hope, but I am sure he is very much a prisoner in the whole set up and cannot do anything even if he tries. I wish to place before the honourable House one or two other important aspects with regard to the Calcutta Port. Here it is said:

"The vessels during their outward movement now have to follow a hop, stop and jump method. Ships must cross the first bar 20 miles from Calcutta popularly known as low water crossing so that they are able to cross more formidable ones like the Eastern Ghat during the highest stage of tidal rise.

The hydraulic experts said that the navigational channels on the Hooghly was becoming narrower every day. Safe anchorages for ships during the crossing of bars were also becoming fewer than before. This situation had inevitably restricted the number of vessels that could move in and out of Calcutta."

But, Sir, the position is that as early as in 1928 one million tonnes of cargo could be carried from Calcutta. Ships were required for removal of the silting and other hazards in 1971, 177 ships were required for removal of the same quantity.

MR DEPUTY-SPEAKER: This is an important point you are making, but does it come within the scope of this Bill?

SHRI SOMNATH CHATTERJEE: Very much so. This is regarding the implementation of the reports of the Major Ports Commission.

MR DEPUTY-SPEAKER: Farakka is a complicated question.

SHRI SOMNATH CHATTERJEE: It is very important. This is a major port. We are having a legislation which will only be...

MR. DEPUTY-SPEAKER: It is related also to our relation with Bangladesh.

SHRI SOMNATH CHATTERJEE: My point is that the amendment does not take into consideration the major recommendation and there is no provision made with regard to the better working of the major ports. This is my submission. And there is no point in saying that once you put two labour representatives everything will be all right. We welcome the proposal. We want it to be four as Mr. Shastri has proposed. But what I want to say is this. Don't try to give an impression to the country that you had not been given sufficient powers, in order to bring about im-

provement in the functioning of the major ports in the country. Merely changing the number of trustees from 20 to 17 or 30 to 17 do not think that you will make wonders. This is not going to be the position. You have to approach the problem with a proper perspective. You should try to solve the problem instead of tinkering with it. Don't think that our country will march towards progress if the Calcutta port is killed; please do not have such illusion. I am not speaking for my State only. I am not parochial. Let that impression be not there. Don't think this country can progress further if the Calcutta port is ruined.

MR. DEPUTY-SPEAKER: I do not think anybody has that impression.

SHRI SOMNATH CHATTERJEE. My point is this, Sir. I wish to point out that while this report is there on all these matters, no worth-while attempt has been made to remedy the defects to improve the working, the functioning, of the Calcutta Port. This is my submission. A large amount of expenditure is being incurred on account of dredging. Dredging can never solve the problem permanently. There are various suggestions made by experts. I want to know as to what steps are taken for improvement of the Calcutta Port. One suggestion was regarding construction of barrage with locks and regulating gates on Hooghly near Pakuria near Falta. Then ships of 35' draught will come to the port of Calcutta.

Then, there is need for another barrage below Haldia with locks and regulating gates to be constructed. There should be two dykes on both sides of Hooghly near sand head which will narrow the fifteen mile breadth of Hooghly to two to three miles. The silt will not accumulate at the sand head. Rather it will remain deep. These are very important proposals which have to be implemented and seriously considered by Government. I want a categorical assurance from the Minister as to the point of

time from which this water from Farakka will be available to the river Hooghly. We have been promised and promised that 40,000 causes of water would be available. Nothing is going to happen before Calcutta port is made a desert. Can you give us all assurance?

No modern facilities for landing have been given so far as Calcutta Port is concerned. This was one of the important recommendations of this Commission. I do not find that at all excepting a provision that has been made for the bathing ghat, etc. There is no proposal made. Nor any change is affected for bringing about improvements for loading and unloading, or road facilities. This was one of the major recommendations for all the ports in this country without which the ports cannot work properly. No provision has been made with regard to improvements in loading and unloading facilities to these ports. There are various scales of charges in different ports in India which are hampering the functioning of the ports. The Commission has recommended for the creation of a Central Port Rates authority for going into this question. But, we do not find anything with regard to this at all. The hon. Minister said that some proposals have been made which would only mean that the Central Government will have greater control now.

I am not enamoured of the Central Government's having a control. That means bureaucratic control. My point is that the Central Government's control can be given statutory recognition with definite guidelines. We do not find any guidelines. That means absolute bureaucratic controls are there. Because Central Government's control is there, all the difficulties will not be overcome. I am not accepting that proposal. So, I would like the hon. Minister to consider framing of bye-laws or guidelines so as to get rid of the difficulties. We do not know under what limited conditions these bureaucrats would function. I do not

think if more powers are given to the Chairman they can function better.

Now, Sir, why should there be such a discrepancy in the powers of the Chairman and the Board as a whole. The Board of Trustees will have representations of different interests. Why should not the Board of Trustees have powers? Why should the Chairman have greater powers than the Board itself? So far as employee's representatives are concerned, there should be an adequate representation. I would like to point out that these matters should not be left merely to the discretion of the Government. The amendment which is being proposed only fixes the minimum number with regard to the labour representatives. It does not fix the basis on which different numerical strength of different interests will be projected in the Board. There ought to be some guidelines which should not be left merely to the Central Government to decide without any principles being indicated.

So far as appointments of officers are concerned, it is a matter which should certainly be dealt with at the higher level. I would, however, like to point out that so far as different ports are concerned, serious charges of corruption and misuse of power are being made. We would like to know what the Government is doing with regard to them. In so far as the functioning of some of the officers, whom I do not want to name, are concerned, in Calcutta Port, they have become a matter of scandal. This should be immediately looked into. I welcome the limited amendment proposed. Though some changes are made, yet I feel that some sort of uniformity has to be brought about in regard to all major ports in India. What is brought about by the Major Port Trust Amendment Bill should not be the last word in the matter of bringing about improvements in all major ports in India. The hon. Minister should at least assure the House that Government is seriously thinking on the acceptability or otherwise of the recommendations

made by this Commission and the steps they propose to take to implement those proposals, when they propose to bring forward a further legislation—a more comprehensive legislation—they should not bring forward legislation piecemeal in order to give an unjustified impression to this country.

SHRI B. V. NAIK (KANARA): Sir, I welcome the Bill that has been presented by the hon. Minister for Shipping and Transport. The reasons for this Bill have been stated in the Statement of Objects and Reasons, namely, to give effect to certain recommendations of the Major Ports Commission accepted by Government. This was in 1968. There has been a considerable period of time which have accepted since 1968 and 1974. About the same time this Commission was going into the question of major ports there was another study team which at the instance and invitation of the then Minister, Dr. V.K.R.V. Rao, had visited this country and made a report. This was by the International Association of Ports and Harbours where is a fund of information which has been given by this Commission as well which I am quite sure has also got the attention of the hon. Minister. I shall refer to the general recommendations of that study team later but as for the specific case I would like to submit while this Bill takes care of the entire coastline of 3,500 miles in this country spreading from Calcutta to Kandla we may see almost every State in this country which is a maritime State in this country has been taken care of and serviced by a major port Maharashtra is serviced by Bombay; West Bengal by Calcutta; Tamil Nadu by Madras; Andhra Pradesh by Vishakhapatnam; Orissa by Paradip; Kerala by Cochin and the State of Gujarat by Kandla. I do not know one single reason why the State of Karnataka....

SHRI KAMLAPATI TRIPATHI: Mysore has been taken up and it is now a major port.

SHRI B. V. NAIK: I am glad the hon. Minister has preferred to give the clarification on this. Of course there is Murmagao but as far as the State of Karnataka the purport of this Bill does not seem to be clear. It has not been listed as a major port as far as this Bill is concerned. I am very glad that the hon. Minister now makes a statement that Mangalore will be a major port.

THE DEPUTY MINISTER IN THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI PRANAB KUMAR MUKHERJEE): It is, already.

SHRI B. V. NAIK: I would like the hon. Deputy Minister to kindly assure us of one thing. Is it a major port trust as coming within the ambit of this Bill or not?

SHRI PRANABKUMAR MUKERJEE: I may clarify the position and say that two ports have been declared as major ports, namely Tuticorin and Mangalore. Since they have just been declared as such, no port trust has been formed, nor are they governed by the Major Port Trusts Act, 1963. But they are being run departmentally.

MR DEPUTY-SPEAKER: But what he would like to know is whether Mangalore will come under the Major Port Trusts Act after it has been amended.

SHRI KAMALAPATI TRIPATHI: Of course, it will come.

MR DEPUTY-SPEAKER: I think he should be satisfied with that.

SHRI A. K. M. ISHAQUE BASIRHAT: Would there be any provision in this Bill?

MR DEPUTY-SPEAKER: That does not matter. That can be brought in later on. I think there is some provision in the Bill under which they can include any other port.

SHRI PRANAB KUMAR MUKERJEE: It will be extended.

SHRI B. V. NAIK: Since Mangalore has already been declared, as the hon. Minister has also declared just now, as a major port, I would request the hon. Minister to go through the statement made by the Karnataka State Minister for Ports and Harbours, Mr Syed Ahmed Mohammad Umar Yahya, in the month of July, 1974 in front of the Karnataka Chamber of Commerce and Industry. It seems that he has been trying to draw the attention of the Centre to the need for further development of the Mangalore port. The details will be available in his statement. His remarks might be a little critical and unpalatable as far as the original decision in regard to the selection of the site, etc. is concerned. However, let bygones be bygones, and we would not like to deal with this specific case. But the selection of the future ports at least will have to be done, bearing in mind the fact that in regard to the question of ports, harbours and such other technological developments, political considerations of local pressure groups or political lobbies should bear the least amount of relevance when ultimately the decision is made by the Ministry in regard to the location of the sites of major national development.

The only point in regard to the port trusts which I have reason to complain about to that there major port trusts in this country have always grown and all continue to grow because of the undivided attention paid by the Government of India at the cost of the minor ports and the intermediate ports. Therefore, while we do appreciate the fact that the three pioneer ports, namely Bombay, Calcutta and Madras have now been equated with the rest of the major ports in this country, I would like to know whether it will not be possible for the Government in the Ministry of Shipping and Transport to bring forward a uniform Act in regard to

all the ports that are there in these 3500 miles of the Indian coastline, so that we have a common law. Why should these be treated as something special and something at a higher level which needs the undivided attention of the Government of India? What wrong, for example, have the undeveloped but potentially tremendous ports like Karwar have done? What harm has it done?

What has Bhatkal done? What has Malpe done? There are hundreds of such ports which are languishing for want of consideration and attention, financial assistance and so on. If these are identified and prompted, the congestion and other problems of the major ports and port trusts can be solved not through administrative measures but by providing the merchant navy an alternative option.

One of the handicaps in this behalf is this. Again take Karwar. The shipyard cannot come there because it is not a major port. A major port cannot come because there is no railway line. A railway line cannot come unless there is a major port.

**SHRIMATI PARVATI KRISHNAN:** The railways have no money—at least that is what they say.

**SHRI B. V. NAIK:** Money can be found provided it gets priority. I would say this is a vicious circle. Therefore, I would suggest that until and unless you bring in uniform legislation, things in regard to the rest of the ports in the country will not brighten. That would be a major national loss.

Coming back to the recommendations made by this International Association of Ports and Harbours, some of them are sort of eye-openers. One is that the Central Government should closely not control port purchase of costly capital equipment. This is not very flattering for our port trust administrations. What do they mean by that? I am not criticising the

study team. I am asking what is wrong with our port trust administrations. In other words are the top managements of the ports not capable of making proper purchases? That means purchases decisions have to be taken out of their hands. In plain terms, they allude to corruption in purchases. This is not very flattering.

Then they should there should be clearance facilities avoidance of demurrage charges, the waiting that goes at the ports should be brought down to 24 hours. This is something like asking for the moon. We get well-loaded fertiliser and food ships which come there and wait upstream for a period of 15 days. The whole country pays in foreign exchange the demurrage charges worth hundreds of thousands of rupees. I do not know whether this legislation alone will be able to prevent this wastage of our foreign exchange.

The last point is this. Are we in a position at least to utilise the full capacity of these major port trusts? At present what is the handling capacity and what are the plans and programmes to fully utilise the built-in capacity of the major ports of this country?

With these few remarks, I support the Bill.

**SHRIMATI PARAVATI KRISHNAN (Coimbatore):** I welcome the thought that it is there behind this Bill of bringing about uniformity amongst the major port trusts. But I have got my qualms and these are what I would like to give expression to now, speaking on this Bill.

Firstly, what is disturbing is that clauses 9, 10 and 11 of the Bill seek to give the Chairman extraordinary powers and will militate more and more against the democratic functioning the port trusts. At the moment, the port trustees do have certain powers but these clauses seek to take away those powers and give further

powers to the Chairman who already has so many powers. We have experience of the functioning of these port trust boards. We know that, saddled as they are with a large number of representatives of various government departments, when the Chairman happens to be an IAS or ICS officer, these poor Johnnies are most nervous to open their mouths to protest against what the Chairman may be doing which they consider may not be correct

Again, the functions of the various members of the board have not been defined specifically in order to create the basis for democratic functioning of these Boards. The Chairman has the power to reject any point that a member of the board may send to be included in the agenda; he does not have to assign any reason. He may say: "I do not like your face or I do not like your voice and therefore, I had not included it in the agenda." Therefore, it is necessary that these functions should be clearly defined so that we safeguard against autocratic and bureaucratic functioning. It will be in the interest of the efficient working of the ports if the boards are run properly; otherwise why have these boards at all? Is it to show that there is democratic functioning in the ports in democratic India, where incidentally most things are done by Ordinances? Why have these boards? You can as well function through Ordinances. Therefore, I would have been happier if the Bill did not contain these clauses which seek to restrict the powers of the boards and enlarge the powers of the chairman as these will only lead to distortion in the working of the boards.

For instance, till recently the chairman has had the power to sanction work upto a sum of Rs 25 000 without the prior sanction of the board; he could go to the board for *ex post facto* sanction. That amount has recently been increased by the Government. He has been given more and more powers and the powers of the

board as such are being restricted. I would therefore appeal to the Minister, broadminded as he is and having been brought up in a system of democracy till now, that he should withdraw these clauses from the Bill.

I should next like to refer to another provision that affects the functioning of these boards. Today there is no uniform policy regarding recognition of trade unions among the various ports; it varies from port to port. As a result of verification having been gone through, certain unions had got representation on the boards. But that trade union still remains unrecognised. The leader of our party, Shri Inderjit Gupta is the president of the Calcutta Port and Dock Workers' union and was a member of the port trust from April 70 to March 1974. But the union was not recognised, in terms of industrial relations. It was so inspite of verification. The result was that a vast number of problems and disputes which would come up and which could be settled at the grass root level across the table would have to be processed by the Labour Ministry and then the Ministry of Transport and Communications according to the usual procedures and delays. Files had to be chased from one Ministry to another. We would have to wait when the Minister in charge was changed because of Cabinet reshuffle. With the result the sores were festered more and more leading to disharmony. When the workers reach the end of their patience and a strike takes place then there is a hulla-baloo about how they are holding the country to ransom, as was done about the railway workers. There is the same kind of bankruptcy in respect of industrial relations in other departments and ministries also. I would therefore, appeal to the hon. Minister that at least he should have the foresight and make some provisions for the recognition of unions and have the atmosphere cleared in the board for proper industrial relations so that labour and industrial problems could be settled in the shortest possible

time by the creation of facilities for across the table settlements. Take for instance the recognition of the Madras Port United Labour Union. ASK is the President of that union. Today by virtue of verification, he is a member of the Port Trust; he is a trustee. At the same time, the union is not still recognised, although last year it had a membership of 6400. There have been more than one strike during the last two years in that particular port and they could be settled only when this union's representatives were called to Delhi by the Transport Ministry or the Labour Ministry. Why get to that stage? Why not have a proper policy of recognition of unions for settling industrial disputes and maintaining industrial harmony?

I am glad we have heard a voice speaking for Mangalore I think I should also speak what I am committed to speak for my State of Tamilnadu Why is it that Tuticorin has been left out?

SHRI PRANAB KUMAR MUKHERJEE: It has already been declared a major port Notification has been issued But some work is still to be completed

SHRI B V NAIK: The Deputy Minister is contradicting his senior colleague While we have been given a clean assurance in regard to Mangalore .

MR DEPUTY-SPEAKER: I raised that question and he said, nothing stands in the way of Mangalore and other ports being brought within the purview of this Act through an administrative measure

SHRIMATI PARVATHI KRISHNAN: We have experience of Government's functioning. First it is under consideration, then active consideration, then urgent consideration and months and years pass by.

SHRI B. V. NAIK: It should be done by a legislative measure.

MR. DEPUTY-SPEAKER: If you are so keen, you should have sent in an amendment that these ports should be included here.

SHRIMATI PARVATHI KRISHNAN: The State Government, in the midst of all its preoccupations, has also recommended that Tuticorin be included as a major port. It is not only a question of this legislation covering Tuticorin Port. The problem will be, whether the workers of the harbour project in Tuticorin are to be absorbed in the Port Trust or not. That demand is still outstanding. That is why we would like the minister to include Tuticorin in this Bill itself so that the various problems that exist there with regard to labour can also be settled without any delay.

SHRI CHINTAMONI PANIGRAHI (BHUBANESWAR): Sir, I welcome this Bill. I welcome also the way in which the hon. Minister presented this Bill. This is a major development, so far as bringing about uniformity in all the major ports is concerned, and this is something for which we have been trying all these years, because there were different legislation for different ports. Therefore, I appreciate the step the Government have taken.

So far as representation of labour is concerned, it is provided here that before appointing any person to represent labour employed in the port, the Central Government shall obtain the opinion of the trade union, if any, composed of persons employed in the port and registered under the Trade Unions Act, 1926, and that the number of persons so appointed shall not be less than two. The number can be increased to four also. So, there is not much of controversy on this point.

Will it not be more useful and helpful if the local MLA and MP are

nominated by the Government to the port trust of that area? That will help in democratising the port trust when the elected representatives are included there. I hope the hon. Minister will take this point into consideration.

Then I come to the present position of Paradeep port, which is a major port. I am very happy that it is receiving the attention of the hon. Minister. Recently I had been to that port. I was happy to find that the Railway Convention Committee and the hon. Deputy Minister visited that port. Paradeep port was a gift by the State Government to the Central Government. The State Government built that port by their own effort and they spent Rs 16 crores. Though the Central Government promised to reimburse that amount, they have not done it so far. It is a big burden on the Orissa Government because they have to pay interest on these Rs 16 crores. Yet, the Central Government have not kept their promise.

Though this is one of the deepest ports, yet for the last many years it is languishing, because three agencies are now working in that port, namely, the Port Trust, the railways and the MMTC. The Cuttak-Paradeep railway link was constructed by spending Rs. 16 crores to 17 crores. That has been opened only to goods traffic to carry iron ore to be exported to Japan. After the completion of the track, it was thought that annually three to four million tonnes of iron ore would be exported. Today not even 60,000 tonnes of iron ore in a month goes to that port because the railways do not provide the wagons. When we met all the three agencies separately, the railways laid the blame on the MMTC, the MMTC on the Railways and the Port Trust on the railways. Though these agencies have been entrusted with the responsibility of exporting 4 million tonnes of iron ore and even though so much money

has been spent, here is no coordination between these three agencies.

MR. DEPUTY-SPEAKER: This is what the Americans call, passing the buck.

SHRI CHINTAMONI PANIGRAHI: I am very happy to know that the hon. Deputy Minister has been apprised of the whole matter and that he has set up a committee after his return from that place. I do not know whether the committee will be able to coordinate the work of the different agencies. Anyhow the present position is that the vast potential of that port is languishing.

Now, the proposal for providing wagon tippler system and for completing the port railway system is lying with the Transport Ministry for the last three years. The design has been completed in Vishakhapatnam. In one hour, 25 wagons of iron ore is being fed into the ship at Visakhapatnam. For the last three years, the proposal is still lying with the Transport Ministry. They are working out whether it should be 25 wagons per hour or 45 wagons per hour. This argument is going on. They do not agree as to whether it should be 25 wagons per hour or 45 wagons per hour.

Let them agree to figure of 30 or 35 wagons per hour, strike a mean, and introduce this system so that the Paradeep port handles more traffic. The proposal has not yet been cleared. It is still lying with the Transport Ministry. I would request the hon. Minister to kindly look into this matter. When the design has been completed in Vizag, why should it not be introduced in the coming 2-3 months, in any modified form, in the Paradeep port so that you could export iron ore.

About the general cargo berth, the Government of India has already sanctioned it. Not even one cargo berth has been completed though in the Fifth Plan, the target is to have

17 general cargo berths. The capacity of the Paradeep port will cover the entire hinterland, right from Madhya Pradesh, all this area, and it can export 7 million tonnes of goods. According to a recent survey conducted, it can go even upto 9 million tonnes. With such potentialities, if the Transport Ministry does not take a little more interest, the Paradeep port is not going to develop

Another problem in the Paradeep port is the serious erosion that is taking place there. Three years ago, I went to the place where Nehru laid the foundation stone and, at that time, sea was 3 miles away from the Nehru Bungalow. Today, it is only 200 ft away. Such a rapid erosion is taking place. They have spent Rs 34 crores on such a major port. If the erosion is not checked we are going to lose such a big achievement in our State. It is a national achievement. I hope, the Government will do something about it. I urge upon the Minister to look into this problem also.

Lastly, I must congratulate the Minister for giving a little hope to the people of Orissa about the ship building yard. Though it is not within the purview of the discussion of this Bill, I am digressing a little. When the question came up about locating the ship building yard in the country, I am very happy to say, that his reply gave hopes to the people of Orissa that the Government of India is taking into consideration the question of having a ship building yard at Paradeep. I welcome this measure.

श्री भारत सिंह चौहान (धार) उपाध्यक्ष महोदय, मन्त्री महोदय जो बिल लाये हैं मुझे ऐसा लगता है कि 1963 के बिल को ही इन तीनों भेजर पोर्ट्स के लिए लागू करना चाहते हैं। लेकिन सबाल यह है कि क्या 1963 के इस कानून को इन पोर्ट्स पर लागू करने से इनका विकास हो जायेगा। आपने जो विवरण दिया है उससे भी विकास की कोई बात जाहिर

नहीं होती है। बस्ती, कलकत्ता और मद्रास के जो पहले कानून बने थे वे उन पर पोर्ट्स की विशेष महत्वा को ध्यान में रख कर बनाये गये थे, अब जब आप उनके लिये नये कानून बनाने जा रहे हैं तो आपको यह ध्यान रखना चाहिए था कि इन भेजर पोर्ट्स की अन्तर्राष्ट्रीय महत्वा को कैसे बढ़ा सकते हैं। आप के इम बिल से न तो कोई अन्तर्राष्ट्रीय महत्वा बढ़ती दिखाई देनी है और न कोई विकास हो; होना दिखाई देता है। इन तीनों पोर्ट्स का मम्बन्ध विश्व के व्यापार में है, लेकिन उम्मका दापने इसमें कहीं कोई जिक नहीं किया है कि हम अन्तर्राष्ट्रीय कानूनों को भी ध्यान में रख कर इन पोर्ट्स के लिए ऐसा कानून लाये हैं जिसमें कि इन तीनों पोर्ट्स की महत्वा बढ़े। तो यह जो कानून लाये हैं उसमें मैं ऐसा समझता हूँ कि मन्त्री लोग, जो कमीशन ने रिपोर्ट दी है उसकी कुछ बातें लेकर जनता को एक नरह में यह बतलाना चाहते हैं कि हम कुछ कर रहे हैं पोर्ट्स के मम्बन्ध में, लेकिन दण्डमाल उसमें कोई विशेष लाभ होने वाला नहीं है। पिछले मम्य में जिस नरह में थड़ क्लाम को सेंकण्ड क्लाम में परिवर्तित कर दिया उसमें कोई बड़ा भारी परिवर्तन नहीं हुआ लेकिन एक स्टॉन्ट जस्टर हो गया कि भाई हमने थड़ क्लाम को ममाप्न कर दिया, सेंकण्ड क्लाम बना दिया। उम्मी प्रकार का स्टॉन्ट करने के लिए यह बिल भी लाया गया है वरना इस बिल के द्वारा कोई भारी परिवर्तन होगा या पोर्ट्स का विकास होगा ऐसा लगना नहीं है। इस बिल को लाने के पहले मैं ममझता हूँ पोर्ट्स ट्रस्ट ने जहर आपको सुझाव दिए हैं और उसमें कई सुझाव ऐसे हैं जो लागू किए जाने चाहिए लेकिन आपने तो केवल अधिकार लेने के लिए, पोर्ट्स की पावर्स में एन्कोरेमेन्ट करने के लिए और अपना आधिकार जमाने के लिए यह बिल पेश किया है—इस बिल से यह बात साफ लगती है। आप यह बिल उन तीनों पोर्ट्स पर लागू करके जो पोर्ट्स अन्तर्राष्ट्रीय महत्वा रखते हैं उनकी पावर्स को कर्बं कर रहे हैं या समाप्त कर रहे हैं। इसलिए मैं मन्त्री महोदय

निवेदन करुणा कि वे इस पर गम्भीरता से विचार करे और इन तीनों पोर्ट्स की महत्ता जो आज से नहीं, स्वराज्य के पहले से है, उनकी अन्तर्राष्ट्रीय महत्ता और डिपिन्टी को बनाये रखने की आवश्यकता है और इसी बात को ध्यान में रखते हुए संशोधन किए जायें।

छोटे-छोटे पोर्ट्स पर यह बिल लागू या जिसको आप बड़े पोर्ट्स पर लागू कर रहे हैं। आवश्यकता इस बात की थी कि उसमें जो दुटिया थी उनको दूर करके अच्छे परिवर्तन किए जाते लेकिन उसको न करते हुए ऐसा लगता है कि केवल कुछ परिवर्तन करने हैं ताकि जनता को यह पता लगे कि ट्रासपोर्ट एण्ड शिपिंग मिनिस्ट्री भी कुछ काम कर रही है। इसके अलावा इन बिल में मुझे और कोई भी समझदारी की बात नहीं दिखाई देती। गोवा के पोर्ट के बारे में पिछले मध्य में बड़े-बड़े आश्वासन दिए गए थे और यह बनलाया गया था कि उसके लिए 27 करोड़ रुपए संकलन किए गए हैं। मुझे यह अच्छी तरह से मालूम है कि गोवा पोर्ट को बनाए का सबसे अच्छा और बड़ा पोर्ट बनाया जा सकता है लेकिन 27 बर्षों के बाद भी वह पोर्ट अभी तक विकास की आर नहीं गया है। यहां पर अगड़े और स्ट्राइक्स होती जा रही हैं। वह एक नैचुरल पोर्ट का स्थान रखना है और बम्बई, कलकत्ता या मद्रास के पोर्ट ऐसे नहीं हैं जहां पा बड़े-बड़े जहाजों को नाया जा सके लेकिन फिर भी गोवा पोर्ट का विकास रुका पड़ा है। पिछले मध्य में यह जूहे बतलाया गया था कि हमने इनने करोड़ रुपए उसके विकास के लिए मजूर किए हैं लेकिन वहां पर जिस तरह से मैनेजमेंट चल रहा है उसमें स्ट्राइक्स हा रही है, काम में रुकावट ग्रातः है। आगे इसी तरह से काम चला तो यह जो पोर्ट्स के विकास की बात कहा जा सकी है वह कानून लागू करके होने वाली नहीं है। इमेलिंग और मन्त्री महोदय से लिवेदन करूँगा। कि इन पोर्ट्स की अन्तर्राष्ट्रीय महत्ता को विशेष रूप से ध्यान में रखा जाना चाहिए। आप चीज़ जानते हैं कि इन पोर्ट्स से किस

प्रकार विवेशों को व्यापार का आवास बन होता है। यदि उनको अवक्षा लगा तो आपके विकास और व्यापार में तथा शिपिंग के काम में बड़ा भारी नुकसान होने को सम्भावना है। इसलिए मैं समझता हूँ कि इस तरह हैफेझर्ड वे में परिवर्तन करना उचित नहीं होगा। मेरा निवेदन है कि मन्त्री जी इस पर गम्भीरता से विचार करे। इस सम्बन्ध में मुझे यही कहना है।

श्री शिवानाथ तिहार (कानून) उपाध्यक्ष जी, आज हमारे देश में जितने मेजर पोर्ट्स हैं वह चार प्रकार के कानूनों से गवर्न होते हैं। इस विधेयक के द्वारा हम एक कानून से उनको गवर्न करना चाहते हैं। यह विधेयक एक स्वागत-योग्य कदम है और मैं इस का समर्थन करता हूँ। इस विधेयक का समर्थन करने हुए मैं कुछ बातों की ओर माननीय मंत्री जी का ध्यान दिलाना चाहता हूँ। एक बात मैं चाहूँगा जो यदि अभी इस मध्य न हो सके तो आइन्डा उसके ऊपर ध्यान रखकर बाद में इस्पूब करने की कोशिश करेंगे। जहां तक बोर्ड आफ ट्रस्टीज का मवान है, आप ने लेवर को रिप्रेजेन्टेशन दिया है कि इस में कम दो आदमी लेवर के उसमें होंगे लेकिन आपका जो रिप्रेजेन्टेशन देने का तरीका है उसमें आपने कोई मुद्दार नहीं किया है। दूसरे गिर आरोनमं बगैरह के इन्डस्ट्रीज का आप ने जो रिप्रेजेन्टेशन दिया है उसमें उन लागा में जो बैचुनकर आयेंगे लेफिन लेवर का जा रिप्रेजेन्टेशन हागा उसमें गवर्नमेंट नामिनेट करेगा। इस प्रकार मे एक डिमोक्रैटिक तरीके का छोड़ कर सरकार ने उनको नामिनेट करने को जो पावर अपने हाथ में रखो है वह तरीका काइ अच्छा नहीं है। इसमें लेवर यूनियन्स में काम करने वाले नाराज हो सकते हैं और इसको लेकर ट्रेड यूनियन की रिक्वाइर्ड या अन-रिक्वाइर्ड यूनियन में अगड़े हो सकते हैं। इसलिए जिन्हे भी लेवर एप्लायड हो उनका सभी का रजिस्ट्रेशन हो, वे बहे किसी भी यूनियन के सदस्य हो, उनका एक कम्बा-लिडेड रजिस्ट्रेशन हो और वही योग अपने

आप मे से चुनकर आपने प्रतिनिधि भेजें। चाहे कोई यूनियन रजिस्टर हो या अनरजिस्टर हो उनमे कोई भेदभाव न रखा जाये, उनका एक एलेक्टोरल कालेज बनाया जाये जिसके द्वारा 2 प्रतिनिधि या अच्छा होगा 4 प्रतिनिधि भेजे जायें तो मैं समझता हूँ आपका यह एक सही कदम होगा। बरना मैं समझता हूँ ट्रेड यूनियन मे जगड़े चलते रहेंगे, कोई कहेगा आई एन टी यू सी का हो और कोई कहेगा ए आई टी यू सी का हो। इसके अनावा जो लोग आना चाहेंगे वे वहा के अधिकारियो की खुशामद करते रहेंगे और वे बहा पर जाकर नेबर का सही प्रतिनिधित्व नहीं करेंगे। ऐसी स्थिति मे मैं निवेदन करूँगा कि किसी तरीके से आप इसमे मुद्दार करे।

दूसरे आपने बोर्ड आफ ट्रस्टीज मे उन स्टेट्स को रिप्रेजेन्टेशन दिया है जिनकी जमीन पर वह पार्ट स्थित है लेकिन जैसे आपका काडला पार्ट है उसके जा मेन यूजर्स हैं वह हरयाणा, पंजाब और राजस्थान है। इन स्टेट्स की भी समस्याये हैं इसलिए इन तीनों प्रान्तों को भी वहा रिप्रेजेन्टेशन दना चाहिए। यह नहीं होना चाहिए कि जिस प्रान्त मे पार्ट हो वहा की स्टेट गवनमेन्ट को ही रिप्रेजेन्टेशन दे बल्कि वहाँ मे सामान भेजने वाली जो और स्टेट्स हैं उनबो भी रिप्रेजेन्टेशन दिया जाय। यह भेरी आप से प्रार्थना है और इसकी ओर आप अवश्य ध्यान देने की कृपा करे।

इस बिल मे वई सशोधन किये गये हैं जो स्वागत योग्य है। लेकिन एक सशोधन भवी जी ने रखा है कि कुछ कड़ीशन्स के अधीन ऐनीमल्स हा, सामान हा, पहले अनबोम्ड का ओपिन थीकशन से बेचा जाता था, लेकिन अब यह किया गया है कि आपस मे निवाशियेशन्स कर के या टेन्डर्स काल कर के बेचा जायगा। इसमे अधिकारियो द्वारा गडबड किये जाने की आशका होना स्वाभाविक है। पब्लिक थीकशन मे फ्लैपरेस आती है और बाद मे चाहे कन्सन्ड पार्टी को बलें भी देना पड़ता हो, तो भी सही थीज भिलती है। इसलिये पब्लिक थीकशन

के बजाय प्राइवेटली टेन्डर काल कर बेचने की सदस्या करना सही नहीं है और अधिकारियो के ईमानदार होने पर भी उन पर लालून लग सकते हैं। इसलिये पब्लिक थीकशन ही रहना चाहिए।

मम्भी एक माननीया सदस्या ने कहा कि सेन्ट्रल गवर्नरेट ने या चेयरमैन ने आपने पास पावर रखने को अधिक चेष्टा की है। मैं इसका स्वागत करता हूँ कि आप ने नियुक्तियो के बारे मे केन्द्रीय सरकार के पास अधिकार रखा है। यह ठीक है कि जो जिम्मेदारी की जगह है उन पर केन्द्र सरकार नियुक्त करे। दूसरा प्राविधान यह है कि जिनकी 2,000 हूँ मे अधिक तनखाह होगी वह भी बोर्ड की राय से सेन्ट्रल गवर्नरेट नियुक्त करेगी। लेकिन अदर पोस्ट्स को आप ने चेयरमैन को दिया है। पहले बोर्ड की गय मे चेयरमैन नियुक्त करता था, परन्तु अब चेयरमैन को ही पूरा अधिकार दिया गया है जो भेरी राय मे ठीक नहीं है। आप जानते हैं कि आज नियुक्तियो के अन्दर फैवरटिज्म चलता है। जिनने भी पब्लिक अन्डरटेंकर्स के चेयरमैन हैं वह आपने ही आदमियो को नौकरी देते हैं इसलिये चेयरमैन को अधिक पावर देना ठीक नहीं है इसका मिम्यूज अधिक हो सकता है।

मुझे एक आशका भीर है जैसे कलकत्ते के अन्दर आप ने प्राइवेट पब्लिक नैडिंग प्लेस भी रखेंगे। जहा तक अदर प्लेसेज का सवाल है उनको यूज करने का सवाल है मुझे कोई आपत्ति नहीं है। लेकिन जो पब्लिक लैडिंग आप ने रखा है कही ऐसा न हा कि प्राइवेट आदमी अपनी प्लेसेज बना ले और उसका उपयोग न कर कही उनकी मोलोपली न हो। मैं चाहूँगा कि उसकी अनरजिस्प पोर्ट ट्रस्ट के साथ रहनी चाहिए जिससे प्राइवेट लोग नाजापत्र प्राप्त होना न उठा सकें। इसका प्रोब्रीजन होना चाहिए।

पोर्ट्स की क्या हालत है? माननीय सदस्य ने कलकत्ते के बारे मे कहा। हम चाहते

हैं कि कालकाले का पोर्ट जितना भ्रष्टा बन सके, बनाया जाय ताकि बड़े से बड़े जहाज बहा जा सकें। लेकिन काडला पोर्ट मैंने देखा है और उसके बोर्ड आफ ट्रस्टीज से बात की है। वह हमारे देश का सब से भ्रष्टा पोर्ट है लेकिन उसका पूरा उपयोग नहीं हो रहा है। उस पर आपका मन्त्रालय ध्यान दे तो उसका सुधार हो सकता है। बड़े बड़े जहाज बहा रेगुलर नहीं आते हैं। लोग कहते हैं कि जब तक कार्गो नहीं होगा तब तक बड़ा जहाज नहीं आयगा। हिटर लैंड मे जितना सामान है लाने-ने जाने का उसको काडला पोर्ट के जरिये ही आयात-निर्यात किया जाय और इसके लिये जल्दी है कि हिटर लैंड मे जितने साधन बड़ा सकने हैं बड़ाये। दूसरी शिकायत यह है कि रेल द्वारा बीम्बे सामान ले जाने की दरे और काडला पोर्ट को सामान ले जाने की दरे एक नहीं हैं, उनमे भिन्नता है। एक सामान राजस्थान से बीम्बे भेजा जाता है तो किराया कम लगता है और काडला भेजने है तो अधिक किराया लगता है। इसलिये व्यापारी लोग पोर्ट को ज्यादा सामान नहीं भेजते हैं। इसलिये मैं चाहता हूँ कि काडला पोर्ट के डेवलपमेंट की ओर अधिक ध्यान दिया जाय।

इन शब्दों के माय मैं इस बिल का स्वागत करता हूँ।

**SHRI SURENDRA MOHANTY (Kendrapara):** Mr. Deputy-Speaker, Sir, it is common knowledge that today most of our major ports are limping and are in the red. Their effectiveness leaves much to be desired. In that context, I do expect that this Bill should not merely think of the problems but should have covered the entire aspect of the reorganisation of the major ports so as to make their functioning more effective?

The House would recall that a Study Team on the Major Ports which had been appointed in the year 1968 made a recommendation which I quote:

"We therefore urge that the Indian Government authorise a study in

depth into the entire matter of Ports Trust organisation."

"We suggest, therefore, that when the reorganisation study of the Port Trusts is initiated, the services of a foreign management consulting firm having expertise in the field of organization be engaged despite the fact that the services of such firms are generally expensive."

In pursuance of this recommendation, a Major Ports Commission had been appointed which had made many recommendations out of which, if I remember correctly, the only recommendation which this Bill is going to implement is to bring the three major ports, Calcutta, Bombay and Madras, on par with the other ports like Vizag, Tuticorin, Paradip, Kandia and Marmugao in pursuance of the Port Trust Act, 1963. Beyond that, I do not find any significant recommendation which is sought to be implemented by this Bill. I hope the hon. Minister will explain to us while replying to this debate as to why he has chosen not to implement the other major recommendations which the Major Port Trusts Commission had recommended.

In that context, I shall invite the attention of the House to one significant fact. As regards the organisation of the Port Trust, the Chairman occupies a pivotal position in it. But, unfortunately, the position of the Chairman of the Port Trust is not very complimentary. I quote from the Report of the Study Team on Major Ports of India. On page 47, this is what is stated therein:—

"We have previously presented our general impressions of the relationships which exist between first, second and third level officials at major ports. We add here that while there are many obvious weaknesses in the relationships between these officials, the majority of Chairmen at the individual ports who are members of the Indian Administrative Service (IAS) or, in a few cases, the Indian Civil Service

(ICS), have had extensive administrative experience. As we have said, the basic fault we find is the very fact that these individuals are administrators rather than managers. This appears to be more a fault of the 'system' than of the individuals."

"The Study Team has categorically stated that the Chairmen should be more of managers than of administrators. But, what do we find? Some administrators function as bureaucrats and not as Chairmen. What is the result of all this? I would invite the attention of the Minister to page 147 of this Report. I quote.

"The current Chairman of the Port Trust has served since May 1967. He had no experience in port operation or management prior to becoming Chairman."

So, a man without any experience and without knowing the A, B or C of a port, is appointed as Chairman merely because of the fact that he belongs to the IAS. What has been the net result? Only yesterday, the hon. Minister, in reply to a question, in this House has said that Paradip Port has been incurring a loss at the rate of Rs 3 crores a year.

This is the result when you put an administrator as the head of a port trust who has got no experience of the port whatsoever. But what do we find in this Bill? We find the Government has not educated itself from the past experience but on the other hand it has given a position of further premium to these Chairmen who have no experience of port trusts.

Further, the study team had rightly recommended that the Chairmen should be divested of their administrative duties and they should be more entrusted with the operational activities. Towards that end the team had rightly urged the creation of a new position designated as the General Manager for each of the major ports who would manage the day-to-day activities of the port trusts. I hope

the hon. Minister owes an answer to this House as to why this recommendation has not been implemented, why non-technical men who have no experience of the port trusts work are entrusted with the management of the port. I hold on this account our major ports are decaying and their effectiveness is dwindling.

Coming to Paradip port I would invite the attention of the hon. Minister to Chapter 10 of the recommendations of the Major Ports Commission in which they have made certain specific recommendations regarding the ports of Kandla, Paradip, Tuticorin and Mangalore. As the earlier speaker pointed out the Government of India has so far paid Rs. 16.20 crores as loan to the Ps. adip port whose interest has a crippling effect on its development. The House will be amused to learn that some time back the treasures of the Paradip port had been hypothecated to a nationalised bank to pay the salaries of its employees. In that context the Major Ports Commission, has recommended in Chapter 10:

- (i) provide an outright grant to the extent of 20 per cent of the capital cost of civil works including berths, breakwaters, reclamation, capital dredging etc., but exclusive of the expenditure on mechanical handling plants and equipment;
- (ii) limit the obligation of these ports to the payment of interest and repayment of the principal to only 50 per cent of the capital outlay after deducting the cash grant. These ports would be required to pay the appropriate rate of interest as applicable to all long term loans advanced by Government during that year;
- (iii) permit the interest to be capitalised during the construction stage of the project;
- (iv) apply a repayment schedule for the loan during a period

of 30 years, the first instalment of repayment to commence from the eleventh anniversary of the commissioning of the project;

Now, what is happening? As regards Paradip, after its sixth anniversary the Government has been realising not only the capital but also the interest which has a crippling effect and which has forced the Port Trust to hypothecate its treasures to get money to make payment to its employees.

I would only add by saying that only a more cursory and casual attention has been paid to the development of our major ports. It is common knowledge that our major ports are today dwindling and declining. Not only Calcutta but all the ports including Kandla, Bombay, Madras etc. are having a declining profitability rate. Therefore, we would have expected that the hon. Minister should have come forward with a Bill which would have covered the entire ground of re-organising the port trusts to make them more profitable so that they can effectively function and they can contribute effectively to the growth of our economy. I hope that the hon. Minister will bring forward in the near future a more comprehensive Bill to serve this end.

श्री मूल चन्द डाला (पाली) . इस बिल को लाने के लिए मैं मंत्री महोदय को धन्यवाद देता हूँ। इस तरह का बिल लाने की सिफारिश 1953 में हुई थी। एन्डीमेट्स कमेटी ने अपनी रिपोर्ट में यह कहा था :

"The Committee regret to note that though a sub-committee consisting of senior representatives of Calcutta, Bombay and Madras Port Trusts was set up as early as July, 1963, to recommend amendments of Bombay, Calcutta and Madras Port Trusts Acts, they took more than three years to submit the report."

वह एक छोटी सी कमेटी थी। उसके बाद नहीं कमेटी थी। उसकी रिपोर्टेज होने

के बाद आज यार इस बिल को लाये। इसी दौर से ही सटी लेकिन इस बिल को लाने के लिए आप धन्यवाद के पात्र हैं।

आपने मेजर चौर माइनर पोर्ट्स में डिफेस किया है। आई हैब स्टिल ट्रू अंडरस्टैंड वी डिफेस बिट्टीन मेजर एंड माइनर पोर्ट्स। पोर्ट मीज पोर्ट। क्यों आप दोनों में जेद करते हैं।

जो कमेटी आप ने एक्याइंट की थी उसके जो टम्पर्स रेफेस वे उनमें से कुछ ये थे :

- (ii) to consider broadly their development programmes in the context of present and future national needs with special reference to the changing shipping and port technology; and
- (iii) to examine specifically the following aspects of port working —
  - (a) management,
  - (b) financing, and
  - (c) personnel, and
- (iv) to consider in the light of all the above, the capacity of the ports to enhance the current rates of ex-gratia payment; and
- (v) to review the arrangements that exist for coordination among the different ports, and
- (vi) to make recommendations on the above and other ancillary matters".

उस कमेटी ने 127 रिपोर्टेज की। आपने बिल लाने में जल्दी की है और केवल एक एसेपट को आप वे टच किया है। मैं जानता आहता हूँ कि बाकी की जो रिपोर्टेज हैं उनके बारे में आप क्या कर रहे हैं, क्या उनको इम्प्रेंजेंट कर रहे हैं। पोर्ट्स की हालत आज बरबाद है। वहाँ बिसर्वेजमेंट है। उसकी बजह से डेपर्टमेंट लगता है। हम हालिया

पोर्ट तथा और भी कई पोर्ट्स को देखने गये थे । वहां लेवर का प्रावलेम है । इकिपमेट का है, रोड्ज का है । आपरन और, साल्ट आदि जो हम बाहर भेजते हैं या जो चीजें हम्पोर्ट करते हैं हमें देखना होगा कि हम इस यामले में दूसरे दो से कमीटीशन में खड़े रह सकेंगे या नहीं? इन सारी प्रावलेम्ज को कौन टन करेगा? आपने तो सिर्फ एक बात कह दी है । कमेटी ने जो दूसरी रिकोमेंडेशन की है वे सल्या में बहुत अधिक है और शायद वे एक बड़ी किताब के रूप में हैं, इमनिए शायद मैट्रेटरिएट ने आके उनको देखा नहीं और देखा है तो उनको लाने की कोशिश नहीं की । इसमें जो बड़ी बड़ी बातें थीं, उनकी तरफ ध्यान नहीं दिया गया है । एस्टीमेटम कमेटी की रिपोर्ट और दूसरी रिपोर्ट में जिन बानों की तरफ ध्यान दिलाया है, उन पर तबज्जुह नहीं दी गई है । इन सारी ग्रिक मेंडेण्ज का परपत्र क्या है? लोग इँहीं पोर्ट की बात करते हैं जब वे पोर्ट्स भी ठीक नग्न में फ़र्जन नहीं कर रहे हैं ।

**SHRI B V NAIK** Are there any dry ports anywhere in the world?

**रघु मूलकः** द इ ग. मैं रिपोर्ट की दो-तीन बातें आपके मामले रखना चाहता हूँ

"The largest single commodity in India's seaborne trade is iron ore. Total iron ore exports from India increased from 0.3 million tonnes in 1955-56 to 15.1 million tonnes in 1968-69. Lowering of transportation costs by the use of large-sized ships can play a significant role in ensuring the competitive character of Indian iron ore."

इस विल में भेजर पोर्ट्स की महत्वपूर्ण समस्याओं की तरफ कोई ध्यान नहीं दिया गया है । इसमें लिंग सर्विसेज और लेवर बदल के रिप्रेवेटेशन की अवस्था की गई है । मंत्री महोदय को ऐसा विल लाना चाहिए, जिससे हमारे पोर्ट्स का देवेलपमेंट हो सके ।

**भी मंत्रु लिख्ये (बाका) :** उपाध्यक्ष महोदय, सब में पहले मैं खंड 4 के बारे में यह कहना चाहता हूँ कि इस विधेयक में विभिन्न हितों को बोर्ड आफ ट्रस्टीज में प्रतिनिधित्व देने का प्रयास किया गया है, लेकिन मंत्री महोदय की नजर से महानगरपालिका या नगरपालिका कैसे छूट गये, यह भेरी समझ में नहीं आ रहा है । इस विधेयक के द्वारा भज्डूरो, मर्कान्टाइल मरिन डिपार्टमेंट, कस्टम्ज, राज्य मरकारों, सुरक्षा मंत्रालय और रेलवेज को बोर्ड आफ ट्रस्टीज में प्रतिनिधित्व दिया गया है । यह आवश्यक है कि इन बन्दरगाहों के विकास में महानगरपालिकाओं का और जहा महानगरपालिकाये नहीं है, वहा नगरपालिकाओं का, योगदान होना चाहिए, और इमनिए बोर्ड आफ ट्रस्टीज में इन समस्याओं का कोई प्रतिनिधि होना चाहिए । मैं यह बात विकेन्द्रीकरण की दृष्टि से कह रहा हूँ ।

मब से पहले मैं यह सुधार चाहता हूँ कि महानगरपालिका के कम से कम दो प्रतिनिधि बोर्ड आफ ट्रस्टीज में होने चाहिए । पाट ट्रस्ट के द्वाके में, बैक्वे रेक्लेमेशन में ही इस बन्ना जो गैर-कानूनी काम हो रहा है, उम्म को नेकर बम्बई म्यूनिसिपलिटी और राज्य मरकार में सर्वर और टकराव उत्पन्न हुआ है । उम्मके बारे में मैं बाद में बोलूँगा । मैं यह आवश्यक समझना हूँ कि बन्दरगाहों के बोर्ड आफ ट्रस्टीज में दो प्रतिनिधि म्यूनिसिपलिटीज के जरूर होने चाहिए ।

वलाज 11 के द्वारा मूल खड़ 25 में जो परिवर्तन किया गया है, उसका आशय यह है कि बोर्ड के अधिकार छीन कर चेयरमैन को दे दिये जाये । सरकार यह कोई अच्छा काम नहीं कर रही है । भेरी राय में मूल धारा ठीक है और इस संशोधन को विलकूल काट देना चाहिए ।

बहां तक वलाज 22 और 23 का सम्बन्ध है, पहले पोर्ट ट्रस्ट में जो मात्र पड़ा-

रहता था, जिसको कोई उठाता नहीं था, उसको आक्षयन से डिसपोज आफ कर दिया जाता था, लेकिन इन लाजिज के द्वारा ये शब्द रख दिये गये हैं : "बाई टेंडर, प्राइवेट एसीमेंट आर इन एनी अदर मैनर" । टेंडर की बात तो मैं समझ सकता हूँ, लेकिन "प्राइवेट एसीमेंट" और "इन एनी अदर मैनर" का क्या अर्थ है ? इसको काट देना चाहिए और "आक्षयन" रखना चाहिए, या "आक्षयन" और "टेंडर" रखने चाहिए ।

जहां तक क्लाऊ 20 और क्लाऊ 36 का सम्बन्ध है, मैं इस सदन में लगातार समुद्र के नीचे की जामीन का सवाल उठाता आया हूँ । अन्त में मैंने इस बारे में इस सदन में एक बिल भी पेश किया । ऐसा लगता है कि सरकार पर उसका थोड़ा असर हुआ है, और वह मोर्धे तरीके से नहीं, बल्कि धूम-फिर कर इन कामों को करना चाहती है ।

मेरे पास लगातार पत्र आते रहे हैं। उनमें एक पत्र बांदरा से आया है, जो इस प्रकार है :

"My dear Mr. Limaye,

I am glad you have taken up the question of the ownership of the foreshore lands. Besides the Bombay reclamation scheme, the Government of Maharashtra has been reclaiming other foreshore lands on the coast of Bombay and selling them to vested interests to the detriment of the general public. In Bandra a piece of foreshore land has been sold to Otters Club on Carter Road and another piece has been given to a five star hotel at Lands End. In the Mahim Creek the Government has acquired about 130 acres of foreshore land and given it to the housing board."

ये जो मकान बन रहे हैं, ये भी अभीरों के लिए बन रहे हैं । बास्तव में जो पोर्ट ट्रस्ट की जमीन है, महाराष्ट्र की सरकार उस पर

एक भरसे से आक्षयन कर रही है । मुझे अफसोस है कि इसके बारे में बम्बई का पोर्ट ट्रस्ट सो गया है । केन्द्रीय सरकार पर मुझे यह सीधा आरोप लगाना है कि वह राज्य सरकार से मिल कर इस लूट में हिस्सेदारी कर रही है । मैं संझेप में बम्बई रिक्लेमेशन की तस्वीर रखना चाहता हूँ :

"A large part of the area covered by the scheme is submerged in water even at low water including plot No. 206, 210 to 224 of block III; plot Nos. 73A, 74, 83 and 84 of block No. V are covered by water even at low tide. The Naval chart of the Bombay Harbour prepared by the Naval Hydrographical office of India shows that even at low tide all the said plots and almost the whole scheme would be under water...."

MR. DEPUTY SPEAKER: You are putting the Minister in serious difficulty.

श्री भगु लिमये : यह एक सीरियस मैटर है । मंत्री महोदय के प्रशिक्षण के लिए मैं बहुत ही मेहनत के बाद यह बम्बई हावंडर का नक्शा लाया हूँ ।

16 hrs.

MR. DEPUTY SPEAKER: You can pass it on to the Minister.

श्री भगु लिमये : मैं इसको सदन के टेबल पर रखना चाहता हूँ । इस पैप का रीडिंग करने के लिए मुझे याठ छांटा भेजना करनी पड़ी है । इस समय मुझे आठ घण्टे का टाइम कहां मिलेगा ? इसको मैं टेबल पर रखता हूँ ।

टाइम के बारे में भी एक हिताव—इंडियन टाइम टेबल—मूँजे बड़ी मुश्किल से मिलती है । यह भी मैं अभी महोदय की विद्यमान में पेश करता चाहता हूँ । यह इसका अवश्यक है ।

बम्बई रिक्लेमेशन स्कीम का आधार यह है कि वहाँ जमीनें सीधे बेर्बं नहीं जाती हैं की होल्ड के हप में। इस में होता यह है कि

"The value of land in the Bombay Backbay reclamation scheme is on a national basis and what the lessee has to pay is ground rent at 6.5 per cent per annum calculated on the notional value of the land per sq. metre."

1964 में पाक बंग मीटर जमीन का दाम पाच हजार रुपये था और आज उम का दाम तीन गुना हो गया है। बैंकवे रिक्लेमेशन में जो जमीन है, उम के एक बंग मीटर का दाम आज बन्द्रह हजार रुपये हो गया है। चूंकि म्यूनिमिपेनिटी कम कर बिरोध कर रही थी, इस लिए महाराष्ट्र सरकार ने कुछ पार्टियों को बुकें में, चोरी में, जलदबाजी में 16 प्लाट्टम बेचे हैं। इन पार्टीज के नाम भी मेरे पास हैं। एक है मैसमं डलमल एड मन्म, दूसरे है मनीराम मित्तन, तीसरे है मैसमं उलमियानी विन्डम प्राइवेट लिमिटेड...

MR. DEPUTY SPEAKER: Is it your contention that all this land belongs to the Bombay Port Trust?

श्री मधु लिम्बे जी हा। फोरंगांव का हिम्मा है बाम्बे पोर्ट ट्रस्ट एक्ट के तहत। लोटाइड के परे जो है बियांड दि लोटाइड आक वह घाटर घाटिकिल २९७ आता है। बहुत मारे लोग यहा से बोले नहीं है। अगर ममय देंगे तो मैं क्रमबार दलील, स्टेप-बाई-स्टेप अपने आर्मीट आप के सामने रखूँगा।

फिर है नेशनल कंस्ट्रक्शन कारपोरेशन। उम के बाद सी ही रहेगा, ऐसजं सुशील प्रीमियर प्राइवेट लिमिटेड, भसजं प्रेरणा प्रिमियर प्राइवेट लिमिटेड, विल्लनाय मित्तन, फी प्रेस जनरल, जो करनानी ने लिया है, कलकत्ता के एक बड़े सेठ हैं। उम के बाद सेन्टल बैंक आप इंडिया में भी इस तरह के काम करते हैं। इन पर जो इमारतें बनाने, जो बिल्डर हैं, विल्लन को इसमें ७५ लाख ह० एक

कंस्ट्रक्शन में मिलने वाला है। फिर है बैंक आफ इंडिया। ये दोनों नेशनलाइजेशन बैंक हैं। फिर हरि भाई स्टेट्स प्राइवेट लिमिटेड।

इस में एक प्लाट पर जब वह रेट पर दिया गया तो एक आदमी ने—उच्चतर स्तर पर यह बात महाराष्ट्र में हो गई है—एक टुकड़े पर १५—२० लाख रुपये की रिक्विट दी है। कुल मिला कर इस का हिसाब जोड़ा गया।

MR. DEPUTY-SPEAKER: I really admire your resourcefulness. This came as a constitutional issue. Now you are putting the baby flat on the lap of the Minister!

श्री मधु लिम्बे वह पक्काम रुप में आयेगा, मैं तो परमू करूँगा इस को। २ करोड़ ८० लाख रुपये की रिक्विट दी गई है। जब यह मामला अदालत में गया और इंजक्शन आया तो वे मब लोग, १६ प्लाट खरीदने वाले, चिल्लाने लगे और हम लोगों के जो बकील हैं उन के पास आने लगे कि हम लोग तो भर गए क्योंकि इंजक्शन आ गया और बन्द्रह लाख, बीस लाख रुपया एक-एक प्लाट पर हम ने दिया है—(व्यवधान)।—पर्दित जी, मैं आपकी जानकारी के लिए कह रहा हूँ। उम समय आप उनर प्रदेश में थे। आपकी जानकारी के लिये मैं कहना चाहता हूँ कि एक दफा प्रधान मंत्री जी के पास यह मामला आया

श्री कलतापति विलाली : मैं यह पूछ रहा था कि यह मामला सब-जूड़िम तो नहीं है?

श्री मधु लिम्बे : मैं जो बोल रहा हूँ यह मब-जूड़िम नहीं है। मैं केवल जो स्थिति है बैंकवे रिक्लेमेशन स्कीम के बारे में वह आप के सामने रख रहा हूँ। प्रधान मंत्री तक यह मामला आया, तब महाराष्ट्र के मुख्य मंत्री ने कहा कि बैंकवे रिक्लेमेशन नहीं होना चाहिए, आप कहती हैं कि पोल्यूशन और कंजक्षन

का सवाल है तो जो पश्चास लाल रूपया 1972 और 1971 के अन्तर में दिया गया था वह कहा से आया था ? वह इसी में से तो आया था । तब मामला केन्द्र स्तर पर भी ठप्प हो गया ।

अब मैं कानूनी स्थिति की ओर आप का व्याप खीचना चाहता हूँ । आर्टिकल 297 देख जौजिए । उस में यह स्थिति बताई गई है

"All lands, minerals and other things of value underlying the ocean within the territorial waters of India shall vest in the Union and be held for the purposes of the Union."

तो मैं मत्ती महोदय से सीधा मवाल करना चाहता हूँ कि बैंकदे रिक्लेमेशन मूर्तीम के अन्दर जो भी लेव है, जो लो बाटर टाइड में भी 24 घण्टे और माल भर पानी के नीचे रहता है, वह 297 के तहत आता है या नहीं ? वह जमीनें जब बैंकी जा रही हैं—और यह मैंने आप को हाइड्रोलिक मैप दिया है, तो आप क्या कर रहे हैं ? आप कान्यून में हैं या नहीं ? सीधा मेरा मवाल है ।

Whether the Central Government is not in collusion with the State Government?

यूनियन के अधिकारों की सुरक्षा कौन करेगा ? आप वहाँ नहीं कर रहे हैं ?

MR DEPUTY SPEAKER: The only relevant question is whether the Minister of Shipping and Transport would claim that this foreshore land belong to the Bombay Port Trust. You have made your point.

भी मूर्ती लिम्बे ऐसा नहीं है । मैं एक एक कर के कहता हूँ । 297 के तहत मेरा यह कहना है कि साल भर जो जमीन पानी के नीचे रहती है 24 घण्टे, बियाड़ दी लो बाटर मार्क इन दी सी बर्ड डायरेक्शन, समुद्र की ओर, वह जमीन तो केन्द्र की है । इसके

बारे में मूर्तीम कोटं क्या, हाई कोर्टं क्या, कोई भी आप से असहमत नहीं हो सकता ।

MR DEPUTY-SPEAKER: That is a much bigger constitutional question.

SHRI MADHU LIMAYE: How can I come to the foreshore until I develop the point?

MR DEPUTY-SPEAKER I would admit this only to the limited extent where you would say that this land belongs to the Bombay Port Trust. You The Minister has either to admit that or deny that But do not go into the bigger constitutional question

भी मूर्ती लिम्बे मैं तो एक रेखा खोज रहा हूँ कि लो बाटर मार्क के परे जो जमीन है उस के बारे में कोई विवाद नहीं है और न होना चाहिए । अब मैं फोर शोर की ओर आता हूँ । फोर शोर की व्याख्या 'मजर पाट एक्ट में नी गई है ।

SHRI B V NAIK When the re-claimed land rises above the sea level then it ceases to be covered by article 291

ओ मूर्ती लिम्बे, यहले जा जमीन ममद्र के नीचे थी और है उसकी चर्चा द्वारा गदा है।

MR DEPUTY-SPEAKER: Do not go too far I do not think it is within the scope of the Bill. You are raising a very interesting point, an important point. But I am only pointing out that the broader constitutional implications cannot be discussed now because it is not within the scope of the Minister for Transport and Shipping to go into the constitutional interpretation of these things. All that I want to say is, that if it is your case that these so-called reclaimed foreshore lands should properly be the property of the Bombay Port Trust then, of course, it is within the scope. It is for the Minister to say whether it is "yes" or "no".

भी मूर्ती लिम्बे अभी तो मैं ने मेरे दलीलों का नीबू लाली । अब मैं महाले पर आ रहा हूँ । आप जरा इमारत को पूरे सम्पर्क रूप में देखें ।

फोर-शोर के बारे में भी हमारे कानूनों में, मेजर पोर्ट्स एक्ट में, हॉडियन पोर्ट्स एक्ट में, बास्ट पोर्ट्स ट्रस्ट एक्ट में व्याख्या की गई है और यह भानी हीई चीज़ है कि लो-वाटर और हाई-वाटर मार्क के बीच में जो जमीन है उस को फोर-शोर कहा जाना है। पहले मैंने बताया कि फोर-शोर के परे जो जमीन है वह केन्द्र की है। अब मैं फोर-शोर के बारे में आ रहा हूँ। फोर-शोर तो इसी का विषय है। जो पुराना पोर्ट ट्रस्ट एक्ट है उसी में यह शूल होता है क्योंकि बम्बई में पार्ट ट्रस्ट काई एक दिन में नहीं आया।

1974 से मैं शुरू करने वाला हूँ। यह जा इस के शब्द के लाग टाइटल और एनीकिटिंग कार्म्मला बगैर है वे दस प्रकार हैं—

*'An Act to consolidate the immovable and other property vesting in the Trustees of the Port of Bombay and certain other property on, or connected with the foreshore of the Island of Bombay into one estate, and to vest the control and management of the same in one Public Trust and for other purposes'*

WHEREAS it is expedient that the immovable and other property vesting in the trustees of the Port of Bombay should be consolidated with certain other property on or connected with the foreshore of the Island of Bombay into one estate, and that such consolidated estate should, together with the rights and powers now exercisable by the said trustees be vested, subject to the provisions hereinafter appearing, in new trust, it is enacted as follows—"

उम्म में नैड की व्याख्या दी गई है—

and includes the bed of the sea below the high water mark.

मैं लो-वाटर मार्क की बात नहीं कह रहा हूँ—

Under the original Port Trust Act, the land below high water mark also belongs to the Port Trust

फोरशोर पूरा पोर्ट ट्रस्ट का है। अब पोर्ट ट्रस्ट की सीमा को लीजिये, मैं 1972 का आईर लाया हूँ। यह 28 अक्टूबर, 1972 का है। मैंने पूरे 100 साल का इनिहास आप के सामने रखा है। पूरे आप शोर की एक इन्टेर बनाई गई और उस को बेस्ट किया गया पोर्ट ट्रस्ट में। यद्यपि एक्ट में परिवर्तन होता रहा है, लेकिन पोर्ट ट्रस्ट वही है। बम्बई पोर्ट की जो सीमा निर्धारित की गई और उसके लिये जो नाटिफिकेशन 28 अक्टूबर, 72 को निकला—मैं इस को पूरा नहीं पढ़ता हूँ, केवल "टु दि बेस्ट" हैडिंग को पढ़ता हूँ—

*"To the West: The eastern shore of the Island of Bombay from the boundary pillar situated on the south bank of the Chandni creek to the southern extremity of Colaba point".*

यही रिक्लेमेशन का इलाका है। मैंने आप के सामने ये भारे कानून रखे हैं। उम्म दिन भी जब इन्ट्रोडक्शन के समय मैंने यह सवाल उठाया था तो मुझे यही कहा गया कि आप की बात ही इस में की जा रही है—इस तरह मेरा आप मुझे आश्वस्त करना चाहते हैं, लेकिन इसमें क्या कहा गया है—आप इस के खण्ड 20 और 36 को लीजिये—यदि फोरशोर में कोई रिक्लेमेशन का काम होता है या दूसरे काम होते हैं तो उम्म को नियमित और नियक्ति करने का इस के तहत प्रयास किया जायेगा। इस में कुछ जाड़ा भी गया है यदि कोई प्राइवेट पार्टी ऐमा काम करना चाहे तो उस में खण्ड 20 के तहत रोक लगाई गई है, इसी तरह से खण्ड 37 के तहत भी रोक लगाई गई है। मेरा यह कहना है कि बम्बई पोर्ट ट्रस्ट एक्ट के अन्तर्गत ये सारे अधिकार इन को मिल दुए में और वह अभी भी चला था रहा है। वर्ष के बारे में संक्षेप 68 को देखिये—

*"The works to be undertaken by the Board under this Act may include—*

(5) reclaiming, excavating, enclosing and raising any part

of the foreshore vested in the Board when such reclamation, excavation, enclosure or raising may be necessary for any of the purposes of this Act."

उपाध्यक्ष महोदय, ऐसी हालत मे मेरा यह कहना है कि यह बिल पास होने के पहले यानी आज भी फोर-जोर की मिल्कियत बम्बई पोर्ट ट्रस्ट की है, जिस पर अब बड़ी तेजी से आक्रमण हो रहा है।

इस सदन की एस्टीमेट कमेटी ने भी अपना एक रिपोर्ट मे इन का उल्लेख किया है। मैं उस रिपोर्ट से, जो तीसरी लोक सभा की 96वीं रिपोर्ट है, पढ़ कर सुनाता हूँ—

The Bombay Port Arust possesses large landed estates most of which have been created by the extensive reclamations carried out from time to time in connection with the development of the port. These estates total nearly 1,900 acres inclusive of the Docks and Bunders and about 1,350 acres exclusive of the Docks and Bunders.

अब यह जो 1900 एकड़ का क्षेत्र है यह सारा बम्बई पोर्ट ट्रस्ट का है। अगर यह महाराष्ट्र सरकार का होता तो आप इस के मालिक कहें होते। एक साल से नहीं 100 सालों से अपनी जमीनों को रिक्लेम करते करते 1900 एकड़ के आप मालिक हैं। और फोरजोर की जमीन आप की नहीं है तो यह 1900 एकड़ जमीन किस की है। इसलिए उपाध्यक्ष महोदय, मैं आप से कहना चाहता हूँ कि यह जो विषेषक है, यह विषेषक कुछ भासलों में अधिक स्पष्टीकरण करता है तो ठीक ही है, लेकिन यही महोदय को मेरा कान्स्टीट्यूशन अमेन्डमेंट बिल मानने में क्या तकलीफ है? उस मे मैं ने सीधा यह कहा है—

MR. DEPUTY-SPEAKER: You are enlarging the scope. You are talking

about Constitutional Amendment and some other Bills . . .

SHRI MADHU LIMAYE I am speaking to Clauses 20 and 36.

मैं आफ-जोर के बारे मे ही बोल रहा हूँ। उस के पेट में यह सब आता है। मैं जानना चाहता हूँ कि आप सीधा रोक क्यों नहीं लगात है कि बेजर पोर्टेस का जो इलाका है, जो समुद्री इलाका है, उस मे कोई भी स्ट्रक्चर मिवाय पोर्ट-हस्टालेशन्ज के, लाइट हाउस के, ब्रूमरा कोई स्ट्रक्चर खड़ा करने की कूट नहीं देगे। क्या हिन्दुस्तान के नागरिकों को या आने वाली पीडियों को समुद्र के किनारे का उपभोग करने का अधिकार नहीं देना चाहते हैं, बम्बई और मद्रास के लोग कहा जायेगे? कम से कम आने वाली पीडिया तो भी समद्र के किनारे जग आगम करने का मौका दे। अगर मरी बड़े और अमीर लागों को किनारे बैठा दिया जायगा तो यह देश चौपट हो जायगा।

श्री कमलापति विपाठी श्रीमन मल वडी प्रमथना है कि अधिकतर माननीय मदम्यां ने इस बिल का स्वागत किया है तथा इन माननीय मदम्यां न तो बहुत अच्छे समाज दिये हैं, जिनके लिये मैं उन्हें धन्यवाद इना हूँ। बहुतसी बानेयहारोंमा 121 गढ़ हैं जो इस बिल के स्वाप के बाहर हैं। उनके मध्य प्रम्मो का उत्तर बहुत देर तक देन रक्खने मे मैं समझता हूँ कि शायद मदन का समय खराब करना होगा।

श्री डी० एन० तिकारी (गोपालगंज) वे बातें तो केवल आपके विचारार्थ हैं।

श्री कमलापति विपाठी : यह जो बिल लाया गया है, यह डेकलपमेट आफ बेजर पोर्टेस के लिये नहीं है, इस बिल का बहुत ही लिमिटेड स्कोप है, बहुत छोटी भी परिधि मे है और इतना ही है कि बेजर पोर्टेस का . . .

MR. DEPUTY-SPEAKER: If there has been an encroachment into your land, that stands in the way of your development.

SHRI KAMALAPATI TRIPATHI: I am coming to that point. I have to reply to all the points raised by the hon. members.

Mains nivेदन कर रहा था कि यहां जितने प्वाइट्स उठाये गये हैं, सब का जवाब देना मुमकिन नहीं है, इसलिये कि यह विल एक छोटी सी परिधि में है। इसका उद्देश्य सिर्फ इतना ही है कि मेजर पोर्ट् इस्टम् एक्ट कलकत्ता, बम्बई और मद्रास में भी लागू कर दिया जाये। वैसे तो यह कानून 1963 में ही इन पोर्ट् स पर लागू हो गया होता, लेकिन लागू नहीं हो सका, उस बक्त यह सोचा गया कि इतनी जल्दी में इसको लागू करना ठीक नहीं है, क्योंकि वहां पर पहले से ही प्रारंभ एक्टस लागू हैं। यह भी ठीक है कि इसको लाने में थोड़ी देर हुई है। 1968 में कमीशन ने जो सिफारिशें दी, उन को भी 6 साल हो गये, इसलिये यह बहुत पहले आ जाना चाहिये था। बहरहाल दैर-आयद-द्रुस्त-आयद। अब यह विल आपके सामने आ गया है और उद्देश्य यही है कि तीनों मेजर पोर्ट् स पर यह लागू कर दिया जाय।

इसमें बहुत से सवाल उठाये गये हैं—जैसे कलकत्ते के डेवलपमेन्ट की बात उठाई गई, उस का ज्यादा जवाब देना इस समय संभव नहीं होगा। मैं इतना ही कह सकता हूं कि कलकत्ता पोर्ट के डेवलपमेन्ट की बात बहुत गम्भीरता से सोची जा रही है। हलिदया का जो पोर्ट बन रहा है वह इसी अभिप्राय से बन रहा है कि कलकत्ता पोर्ट को कुछ मदद मिल जाय और बड़े जहाज हलिदया तक आ सकें तथा छोटे जहाज कलकत्ता तक आ सकें। यह ठीक है कि हुगली में पानी नहीं है। फरक्का का मामला आप सवको मालूम है। उसके सम्बन्ध में बंगला देश से बातचीत अभी हो रही है, उसका कुछ फैसला नहीं हुआ है।

बगला देश अपना मित्र देश है, उन से बातचीत करके उसका फैसला होना है, उस विषय में इस समय मैं कुछ ज्यादा नहीं कह सकता, सिवाय इसके कि वह मामला इस समय अङ्गरेजों-सियेशन है। लेकिन यह बात सही है कि जब फरक्का में पानी मिलेगा तभी हुगली में बड़े जहाजों का आना मुमकिन हो सकेगा। हलिदया के बन जाने से उसको लाभ हो जायेगा। पोर्ट् स के डेवलपमेन्ट के बारे में इतना ही कह सकता हूं कि प्लानिंग कमीशन ने पांचवीं योजना में बड़ा रूपया रखा है। पोर्ट् स के डेवलपमेन्ट का सवाल हमारे सामने है। हमारी ट्रेड बढ़ रही है—एक्सपोर्ट भी और इस्पोर्ट भी। इसलिए इस बात की जरूरत समझ में आती है कि हमारे पोर्ट् स का डेव सपर्मेट किया जाए। चाहे वाम्बे का पोर्ट हो, कलकत्ता का पोर्ट हो या मद्रास का पोर्ट हो, सभी में बहुत कन्जेस्चन हो रहा है। कलकत्ता में बहुत है और बम्बई में भी बहुत है तो वहां कन्जेस्चन को दूर करने की कोशिश की जाये चाहे नये पोर्ट् स बना कर चाहे आउटर हार्बर बना कर। जैसे भी हो उसकी कोशिश की जाये। करीब 3 सौ करोड़ के ऊपर पांचवीं योजना में पोर्ट् स के डेवलपमेन्ट के लिये पैसा रखा गया है। जो बातें और सुझाव आये हैं उन पर अवश्य ध्यान दिया जायेगा।

नायक जी ने कहा कि कर्नाटक में कोई मेजर पोर्ट नहीं है तो बहुत अच्छी बात हो गई है कि मंगलौर में मेजर पोर्ट हो गया है। पारंती कृष्णनजी ने कहा तमिलनाडु के लिये तो तृतीकोरित में वहां भी हो गया है। यह दोनों मेजर पोर्ट् स डिक्लेयर किये जा चुके हैं। 1963 के एक्ट के मुताबिक एन नोटिफिकेशन गजट में करके इसको हम एप्लाई कर सकते हैं। तो यह जो दोनों मेजर पोर्ट् स डिक्लेयर हो गए हैं उन पर एप्लाई हो जायेगा। वहां पर मेजर पोर्ट् स के डिक्लेरेशन का नोटिफिकेशन तो हो गया है और यह एक्ट बन जाने के बाद गजट में नोटिफिकेशन करके इसका

वहा एप्लाई कर देंगे । (व्यवधान) अभी तो नहीं हुआ है। रीसेटली ही एनाउन्स किया है और अभी तो वहा पोर्ट ट्रस्ट बगैरह नहीं बना है लेकिन बनाने की कोशिश हो रही है— महन्यू मगलौर पोर्ट औरन्यू तूतीकोरिन पोर्ट। पारंतों कृष्णनगरी ने यह ठीक कहा कि जब आप बना लेंगे तो अभी जो वहा पर काम कर रहे हैं उनका क्या होगा । पुराने मगलौर पोर्ट में या तूतीकोरिन के छोटे पोर्ट में जो काम हो रहा है उसका क्या होगा ? तो जितने काम के लायक चीज़ रहेगी उतने आदमी भर्ती करेंगे और इरादा यह नहीं है कि जो लोग काम कर रहे हैं उनको हम बेकार कर दें । यथासम्भव उनको भर्ती किया जायेगा । तो इसमें घबराने की कोई बात नहीं है । मगलौर और तूतीकोरिन—दोनों पोर्ट्स पर भेजर पोर्ट्स एकट लागू हो जायेगा ।

श्री श्री० श्री० नायक (कर्नाटक)

उपाध्यक्ष महोदय, यदि आप मुझे अनुमति दे तो 1963 के एकट के सेक्षन (1) मे लिखा गया है

"It applies in the first instance such of the provisions with effect from such date as may be specified in the Notification"

मैं आपके माध्यम से मनी जी से पूछना चाहता हूँ कि मगलौर और तूतीकोरिन के बारे मे अभी नोटिफिकेशन हुआ है या नहीं ?

श्री कमलापति विष्णुठी - नोटिफिकेशन इस बात का हो गया है कि वह भेजर पोर्ट डिप्लेयर हो गया । अब जब यह नोटिफिकेशन होगा तो वहा एकट लागू हो जायेगा । यह होने वाला है । अभी गजट नोटिफिकेशन इसलिए नहीं हुआ कि वहा पोर्ट ट्रस्ट बना नहीं है । उसको बनाने में कूछ देर लगेगी । वह बन जायेगा तो यह भी हो जायेगा ।

चटर्जी साहू ने कहा कि व्युनिसिपल डिप्लेयर की बात इसमें क्यों रखी गई है । वे कह रहे थे भेजर पोर्ट्स कमीशन की सिफारिशों को तुमने नहीं माना लेकिन एक सिफारिश मान लेते हो कि भेजर पोर्ट्स एकट जो है वह साथू कर दिया जाये । एक सिफारिश मानी उसकी विकायत कर रहे हैं और बहुत सी सिफारिशें मानी लेकिन उन सिफारिशों को मानने के लिये यह जरूरी नहीं है कि लेजिस्लेशन लाया जाये । बहुत सी सिफारिशें स्वीकार कर चुके हैं और बराबर स्वीकार करते जा रहे हैं । उसके लिए कानून बनाने की जरूरत थी क्योंकि कमीशन की सिफारिश थी कि यह जरूरी है कि यह एकट तीनों बड़ी बड़ी जगहों पर जिनके डिफरेन्ट ग्रन्ड-ग्रलग एकट्स हैं, वहा लागू कर दिया जाये । इसलिए यह बिन आपके सामने लाया गया है । अब पारादीप की, कलकत्ते की यह बात ठीक है लेकिन उसके बारे मे यहां पर ज्यादा कहने की जरूरत नहीं है । पारादीप के लिए हम काफी कोशिश कर रहे हैं कि जल्दी से हो । एक जनरल कारनो बर्थ वहा पर बन कर तयार हो रहा है । आपरन और वहा पर नहीं आ पाता यह बात सही है । एम०एम०टी०सी०की वजह से, रन्बे की वजह से, स्ट्राइक की वजह से कुछ दिक्कत हो गई थी लेकिन वहा आने लगेगा ऐसी उम्मीद है और बहुत जल्दी उस पार्ट को डेवलप करने के लिए काफी रुपया रखा गया है । उस पोर्ट को हम डेवलप करेंगे ।

शिपयार्ड का मामला इससे कबर नहीं होता । शिपयार्ड की बात कही गई है लेकिन वह दूसरा मसला है और अभी वह कन्सलटेन्ट्स के कन्सलटेशन मे है । अभी उसके बारे मे कुछ कहना मुश्किल है ।

हमारे भाई मधु लिम्बे जी ने बड़ी लम्बी बातचीत की । आपका कहना ठीक है

लेकिन यारे कास्टीट्रूलवल याइंट मेरी योद में डाल दें तो क्ये युलकारे वह युलकारे याला नहीं है। उसकी एक नोटिस दी जा सकती है। शायद पीलू योदी याहू ने भी नोटिस दे रखी है। इस सम्बन्ध में मैं इनना हूँ कि यह सकता हूँ कि यहाँ तक मेरी रिपोर्ट है वह यही है कि कोई रिकेम्प लैड याम्बे पोर्ट ट्रस्ट की नहीं है। लेकिन आप जो बता रहे हैं वह नोट कर लिया गया है और उसकी जांच कर लें। याभी जो हमारी रिपोर्ट है, मैं याभी यम्बाई गया थी या क्योंकि इन्ट्रोडक्शन के समय आपने यह सवाल उठाया था इसलिए मैंने बहा पर पूछा तो उन्होने कहा कि ऐसा कोई रिकाई हमारे यहाँ नहीं है कि हमारे पोर्ट की लैड जो सी-ब्रेड में हो लोबर वाटर मार्क के नीचे, उसको रिक्सेम किया हो जैसा कि आप बता रहे हैं। उसको हम जल्द देखेंगे लेकिन ऐसी कोई लैड हमारे पास नहीं है। एक बात आपको याद रखनी चाहिये कि यह कानून हमारा बना हप्रा है। 1879 का और यह प्राविधियल कानून था। 1935 में जब गवर्नर्मेंट आफ इडिया नवी बनी, एक आया तब यह मेट्रल गवर्नर्मेंट ने ने निया—उसके पहले आगर कुछ हो गया हो तो उसकी जांच-पड़ताल की जाये लेकिन उसकी जिम्मेदारी आप मेरे मिर पर नहीं डाल सकते। यह मैं मानता हूँ कि हाई वाटर मार्क और लो वाटर मार्क के नीचे जो थोर है, वह नैड बिलाग करती है, स्टेट गवर्नर्मेंट को, मानिकाना उनका है लेकिन उस पर वे कोई कास्ट्रूलवल नहीं कर सकते हैं बिना हमसे पूछे हुए और बिना हमारी इजाजत के। पोर्ट एरिया में जितनी जमीन है, पोर्ट को लिमिट के भीतर उसकी सारी जिम्मेदारी हमारे ऊपर है लेकिन सारा यम्बाई की ज। जमन है उको फ्रैम्मेदारों हमारी नहीं है। कहा कहा गवर्नर्मेंट आफ इडिया की लैड है, स्टेट गवर्नर्मेंट कब वहा कल्पा कर रही है, कब बब रही है, रप्या इकट्ठा कर रही है, बूँ पी० के चुनाव में दे रही है—इसकी बबर मधु जिम्मेदारी को

होनी कि कितना बबा बूँ पी० की सरकार को दिया, कहा से यक्का दिया लेकिन हैं उसकी कोई जानकारी नहीं है। (व्यवहार) मैं यह निवेदन कर रहा था कि यारे यम्बाई की लैड तो हमारी है नहीं, पोर्ट लिमिट, पोर्ट एरिया और पोर्ट की एप्रोबेज, उसमे सी-लेक्सिन में जो लैड है वह हमारे जिम्मे है और उसमे कोई हस्ताक्षर नहीं कर सकता है। हाई वाटर मार्क और लो वाटर मार्क से बीच मे जो थोर है वह सम्पत्ति है स्टेट गवर्नर्मेंट की, लेकिन कानून के मुनाबिक स्टेट गवर्नर्मेंट कभी उस पर कोई काम नहीं कर सकती है जब तक कि मेट्रल गवर्नर्मेंट की इजाजत न दे ले। याभी तक रिक्सेमेशन का यावद नहीं था लेकिन हम जो नया कानून बनाने जा रहे हैं उसमे रिक्सेमेशन भी जोड़ दिया है। अब वह रिक्सेमेशन भी नहीं कर सकते हैं। यह प्रोटेक्शन उसमे दे रहे हैं। इसके पहले कुछ हो गया हो तो बात और है। आपने बहुत ऊची बात उठाई है, आप बहुत बड़े यादमी हैं इसलिए आप बड़े लोगों से उम मामले को तय कीजियेगा। हमारा पोर्ट का मामला छोटा सा मामला है और उसमे यह सवाल आता नहीं है। उस रोड आपके कहने से ही हमने उसमे “रिक्सेम” भी जुड़वाया।

श्री भग्नु लिम्बये : धन्यवाद।

श्री कमलापति बिवाडी एक बात यह कही गई कि बेयरमैन को पार्वत बहुत दी जा रही है तो कोई बिशेष पावर नहीं दी गई है तिवाय इसके कि कमीशन ने जो सिकारिश की थी कि कुछ फेलक्सबिल होमा चाहिए फाइनेंशियल और एडविनिस्ट्रूल का मामला तो उसके लिए पावर दी गई है। एक बात यह है कि याभी तक बोडे के याव्यम से जो एक्साइटमेंट होते थे वह अब सेट्रल गवर्नर्मेंट करेगी। बेयरमैन, दिप्पी बेवरलैन, जनसत्र लैनेवर, देस्ट्राफ डिपार्टमेंट और 2 हजार से ऊपर

जिनकी तरफ़ाव हो उनसे सारे एकाइट-मेन्ट सेक्यूरिटी नामन्येक्ट करेंगी इस काउन्टरेन्ट विव विवरमैत। वह बल्कि विवरमैत के हाथ से अधिकार ले लिया है। नीचे की ओर छोटी छोटी नियुक्तियाँ हैं जो बोर्ड किया करता वा उस से पौलिंग्स चला करती थी। अब यह नियुक्तियाँ विवरमैत कर दिया करेगा। बेबर पोर्ट कमीशन की सिफारिशों से यह लिखा था कि वहाँ तक एडमिनिस्ट्रेशन का काम है वह विवरमैत के हाथ मे होना चाहिये और बोर्ड का काम पौलिंसी और डेवलपमेंट का होना चाहिये। इसीलिये यह किया गया है। यह ठीक बात है कि यहा आई० एस० एस०, आई० ए० एस० आदमी रखे जाने हैं। तो इसने कोई रुकावट ता है नही।

(अवधार)

As regards the query raised by Shrimati Parvathi Krishnan, there is no provision as such that only IAS can be appointed. Anybody can be appointed. It is the discretion of the Government to appoint anybody it likes—he may be IAS or he may not be, or he may be anybody else.

माननीय पारिषद्गंभी जो ने कहा कि एम० एल० एज० और एम० पीज० को भी रख दे। 1963 मे यह संवाद उठा था लेकिन वह मुनामिब नही ममकारा गया क्यो कि वह लालू हो जाएगा आफिस आफ ब्रौफिट और यहाँ से ही हाथ छोना पड़ेगा।

एक बात माननीय लिमये जी ने कही कि इस मे न्युनिसिपैलिटी के लोग रहें। वहाँ तक न्युनी याद है कलकत्ता पोर्ट मे कलकत्ता कोपरेशन के लोग हैं। इस मे लोकल अपोर्टिटी लिखा हुआ है। उस मे अब आने हैं तो आयद वह ले लिये जायें।

जी लालू बंडेलहस्ती: पहले कम्बर्ड कोशीरेन्ट का रिप्रेजेन्टेशन था।

जी लालू लिमये: वह जोवद "बंदर इंटरेस्ट" मे आता होता। उस को संकरा करना चाहिये।

जी उमतापति लिमये: यह रखा चाहिये। यह बात मे मानता हूँ कि ठीक है।

**SHRIMATI PARVATHI KRISHNAN:** Sir, I want to seek some clarification from the hon. Minister. The point that I raised was this. As regards clauses 10 and 11, the Minister, while speaking at the beginning, said that these were only with a view to see that the ports of Calcutta, Madras and Bombay are brought within the purview of the Act and a uniformity is brought about in the major ports. But, in so doing, you have slipped into clauses 10 and 11 whereby you restrict the powers of the Board and you have given extra powers to the Chairman. That was my request to you. You withdraw those clauses because they are restricting the democratic functioning of the Board by giving such blanket powers to the Chairman.

**MR DEPUTY-SPEAKER:** Do you give extra powers to the Chairman? That is her question

**SHRI KAMLA PATTI TRIPATHI:**  
No, Sir

**SHRIMATI PARVATHI KRISHNAN:** They have given powers to the Chairman. They are there. How is that he is misleading the House?

**PROP MADHU DANDAVATE (Rajapur):** They are there in the Bill.

**SHRIMATI PARVATHI KRISHNAN:** He is misleading the House. (Interruptions).

**MR. DEPUTY-SPEAKER:** It is a question of opinion whether these clauses have given extra powers to the Chairman or not. We are not going into that. It is a question of opinion and it is for the House to decide.

**SHRIMATI PARVATHI KRISHNAN:** Sir, with your permission, may I say a word? May I have your permission to read it out?

**MR. DEPUTY-SPEAKER:** It is a question of opinion Mr. Shiv Nath Singh, do you also join this fray?

भी शिवनाथ सिंह भी तक एक सवाल उठाया था कि जो हिन्दूर लैंड में स्टेट्स है उन को भी बोर्ड में ग्रिप्रेन्टेशन दें। इस में आप की क्या आपत्ति है?

भी कमलापति श्रिपाठी दिक्कत कोई नहीं आती है, देने का डिन्कीगान है सरकार को। इसीलिये जो अभी धारावे खी पई है वह यह है कि पट्ट ट्रस्ट में, नि. भ. ग. ।। ममझे होना चाहिये, कर मवती है। आप के बाइला के लिये कहा उम का ध्यान रखा जायगा।

**MR DEPUTY-SPEAKER** Int question is

'That the Bill to amend the Major Trusts Act 1963, be taken into consideration'

*The motion was adopted*

**MR DEPUTY-SPEAKER** Now we take up clause by-clause consideration. Clauses 2 and 3 there are no amendments

*The question is*

"That clauses 2 and 3 stand part of the Bill"

*The motion was adopted*

Clauses 2 and 3 were added to the Bill

**Clause 4—(Amendment of section 3)**

**MR. DEPUTY-SPEAKER:** There are amendments by Shri Ramavtar Shastri. Are you moving them?

**SHRI RAMAVATAR SHASTRI (Patna):** I beg to move.

"Page 2, line 29,—

for "two" substitute "four". (8)

उपायकारी जी, जो श्रीबीजो रखा गया है ब्लाज (4) में जिस में, मंत्री जी ने प्रारम्भ में लैंक कहा था विधेयक प्रस्तुत करते समय, कि दो से अधिक भी मजदूरों के प्रतिनिधियों को लिया जा सकता है। लेकिन इन्होंने जो यहां लिखा है "नोट लैस बैन टू" यह बात लैंक है कि लिया जा सकता है, लेकिन व्यवहार में क्या होता है। व्यवहार में जो लिख दिया जाता है सरकार भी उसी पर अमल करती है और नौकरशाही तो कभी टास में मम नहीं होती है। इसीलिये मेरा निवेदन है कि आज की शिविर खासतौर में इन दिनों आप जानते हैं कि हमारे देश में 4 या 5 केन्द्रीय मजदूर मगठन हैं और करीब-करीब तमाम केन्द्रीय मजदूर समगठनों में मध्यिक मजदूर मगठन पोर्टों के अन्दर बढ़े हुए रहते हैं। आप केवल दा कहत है इस में अमर्ट होगी और आप नमाम मजदूरों का सहयोग हासिल नहीं कर सकेंगे। इसलिये नमाम बातों का ध्यान रखते हुए पूरे के पूरे मजदूरों का सहयोग बोर्ड वे नार्य और मवतीन में यिन्हे इस के लिये जरूरी है कि केन्द्रीय मजदूर मगठनों की सद्या को देखते हुए सब के प्रतिनिधि इस बोर्ड इफ ट्रस्टी में रहे हो अच्छा है जिस में वह अपने सुझाव में बोर्ड के मालिन में सहायता करे। इसी दृष्टिकोण में मैंने दो की जगह पर 4 करने का निवेदन किया है। अगर मवती जी सही समझते हों तो मैं चाहूँगा कि आप दो की जगह चार कर दीजिये। आप का लाभ ही होगा, कोई नुकसान नहीं होगा। अगले में लाने के लिये 2 की जगह 4 करना चाहिये।

जो कमलापति श्रिपाठी मुझे मान्यवर, लेंद है कि शास्त्री जी का यह संशोधन स्वीकार नहीं कर सकता। जो श्रीबीजन है उस में मिनियम है दो। और सारा पलतिल भर कम्पोजीशन बदला, लेकिन लेबर का बना रहने दिया कि किसी तरह हटाया न जाये। सरकार को अविकार है कि 19 आदर्मी जी

भर्ती करने हैं उन में किसी भी हॉटेल को कुछ भी विवेदेशन से सकती है, कोई भवार फिल्स्ट अप नहीं है। इसीलिये विविधम रका जाया है। ऐसी हालत में दो तो कम से कम रहेंगे ही। सरकार को अधिकार है कि वहां मुनासिब तरफ़े 2 की जगह 4 कर दें या 6 कर दे। यह व्यवस्था ज्यादा फायदे की है लेकर के लिये।

MR. DEPUTY-SPEAKER: I shall now put amendment No. 9 to the vote of the House.

Amendment No. 9 was put and negatived

MR. DEPUTY-SPEAKER: The question is:

"That Clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clauses 5 to 9 were added to the Bill.

Clause 10—  
(Amendment of section 24).  
Amendment made:

Page 3,—

for lines 42 to 45, substitute—

"(i) for clause (a), the following clause shall be substituted, namely:—

"(a) in the case of a post—

(i) the incumbent of which is to be regarded as the Head of a department; or

(ii) to which such incumbent is to be appointed; or

(iii) the maximum of the pay scale of which (exclusive of allowances) exceeds two thousand rupees,

be exercisable by the Central Government after consultation with the Chairman;" (1).

(Shri Kamalapati Tripathi)

MR. DEPUTY-SPEAKER: The question is:

"That Clause 10, as amended, stand part of the Bill."

The motion was adopted.

Clause 10, as amended, was added to the Bill.

Clause 11—  
(Amendment of section 25)  
Amendments made:

Page 4 before line 5, insert—

"(1) in the opening portion, the word "promoting" shall be omitted;"  
(2).

Page 4, line 5, for "(1)", substitute "(2)". (3).

Page 4 line 12, for "(2)", substitute "(3)" (4).

Page 4, omit lines 13 and 14. (5).

Page 4, line 15, omit "(b)". (6).

(Shri Kamalapati Tripathi)

MR. DEPUTY-SPEAKER: The question is:

"That clause 11, as amended, stand part of the Bill."

The motion was adopted.

Clause 11, as amended, was added to the Bill.

Clauses 12 to 21 were added to the Bill.

Clause 22—  
(Amendment of section 61).

SHRI RAMAVATAR SHASTRI: I beg to move:

Page 6, lines 27 and 28, omit "private agreements". (10).

मेरे दो संशोधन 24 वी आरा में हैं। एक में तो मैंने यह कहा है कि बार महीने ईमरेज की प्रवधि जो आपने रखी है वह लम्बी है और इसको आप बोडा करें और मैं इस प्रवधि को दो महीने कहना चाहता हूँ।

इसरे जो सरकार निकलता है और जो इमोर्टर आदि को देता है उसको देने की प्रवधि एक साल रखी है, जोकि एक लम्बी आवाज

है। मैं बाहुत हूँ कि इसको छः महीने कर दिया जाए। उसको आप इतने लम्बे अर्सें तक क्यों छाटे में रखना चाहते हैं। अबर आपको कुछ देना है तो छः महीने में दे दें। बैने छः महीने भी अधिक है लेकिन इस अवधि में अगर आप दे दे उसको यह पैसा तो उस पैसे का कुछ वह सदृश्योग कर सकता है। आप भी कह सकते हैं कि हम भी सदृश्योग करेंगे। लेकिन वह पैसा उसका है। इस बास्ते इस एक माल की अवधि को आप छः महीने कर दें।

**भी कमलापति निषाठी :** चार महीने की जगह जहा शास्त्री जी ने दो महीने करने का समोर्धन दिया है उसको शायद ममझा नहीं है। इसका मनलब यह है कि चार महीने का डैमरेज पोर्ट नेग अ इसको आप दो महीने में कर देंगे तो इसका मनलब यह होगा कि पोर्ट केवल दो महीने का डैमरेज नैं सकेगा। इससे पोर्ट को नुकसान है गा। इस बास्ते आप चार ही रहने दीजिए। नहीं तो पोर्ट को नुकसान होगा। जहा तक एक माल की जगह छः महीने का माल है, मैं ममझता हूँ कि यह मुनामिब है प्रौर इसको मैं मजूर कर लेना हूँ।

**MR DEPUTY-SPEAKER** I shall now put amendment No 10 to the vote of the House.

**Amendment No. 10 was put and negatived**

**MR DEPUTY-SPEAKER:** The question is.

**"That clause 22 stand part of the Bill."**

**The motion was adopted.**

**Clause 22 was added to the Bill.**

**Clause 23—  
(Amendment of section 62).**

**SHRI RAMAVATAR SHASTRI:** I beg to move:

**Page 6, line 38, omit ", private agreement" (11).**

**Page 6, lines 42 and 43, omit "private agreement". (12).**

**MR. DEPUTY-SPEAKER:** I shall now put these amendments to the vote of the House.

Amendments Nos. 11 and 12 were put and negatived.

**MR. DEPUTY-SPEAKER:** The question is:

**"That clause 23 stand part of the Bill".**

**The motion was adopted.**

**Clause 23 was added to the Bill.**

**Clause 24—**

**(Amendment of section 63)**

**SHRI RAMAVATAR SHASTRI:** I beg to move:

**Page 7, line 5, for "four" substitute "two" (13)**

**Page 7, line 17, for "one year" substitute "six months" (14).**

**SHRI KAMLAPATI TRIPATHI:** I beg to move:

**Page 7, line 20, for "held by the Board upon trust" substitute "applied by the Board" (7).**

**भी रामावतार शास्त्री** आपने 22वीं धारा में कहा है कि मेल बाई टेडर। इसके बाद आपने यह भी लिखा है कि प्राइवेट एप्री-मेट में बैच सर्कते। मन्ज में नहीं आ रहा है कि प्राइवेट एप्रीमेट कह कर आप अफसरों को मन माना और छिन कर कुर्फं में करने की इचाजत क्यों दे रहे हैं। आप कोई और तरीका अपना सकते हैं। लेकिन प्राइवेट एप्रीमेट की बात जो आपने कही है इसको मैं बाहुत हूँ कि महेवानी करने आप निकाल दे और कोई ऐसा लूपहोल न रहने दे कि कोई जो उसके मन में आए उसको वह कर दे दे। इस तरह की इचाजत न बोई को होनी चाहिए और न किसी और को। तमाम बातें खुली रखनी चाहिए। छिपी बात कुछ नहीं होनी चाहिए। प्राइवेट एप्रीमेट को मैं छिपी हुई बात समझता हूँ। छिप कर आप उनको कुर्फं में करने की इचाजत देते हैं। इसी

ज्ञान में विरोध कर रहा हूँ। इस चोर को आप  
मानते हैं।

भी कमला पति विपाठी: शास्त्री जी के  
मन में जो सन्देश पैदा हुआ है वह स्वाभाविक है।  
आज तक पर्याल आकस्मा से दिसपोजल  
होता रहा। उसमें अनुभव यह  
हुआ है कि जो जिन्हें सिर्फ वहाँ होते हैं वे  
आपस में मिल जाते हैं और दानों को बढ़ाने  
नहीं देते हैं। पैदा लोग आक्षयन में सामने आते  
हैं और बड़ी बड़ी कीमत को बाज बहुत थोड़ी  
सी कीमत में छलो जाती है। इस बास्ते यह  
समझा गया है कि टेंडर भी रख दिया जाए और  
साथ ही साथ प्राइवेट एमीमेंट या प्राइवेट  
नैगोशियेशन भी रख दिया जाए और जो  
इस तरह से नैगोशियेट करके बेचना  
चाहेगा उसको निखार होगा कि  
किस कारण से नैगोशियेशन हुआ, क्यों  
वह किया जा रहा है। जो आप कहते हैं उसका  
खनरा हो सकता है लेकिन अभी कुछ दिन इसको  
चलने दीजिए और यायद कुछ हम को चोर  
को कीमत अच्छी मिल जाए।

SHRI KAMLAPATI TRIPATHI: I  
am not accepting amendment No. 13.  
I am accepting amendment No. 14.

MR. DEPUTY-SPEAKER: The  
question is:

"Page 7, line 20,—for "held by  
the Board upon trust" substitute  
"applied by the Board". (7).

The motion was adopted.

SHRI RAMAVATAR SHASTRI: I  
seek leave of the House to withdraw  
my amendment No. 13.

Amendment No. 13 was, by leave,  
withdrawn.

MR. DEPUTY-SPEAKER: The  
question is:

"Page 7, line 17,—for "one year"  
substitute "six months". (14).

The motion was adopted.

MR. DEPUTY-SPEAKER: The  
question is:

"That clause 24, as amended,  
stand part of the Bill".

The motion was adopted.

Clause 24, as amended, was added to  
the Bill.

Clauses 25 and 37 was added to the  
Bill.

Clause 38—  
(Amendment of section 133)

MR. DEPUTY-SPEAKER: Amend-  
ment by Shri Kamlapati Tripathi, No.  
8, He is moving it. The other amend-  
ment No. 22 is the same and need not  
be moved.

Amendment made:

"Page 10,—after line 27, insert—

"(2E) Upon the cesser of opera-  
tion of the provisions of the Acts  
referred in sub-sections (2A), (2B)  
and (2C), the provisions of section  
6 of the General Clauses Act, 1897,  
(1 of 1897) shall apply as if the pro-  
visions first-mentioned were provi-  
sions contained in a Central Act and  
such cesser of operation were a re-  
peal, and the mention of particular  
matters in sub-section (2D) shall not  
be held to prejudice or affect the  
general application of the said sec-  
tion 6 with regard to the effect of  
repeals." (8).

(Shri Kamlapati Tripathi).

MR. DEPUTY-SPEAKER: THE  
question is:

"That clause 38, as amended,  
stand part of the Bill."

The motion was adopted.

Clause 38, as amended, was added to  
the Bill.

Clause 39, 40 and 1, the Enacting  
Formula and the Title were added to  
the Bill.

**SHRI KAMLAJATI TRIPATHI:** I beg to move:

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

**MR. DEPUTY-SPEAKER:** The question is:

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

*The motion was adopted.*

1657 hrs.

#### UNIVERSITY OF HYDERABAD BILL

**THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN):** I beg to move.

"That the Bill to establish and incorporate a teaching University in the State of Andhra Pradesh and to provide for matters connected therewith or incidental thereto, be taken into consideration."

The House would recall that as part of the six point formula for Andhra Pradesh it was envisaged that a Central University would be established at Hyderabad to augment the existing educational facilities in the State of Andhra Pradesh. Subsequently Parliament had passed the Constitution (32nd) Amendment Bill which *inter alia* provided for a new article, 371E empowering Parliament to make law to establish a university in Andhra Pradesh. After ratification by the required number of State legislatures, it was given assent by the President and the Act has been brought into force with effect from July 1, 1974. In exercise of the powers conferred by the Act the President has also issued the Andhra Pradesh Educational Institutions Regulation of appointments order, 1974 on July 4, 1974 defining "local area", "local candidates", etc. providing for reservation in State and non-State universities and educational institutions. This notification has been communicated to the Government of Andhra Pradesh and consequently it

is necessary that we should now go ahead with the establishment of a University in Hyderabad. Hence, this Bill.

Since this decision was taken I had appointed a working group under the chairmanship of Dr. George Jacob, Chairman of the University Grants Commission to make recommendations regarding the main features of the Bill. The Committee visited Hyderabad and held discussions with various experts and made some recommendations. The more important of these recommendations are that the University should be a unitary one and that its jurisdiction should extend to its own campus. Although in all the other respects, the Government had accepted the recommendations of the Committee, I venture to submit that we have made a slight modification we have empowered the University to establish other campuses if it so desires, in other parts of Andhra Pradesh. It

17 hrs

does not mean that today we would be in a position to establish other campuses, but we thought it might be desirable to give this power to the university. Simultaneously, it would have the power to establish and maintain special centres and specialised laboratories for research in places outside the jurisdiction. This recommendation has been accepted. The other powers and objectives are more or less the same as in the case of the North Eastern Hill University. The university should offer three years honours courses and 2 years master courses 1 year Ms. Phil. and other research courses. We have accepted this in principle but it would be for the university to work out the details. The basic structure of the university of having schools providing for intra-disciplinary studies is being provided for in the Bill. In addition, we are visualising that this university should be able to collaborate with other research institutions which have been established

in Hyderabad, particularly the research institutions which are being financed from various Central Government sources. I am glad my colleague, the Minister of Science and Technology is here. The laboratories for which he is responsible to this House have offered to give their full cooperation to this university for organising its academic and research activities.

The Jacob Committee also visualises that the semester system and new techniques of evaluation should be accepted by this university. I hope that all this will be accepted, although we cannot possibly provide for these details in the Bill itself. But we have accepted the basic principle which the committee has recommended that admissions to the university should be on an all-India basis and admission tests may be prescribed for admission to different courses if the university considers so fit. There can be no reservation for candidates belonging to a particular region or State, but we have ensured that it would be legal for the university—I hope the university will exercise that power—to provide reservation for scheduled castes and scheduled tribes. We think it is essential that all universities and institutions of higher learning, particularly those supported by the Central Government should not only provide reservations but also take suitable measures to see that the seats reserved for scheduled castes and scheduled tribes are actually filled. For that purpose, we will be giving full support to the university to take such steps as they may deem necessary.

We also requested the working group under Dr. Jacob to provide the outline of the Bill. The job of the Government has been greatly facilitated and the outline they gave has been more or less accepted by us and is now for the consideration of the House.

In the objects and powers, the House may notice that integrated

courses in Humanities and Sciences can be provided and educational programmes will necessarily have interdisciplinary facilities. I have mentioned the cooperation with other institutions and the power of the university to establish specialised centres and research laboratories.

The President of India shall be the Visitor of this university, as he is the Visitor of all Central Universities. In the case of two Central Universities in Uttar Pradesh, namely, the Aligarh Muslim University and the Banaras Hindu University, the Governor of Uttar Pradesh is the Chief Rector. In the same way, we have provided that the Governor of the State of Andhra Pradesh shall be the Chief Rector of this University.

The usual offices have been provided for, namely, the Chancellor, the Vice-Chancellor, the Pro-Vice Chancellor, Deans of the Schools, Registrar, Finance Officer etc.

Here I would offer an apology to this hon. House about the Hindi version. It was pointed out to me by an hon Member that in the Hindi version we have given the equivalent of Vice-Chancellor as *Upa Kulpati*, which was the traditional form of translating the term Vice-Chancellor. But, recently, the Commission for which I am responsible to this House, has taken a decision that the Vice-Chancellor should not be addressed as *Upa Kulapati*, but should be addressed as *Kulapati*. That decision has been taken and now we are thinking of designating Vice-Chancellors as *Kulapatis*.

श्री रामाचंद्रर शास्त्री (पट्टना) :  
चासनर को क्या कहें ?

प्रो. एस० नृसिंह हसन : कुलाधिपति ।

The new terminology which is now being accepted in Hindi in most academic circles is that the Chancellor should be *Kuladhipati* and the Vice-Chancellor

should be *Kulapati*, and not *Upa Kulapati*, as was formerly the case. Therefore, Sir, I would crave your indulgence and, through you, that of the hon. House, that the necessary correction be made in the Hindi version of this Bill.

The initial appointments of the officers will be made by the Visitor, as was the case in the North-Eastern Hill University. Again, for the initial period of the first three years when the University is being established the main bodies will be nominated by the Visitor. As we have done in the case of the North-Eastern Hill University, there will be a Planning Board.

In regard to statutes, some statutes are already here, which have been annexed to the Bill, which are for the consideration of the hon. House. As in the case of the North-Eastern Hill University, we have provided that during the first three years the Visitor can make amendments to this as and when necessary and, when, the University is established, before the end of three years the detailed statutes framed will be placed on the table of the two Houses of Parliament and they will be before the hon. Members.

All the other main features which are being provided in the North-Eastern Hill University Act are also being provided in this Bill.

So far as expenditure is concerned, we hope that the non-recurring expenditure for the establishment of the University, the foundation grant, will be about Rs. 11.60 crores. We have been told that not only the land will be given by the Government of Andhra Pradesh but even the development cost of the land will be met by the Government of Andhra Pradesh. The recurring expenditure during the Fifth Plan period will roughly be just over Rs. 3 crores.

We are extremely keen that the University should start functioning as

quickly as possible in order that the difficulties which are being felt by the people of Andhra Pradesh in general, and of Hyderabad in particular, can be removed.

For this purpose, the Government have taken a decision to appoint a very distinguished scientist from the Banaras Hindu University, Prof. Gurubuksh Singh, as the Officer on Special Duty so that he may straightway start organising—now that I have made the announcement here—and I hope, he will be taking over his responsibilities very soon. We are also appointing straightway a Planning Committee so that the Officer on Special Duty may be assisted in making plans for the functioning of the University. I hope, as soon as the Bill is passed by both the Houses, there will not be much of a delay in issuing the notification and the University starting its work.

With these words, I commend the Bill for the consideration of the House.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to establish and incorporate a teaching University in the State of Andhra Pradesh and to provide for matters connected therewith or incidental thereto, be taken into consideration."

धी रामावतार शास्त्री : हम समझते थे कि यह बिल कल आएगा। कारण यह है कि प्रायल इंडस्ट्री डिवेलपमेंट विभेदक पर बहस होने वाली थी। यह नहीं हुई। अतः निवेदन यह है कि जिन लोगों ने आज एमेंट्स दिए हैं, उनको प्राप्त स्वीकार करा दीजिये और वे सक्युलेट हो जाएं।

MR. DEPUTY-SPEAKER: Those who want to give amendments can send them now. The debate will continue tomorrow. We will have time to circulate them. They can send their amendments now but not beyond this evening.

Now, there is one amendment to the Motion for consideration in the name

of Shri M. C. Daga. That has to be formally moved by Shri M. C. Daga. But he is not here. So, that is not moved.

Shri Bade.

श्री आर० ब०० बडे (खरणोन) : मैं बधाई देता हूँ कि शासन इस बिल को लाया है। इससे हैदराबाद और आन्ध्र के लोगों को तसल्ली होगी। जब तेलंगाना और आंध्र का अंगड़ा चल रहा था तो उप झगड़े में सेंटर की तरफ से इस बिल के लाने की वात जो आई इससे सभी को तसल्ली हो जाएगी कि यह एक सैटल यूनिवर्सिटी होगी वैसे ही जैने वनारस और अलीगढ़ यूनिवर्सिटीज हैं। इस पर ज्यादा बोलने की ज़रूरत नहीं है। मंत्री जी ने कहा है कि यह यूनिटरी फार्म की यूनिवर्सिटी होगी लेकिन मैं समझता हूँ कि यह फैल फार्म की होगी क्योंकि इस में लिखा हुआ है :

"to establish such campuses, special centres, specialised laboratories or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;"

कैम्पसिय अलग अलग करके उनको यूनिटरी फार्म का कहना, सही नहीं होगा। यह वात मेरी समझ में नहीं आती। मंत्री महोदय एक्सपर्ट है। यह हमें इसको समझाएँ।

जहां तक माध्यम का सवाल है यह नहीं कि मीडियम बिल को हिन्दी एंड इंग्लिश मैं चाहता हूँ कि मंत्री जी इस में यह रखें कि मीडियम बिल वी हिन्दी एंड इंग्लिश प्लस आंध्र की जो भाषा है तेलंगा, दैट शुड वी दी मीडियम। इतना ही मुझे कहना है। वाको तो जो और यूनिवर्सिटीज में है वही इस में लिखा हुआ है। मैं फिर आपको बधाई देता हूँ कि इस बिल को लाकर आंध्र प्रदेश के लोगों को आपने तसल्ली दे दी।

श्री मुधाकर पाण्डेय (चंदौली) : उपाध्यक्ष महोदय, इस विधेयक का मैं स्वागत करता हूँ आंध्र में विश्वविद्यालय बहुत पहले खोला जाना चाहिये था और स्वर्गीय नेहरू जी भी इस बात के लिये प्रयत्नशील थे कि हैदराबाद में एक विश्वविद्यालय खुले। आचार्य नरेन्द्र देव जी के पास उन्होंने संदेश भिजवाया था कि यदि आर बहाना का कुलपति होना स्वोकार करें तो वहां विश्वविद्यालय खलने की वात की जाय, क्योंकि यह एक ऐसे विश्वविद्यालय को कलना श्री जिसके द्वारा उत्तर-दिशिण पूर्व और पश्चिम को जोड़ने का कार्य किया जा सकता था। किन्तु अपनी स्थिति के कारण आचार्य नरेन्द्र देव जी ने क.शी दिन्द्र विश्वविद्यालय में जान पतन किया और इस विश्वविद्यालय को योजना स्थगित रही।

अभी 6 मूर्ती कार्यक्रम के अन्तर्गत इस विश्वविद्यालय को स्थापना की जा रही है और जुनाई में यह विश्वविद्यालय भवा। इस तो प्रारूप पूर्वोत्तर पर्वतीय विश्वविद्यालय के आधार पर रखा राहा है। इसिये इस पर अधिक विचर करने को अवश्यक नहीं है, सभी क्षेत्रों में इसका स्वयं रहेगा।

अभी जिक्र मंत्री महोदय ने बतलाया। फि हैदराबाद में बहुत से केन्द्रीय शोध संस्थान हैं, उनमें से बहुत से अतिउत्तम क म कर रहे हैं। उन के सहयोग से और उन के योग से इस विश्वविद्यालय का कार्य इसी माह आरम्भ हो जाना चाहिये। मैं मार्ग महोदय से यह निवेदन करना चाहूँगा कि इस विश्वविद्यालय की कोई न कोई परीक्षा इसी वर्ष होनी चाहिये ताकि वहां के लोगों को इस वात का संतोष हो कि उनकी युगों से जो मांग थी, आज उस को पूर्ति हो रही है।

मेरे माननीय मित्र श्री बडे जी ने कहा कि शिक्षा का माध्यम भी हमें तय कर लेना चाहिये। अगर हिन्दी हो, तो मुझे से अधिक प्रसन्न होने वाला कोई व्यक्ति नहीं हो सकता,

किन्तु, बड़े जो, मैं तो विश्व विद्यालयों की स्वायत्तता का पक्ष-नाती रहा हूँ। जिस क्षेत्र में विश्वविद्यालय बन रहा है और जो वहां के कर्ता-धर्ता और विद्याता होंगे, जो उस के संचालकगण होंगे उनके ऊपर यह विषय छोड़ देना अधिक उपयुक्त होगा। मैं तो चाहूँगा कि दक्षिण की चारों भाषाओं पर वहां पर ऐसा शोध-संस्थान स्थापित हो कि उन का जो सुन्दरतम और मंगलमय पक्ष है उस को उत्तर के साथ संयुक्त करें और उस के द्वारा हिन्दी की अभिवृद्धि करें—तो अच्छा होगा...

श्री आर० बी० बड़े : हिन्दू विश्वविद्यालय और अलीगढ़ विश्व विद्यालय के एक में माध्यम का उल्लेख है।

श्री सुधाकर दाण्डे : जहां तक मुझे मालूम है काशी हिन्दू विश्वविद्यालय के एक में नहीं दिया गया है, क्योंकि इस के लिये मुझे प्रस्ताव रखना पड़ा था कि यहां हिन्दू माध्यम से पढ़ाई हो। मैं यह भी समझता हूँ कि अलीगढ़ विश्वविद्यालय के बानूत में भी माध्यम की वाद नहीं है, तर्दा माध्यम की वात उठाई जायगी तो जो धाराई समस्यायें वहां पहले उठी थीं, वे फिर उठायेंगी, उन धाराई समस्याओं को कोई भी राष्ट्रीय व्यक्ति, या मेरे जैसा आदमी उभारना नहीं चाहेगा। कोई भी नहीं चाहेगा कि निलेन द्विंदों में आनंद जिंदौर से गुज़रा है उसकी फिर पुनरावृत्ति हो।

विश्वविद्यालय खोलना एक बात है, विश्वविद्यालय किसी काम का हो—यह एक बात है। वहुत से केन्द्रीय विश्वविद्यालय हैं और खुल भी रहे हैं। किन्तु क्या वे जीवन का नेतृत्व कर रहे हैं या नहीं कर रहे हैं? केवल कार्यकुशल लोग हों या ज्ञानी लोग हों या केवल ज्ञानदान देना ही विश्वविद्यालय का कार्य इस देश में रह गया है? मैं चाहता हूँ कि ये हमारे सांस्कृतिक आनंदोलनों के सुवधार बनें। हमारी शिक्षा की व्यवस्था में जो क्रान्ति की बात करते हैं, उन को यह मानना

चाहिए कि ये विश्वविद्यालय केवल ज्ञानदान का माध्यम न बनें, बल्कि चरित्रदान का माध्यम भी बनें और संसार से आज ज. हमारा सम्बन्ध है, राज्यों से जो हमारा सम्बन्ध है, देश से जो हमारा सम्बन्ध है, उन सम्बन्धों का समावेश चरित्र के भोग्न हो, जीवन के भोग्न हो, क्योंकि इस समय इस देश में चरित्र का बड़ा अकाल है। वडे वडे इन्जीनियर, वडे वडे लोग यह नहीं जानते कि इस देश का संविधान क्या है। एस० एस० सो० हो जाते हैं, डाक्टर बन जाते हैं, लेकिन वे नहीं जानते कि समाजवाद क्या है, वे नहीं जानते कि हम किस और जा रहे हैं और आशुनिः विश्व के प्रति हमारा उत्तरदायित्व क्या है?

इस शिक्षा की व्यवस्था हायर सैकण्डी स्टेज पर होनी चाहिये, किन्तु दुर्भाग्य से हायर मैक्सण्डी स्कूलज प्रिंविलेन्ट के अधिकार क्षेत्र में नहीं हैं और वहां इस प्रथम इम प्रकार को कोई शिक्षा व्यवस्था नहीं है। यदि यह शिक्षा व्यवस्था यहां दो जातों नो हायर सैकण्डी स्कूलों में हो देणा या भक्त हो भक्ता था, किन्तु हायर मैक्सण्डी स्कूल ऐसा नहीं कर सकते हैं। नेशनल इंसिट्यूट विश्वविद्यालयों में इस प्रकार को व्यवस्था की जानी चाहिये जो हमसे दियागों की बन्द बिड़को को ज्ञोल सके और अपने ज्ञान का सम्बन्ध जीवन में जोड़ सके। आज का ज्ञान किताबों में बन्द है, उसी प्रकार ये व्यक्ति का जीवन भी बन्द पड़ा है, उन का वर्गित के भोग्न में समर्पक नहीं रह गया है, उस का जीवन से सम्बन्ध नहीं रह गया है जिस के परिणामस्वरूप हमारी सारी प्रगति रुक गई है, हमारे जीवन का जो विकास है, वह रुक गया है, वह गंगा की धारा के रूप में प्रवाहित नहीं हो रहा है, वह गंगा के रूप में प्रवाहित है रहा है, बल्कि गंगा के रूप में प्रवाहित है रहा है, जिस का परिणाम हम सब लोग भोग रहे हैं।

श्री मूलवन्द डागा : यह तो हो ही रहा है।

श्री शुक्लर वास्तविक : यह से पहा हुआ सह रहा है। इस प्रकार को सचालित करने के लिये आज सोश काम करे और उन को भी करना चाहिये। काशी हिन्दू विश्वविद्यालय की स्थापना पूर्ण मालबीय जी ने इस लिये की थी कि वह सारे संसार को प्रकाश देगा और देश की राष्ट्रीयता की बारी उस के द्वारा मुख्यरित होगी और मालबीय जी के जीवनकाल में ऐसा हुआ भी था, किन्तु अब वह विश्वविद्यालय बनारस में है, लेकिन बनारस से उसका कोई सम्बन्ध नहीं है, लोग समझते हैं कि एक नकाशी बना कर जीमीन पर रख दी गई है। इस प्रकार का यह विश्वविद्यालय न हो। अभी आरम्भ हो रहा है इसमें इस में कुछ ऐसा किया जा सकता है कि जिस से यह जीवन के साथ जुड़े। आप ने सत गुरुबक्ष सिंह को बनाया है, मैं उन को जानता हूँ, अच्छे आदमी हैं, उन्होंने काशी विश्वविद्यालय में अच्छा काम किया है। यहली बार नेहरू जी आवार्य नरेन्द्र देव जी को लाना चाहते थे, अब आपने सत गुरुबक्ष सिंह जी को लिया यह अच्छा कदम है, वे हर मामले में राष्ट्रीय हैं। किन्तु जिस प्रकार आप ने उन की नियुक्ति की, उसी तरह प्लानिंग बोर्ड की नियुक्ति में कोई कानून बाधक नहीं था, आप को प्लानिंग बोर्ड की नियुक्ति भी इसी समय कर देनी चाहिये थी। उन में ऐसे लोग होने चाहिये जो केवल शिक्षा शास्त्री ही न हो, जिन का जीवन से भी किसी प्रकार का मम्पर्क हो और जो आनंद की बला, मस्कून और साहित्य को जानते हों जो वहा की कला और संस्कृति का देश को दान कर सकते हों, जो जीवनमय हो, मगलमय हो, जो देश की मूलधारा से ज्ञान के माध्यम से उसे जोड़ने की क्षमता रखते हों। अक्सर ऐसा होता है कि कमेटिया बन जाती है, शिक्षा शास्त्री रख दिये जाते हैं और ऐसे सहे शिक्षा शास्त्री रख देते हैं—मत्री महोदय आते हैं और जले जाते हैं, किन्तु वे शिक्षा शास्त्री बने रहते हैं और उन के कुकमों के लिये मत्री महोदय जबाब देते थक जाते हैं, उस के लिये उत्तरदायी होना पड़ता

है। इसलिये जह शिक्षा-संस्थाओं को उत्तरदायी तरीके वाले का भी अवल रखा जाय कि उन के बाल पके हुए न हों, ७५ वर्ष के ऊपर की आयु के न हों, चलते में उन को कष्ट न होता हो या ऐसे न हों जो ५० वर्ष पहले अंडेजों के जमाने में पड़े हुए हो और उन्हीं को ज्ञान का अवकाश मानते हों। मैं समझता हूँ कि जब जब मत्री महोदय डिपेट का जबाब देगे तो प्लानिंग बोर्ड को भी धोषणा कर देगे।

आप आनंद की भूमि में यह आखिल भारतीय विश्वविद्यालय बना रहे हैं—यह अच्छी बात है। प्राय ऐसा होना है कि शिक्षा संस्थाओं में क्षेत्रीयता के प्रबाह में गण्डीयता मर जाती है। किसी भी क्षेत्र में कोई भी शिक्षा संस्था हो, चाहे वह राज्य की हा या केन्द्र की हो, यदि वह राष्ट्रीय नहीं है तो उस की स्थिति विनाशमूलक हो जायगी। मैं समझता हूँ कि इम विश्वविद्यालय की स्थिति ऐसी नहीं है, क्योंकि कानून में आपने कहा है कि मारे भारतवर्ष के लिये खुला रहेगा। मैं इस बात का भी स्वागत करना हूँ कि आपने जो दुर्बल वर्ग है, अनुमूलित जाति के लोग हैं, अनुमूलित भार्दम जाति के लोग हैं, उन को एक भी मात्र तक सरक्षण दिया है और मैं चाहूँगा कि उन्हें केवल सरक्षण ही न दिया जाए उन के जीवन में जा सहिणुता है, हजारों वर्षों को जिस महिणुता ने उन्हें आज भी जीवित रखा है, जैसे ग्रेनाइट पर पृथ्वी का भार है, जिस तरह से वह भारत को सम्भाले हुए हैं, ऐसे लोगों की महिणुता के ज्ञान का अध्ययन भी वहा पर किया जाय। उन की सम्झूलि के लिये भी वहा पर विशेष विभाग खोला जाय और उन का अध्ययन उन के ही माध्यम में हो।

जैसा मैं पहले भी कह चुका हूँ—यह विश्वविद्यालय एक सैतु बने—उत्तर और दक्षिण का और दोनों को जोड़ने का काम करे, तोड़ने का काम न करे, क्योंकि इन शिक्षा संस्थाओं ने जितना देश को तोड़ा है, जायद राजनीतिक दलों ने उतना देश को नहीं तोड़ा है। इसलिये

जन के साम्यव दे संस्कृति का काम होना चाहिये जन के साम्यव दे जीवन की जब की आराधना का काम होना चाहिये, जीवन के जब की आराधना का काम नहीं होना चाहिये । इन शब्दों के साथ मैं इस विवेयक का स्वाक्षर करता हूँ, सभी सोग इसका स्वाक्षर करेंगे और मूँह बिखास है कि यह विश्वविद्यालय, जो हमारी शिक्षा की धारा है उसको नहीं विद्या और नया जीवन प्रदान करेगा ।

**\*SHRI JAGADISH BHATTACHARYYA** (Ghatal): Mr. Deputy-Speaker, Sir, a new Central University is going to be set up in Andhra Pradesh and I must congratulate my friends in the Congress benches that they have finally succeeded in compelling the Central Government in initiating measures for the setting up of this University. I would have been really glad if this University had been created in the normal circumstances rather than the agitations which had preceded it for its formation. Whatever it may be, I welcome the new Bill and I welcome the new University which goes to the people of Andhra Pradesh.

In this connection I must say a few words to the hon. Minister for his serious consideration. New Central Universities are being created and there can perhaps be no grievance from any corner in this regard. Why we feel sad about the whole episode is that while the Centre shows adequate and enough consideration for these Universities they do not seem to attach the same sense of seriousness for the Universities which are not the Central Universities and which have been serving the cause of education in the different parts of the country since long. There are many Universities with great heritage of the past contributions. These Universities today are almost dying because of the lack of financial resources. The consequence has been that they have been compelled to resort to many methods

to raise funds to avert their decay and death. It is a well known fact Sir, and the hon. Members are aware that the rate of admission to the Universities has fallen steeply over the past few years which has effected the financial position of the Universities very adversely. When such is the situation with the other Universities we should naturally hope and expect that the Central Government should adopt a similar attitude of sympathy and give suitable assistance to them as they are doing in the case of the Central Universities. I can say about the Calcutta University in particular in this connection. I am sure the hon. Minister must have received a memorandum, the copies of which have already reached the members of this House, urging upon the Central Government to take over the Calcutta University because that University is in a financial chaos and is hardly able to maintain its own existence. A few days ago the Vice-Chancellor of the Hymachal Pradesh University while addressing the newsmen had stated that due to the paucity of funds the University functioning has almost come to a stand still. Let there be Central Universities and as I have already said, we have no objection to have them but is it not equally important and necessary that on the one hand we should be set up new Universities and on the other hand we should do nothing to help other Universities which are dying and decaying. If you are really interested in the democratic functioning our country the time has come when we must eliminate the distinction that is being maintained between the Central and the non-Central Universities. This distinction must end. and it must end sooner than later.

The hon. Minister in his opening speech has said many things about the new proposed University but there is nothing new about it. It is just as usual. It is just the same as it is in other Central Universities. We cannot expect much out of this Bill.

\*The Original speech was delivered in Bengali.

Therefore, I would once again urge that the Central Government must stop taking step-motherly attitude towards other Universities and they should try to help them as they are trying to help other Central Universities.

Now, coming to the provisions of the Bill, I find Sir, that the present Bill is a carbon copy of the Bills that were introduced for the setting up of Shillong University and other Central Universities recently. The present Bill has the same deficiencies as the earlier Bills and no attempt has been to improve this present legislation and to remove the shortcoming that were there in the earlier Bills. While participating in the discussion on the earlier Bills I had stated that the Bill needed much improvement and the Government themselves would be compelled to come before this House before long to make amendments thereto them. Already murmurs are being heard about the shortcomings of the earlier Bill and I do not know when the Government will come forward with their amendments to make them effective which it is not at present.

I would now like to point out some shortcomings of the present Bill. While venturing to do so I would take up the question of appointment of the Dean of Faculty in the University. I had stated on the floor of the House earlier Sir that lot of difficulties in the University administration arises out of the manner of appointment of these posts. It would be relevant and pertinent to quote the recommendations of Gajendragadkar Report which had gone into the matter. The Committee in its report had stated and I quote:

"The Dean of the Faculty should be appointed from amongst the University appointed professors by rotation according to seniority for a period of two years." The present Bill has stated that the Dean of Faculty will hold a post for a period of three years but the wholesome principles of rota-

tion and seniority as suggested by the Gajendragadkar Committee has not been followed. The advantage of the Committee's recommendation is that senior professors will get opportunity to act as the Dean and would be able to lend their experience to improve the working of the University. I feel that this principle of rotation and seniority should have been accepted by the Government and should have been incorporated in the Bill.

With regard to the appointment of the Pro-Vice Chancellor the Bill provides that the pro-Vice Chancellor will be nominated by the Vice Chancellor and he will be appointed by the Executive Council. In case the Executive Council fails to appoint the nominated person the matter will be referred to the Visitor who will either appoint the same person or suggest another name. In short the pro-Vice Chancellor will be the Vice-Chancellor's own man. In favour of this method two arguments are usually put forward. Firstly it is said that the pro-Vice Chancellor has to carry out the functions which is entrusted to him by the Vice-Chancellor and hence a close rapport is necessary and secondly if a new person is appointed who is not a nominee of the Vice Chancellor it is quite likely that the cooperation between the two which is necessary may not be forthcoming. But it cannot be forgotten that every issue has two sides and while the first two arguments represent one side of the matter it is equally necessary to consider the other side also. It is a common experience that there are more than one pro-Vice Chancellor in a University. It has been found that because of being Vice-Chancellor's own men they have no option but to follow the directions of the Vice Chancellor and gradually a coterie rule develops which more often than not creates many difficulties in the day to day administration. It is also not logical to think that a person who is not a nominee of the Vice Chancellor when appointed as a pro-Vice Chancellor

will always create obstructions and be at logger's head with the Vice Chancellor. Coming to the composition of the University Court, as far as I remember, the Statute does not mention anything about it. May be at a subsequent date this Statute will be framed. It is very interesting and surprising to note Sir, that the Executive Council has been given the authority to make amend or create new Statutes. In fact, the Executive Council has been given the powers of Parliament and this is not fair. The University Court is a very important organ of a University and the details of its formation should not be allowed to be determined by an Executive Council. The Bill should have incorporated this specific provision ad specific sanction of the Parliament should have been obtained. I hope the hon. Minister will look into the matter and try to do something even at this stage. I feel Sir, that the students and employees should find representation in the Court. The students' representatives should not be taken on the basis of their affiliation to the different students' unions. They should on the contrary be chosen from the different departments of the University. Sir, I would now like to draw the Minister's attention to Clause 30 of the Bill. Section 2 of clause 30 provides that: "Any dispute arising out of a contract between the university and any employee shall, at the request of the employee, be referred to a Tribunal for arbitration consisting of one Member appointed by the Executive Council, one nominated by the employees concerned and an umpire appointed by the Visitor. The decision of the Tribunal shall be final and no suit shall lie in any Civil Court in respect of the matters decided by the Tribunal." Under this Section a tribunal has been created whose decision shall be final and an employee cannot go to any Court. This is really unjust because we cannot visualise a situation where a tribunal decision shall be impartial and correct and to deny a person his right to seek justice in a Court of law

would therefore be highly illogical. After all every citizen has been given some rights which are fundamental and this cannot be abridged and the right to seek justice is one of them. I would now like to quote from the Gajendragadkar report which says:

"We appreciate the spirit underlying this complaint, but we must emphasize the fact that in our country, the doctrine of the rule of law is paramount. Every citizen in a democratic country—teachers and students are obviously included amongst the citizens of the country—is entitled to seek justice in courts in regard to the disputes which under the law of the land are justiciable. We must also recognise that the power of the High Courts under Articles 226 and 227, and the power of the Supreme Court under Article 32 of the Constitution, to issue appropriate writs, constitute the cornerstone of the democratic way of life, which we have adopted. These powers are intended to safeguard the fundamental rights of the citizens and to prevent capricious, unfair improper or irregular exercise of power. The university system would not, therefore, be justified in having a grievance, if any citizen such as a teacher or student or a member of the administrative staff, approaches appropriate courts for relief in respect of an alleged injustice due to him."

I therefore feel Sir, that it is highly improper to have provision like the in clause 30. If the employee feels unhappy about the decision of the tribunal he has as a normal citizen of this country, a right to go to the court to seek redressal of his grievances but here we find that this right which he has as a citizen is being curtailed through the provision of a tribunal whose decision in the matter shall be final. (Interruptions)

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): I may just clarify for the information of the

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hon. Member. The writ jurisdiction of either the High Court or the Supreme Court is not at all affected. That is a constitutional right and we cannot in this Parliament abridge or abrogate their right in any form unless we choose to change the Constitution. So, Gajendragadkar Committee is making a reference to Kothari Commission's recommendation which had said that because there is too much litigation Supreme Court may be requested to find out how it can abridge its own powers. That view could not be accepted by the Government and, therefore, in any of the legislations that have been brought before this hon. House, there is no question of abridging, reducing or taking away from the powers of the Supreme Court or the High Court to issue writs or take such other suitable steps as are necessary. All that has been done is barring the jurisdiction of the local courts visualised in the Indian Arbitration Act has been provided.

\*SHRI JAGADISH BHATTACHARYYA: Sir, my submission in this connection is that it is not always possible for the employees to go to a High Court or the Supreme Court to seek justice because it is very expensive and it takes a very long time. I am associated with many teachers' organisations in the country and from my experience I can tell the hon. Minister that whenever there is a dispute between the employees and the management, the employees have the opportunity of getting quick justice by approaching the local courts and this is also less expensive. Therefore it is my demand that not only high Court and Supreme Court should be available to an aggrieved employee but he should also have an easy access to the local courts also. The present provision should be amended accordingly.

\*SHRI K. SURYANARAYANA (Eluru): Mr. Deputy-Speaker, I would like to congratulate the Central Government for having fulfilled the

aspirations of the people of Andhra Pradesh by introducing this Bill. The people of Andhra Pradesh have always cooperated with the Central Government in every sphere. It is a fact that there had been two violent agitations in Andhra Pradesh. First in Telengana and later on in Andhra. These agitations have only reflected the feelings of the people of both the regions. We the Members of Parliament from Andhra Pradesh and Ministers have been elected through this popular will of the people. We have expressed the views of the people of Andhra Pradesh. It is indeed a good thing that two agitations in Andhra Pradesh have united the people of Andhra Pradesh into one State and one language. We are very happy that in the end Andhra Pradesh has been emotionally and physically integrated as one compact State. This will go a long accelerating the progress of this State. I would like to congratulate the Central Government for bringing about the unity of Andhra Pradesh on behalf of the people of that State. It is a well known fact that Andhra Pradesh as a whole is a educationally backward State. Except for Hyderabad all the regions of Andhra Pradesh both Andhra and Telengana are educationally backward.

You all know that even during the time of Lord Buddha the Nagarjunasagar University was an internationally place. It is only in Nagarjunasagar that Government of Andhra Pradesh have constructed a grand project, the Nagarjunasagar project. This Nagarjunasagar project is now a very useful project and the foodgrains accrued as a result of this project is distributed not only in Andhra Pradesh but to the whole of India. In the same way I feel that the new University that is proposed to be set up at this place should be useful not only to the people of Andhra Pradesh but also to all the people of India irrespective of the State to which they belong. Who-

\*The original speech was delivered in Bengali.

†The original speech was delivered in Telugu.

ever comes to Hyderabad University whether he is Indian or foreign shall be given a fair treatment. I am confident that this new Central University at Hyderabad will make a great name for itself by giving fair treatment and full opportunity to all the people who care to come to Hyderabad for study at this University. We are very glad to note this important criterion in this Bill.

Some members have expressed that Acharya Narendra Dev had suggested at the time of the establishment of Benaras Hindu University that a Central University should be established at Hyderabad. It was also said that Mr. Jawaharlal Nehru had supported this point. We are indeed very happy that during the region of his daughter a Central University has been established at Hyderabad. I would like to suggest to the Central Government to rename the Central University as Nagarjuna University. Nagarjunasagar and Nagarjuna are very famous names like Nalanda etc. If you give this new name to this then it will also enhance the reputation of this new University. I am confident that Members of Parliament from all regions will support this proposal to rename this University as Nagarjuna University.

This will revive the good ancient memories of the Nalanda University and great scholar Nagarjuna. It is well known that great writers and scholars existed during the time of King Nagarjuna. I am confident that this new University at Hyderabad will grow as famous as the old Nagarjuna University. I request Dr. Nurul Hassan to take into consideration the views expressed by us and if necessary refer the matter to the State Government. I request that our suggestions should be implemented by the Central Government.

There have been many doubts expressed by every body whether any University will be established at

Hyderabad. Even our Chief Minister had been trying for expeditious introduction of this Bill. I am now very happy that although it is now very late in the end this Bill has been introduced for the setting up of a Central University at Hyderabad. I am happy that this reflects the feelings of Andhra Pradesh. I would like to state that one snag in this Bill is the time limit. The people of Andhra Pradesh should clearly know the date by which the Central University will be established. In the absence of the clear date an impression will be created among the people that even though the Bill has been passed nothing has been done. I therefore, suggest that you fix up some date whether it is August 15, or January 26, 1975. I strongly suggest January 26, as the target date and I request the Central Government to accept it. We have already been experiencing difficulties in the matter of finance for the implementation of Nagarjunasagar project. If a target date is not fixed we would be subject to questioning by the people of Andhra Pradesh and they will get agitated. I only want that these difficulties should not come up and the Central Government should do the needful in this matter. I do not want to go into the details of working of the various bodies in this Bill. We had already given an amendment in this connection.

There are at present three Universities in Andhra Pradesh, namely Osmania University, at Hyderabad, Venketeswara University at Tirupati and Andhra University at Waltair. In one University there is the condition of residence along with marks obtained by the student for admission to the University. But these two conditions are not in the other two Universities. Therefore, if a student wants to go from one University to another University it becomes very difficult for him. I want that this new Central University at Hyderabad should not impose such conditions of residence so that it can really become national and

international University. I want that we should prescribe only the essential qualifications necessary for admission to this University. Whoever fulfills the essential qualifications whether he is an Andhra or not should be admitted to this University. No special preferential treatment should be given to anybody. The question of residential qualifications should not arise. I request the Government of India to look into the matter and instil confidence not only in Andhra Pradesh but also to all the regions of India. Full opportunities should be given to everybody.

I have already mentioned about the agitations in Andhra Pradesh. On April 7, the Prime Minister paid a visit to Vijaywada. She was particularly very happy about the reception she received from the people. It was really surprising whether the reception is by the same people who indulged in violent agitation only a few months before. I would like to state that the people of Andhra Pradesh bore no enmity or animosity against anybody. They are only angry when they are emotional. The people of Andhra Pradesh are perfectly disciplined people and they always co-operate with the Government and they bore no grudge against any person whether it is Brahmanand Reddy, Narsimhan Rao or Vangal Rao. I would like to assure that the people of Andhra Pradesh have no hatred for anybody and they wish well for everybody. They are prepared to work hard for the progress of the country. Therefore, the agitations in Andhra Pradesh should not be misunderstood by anybody.

We are happy that the issue has been resolved by introduction of the 6-point formula and this Bill has been introduced. I would like to state that the Central Government should not depend on the Andhra Pradesh Government in matter of finance. You can ask the Andhra State Government in the matter of allotment of land.

buildings etc. but don't depend upon the State Government for finance. It is the duty of the Central Government to allocate finance for implementation of the various proposals laid down in this Bill.

To conclude I would once again strongly plead for the renaming of this University as Nagarjuna University. Both the people of Andhra and Telingana are united on this point. Just as the Nandi Konda project was renamed as Nagarjunasagar project I also request that this new University to be established at Hyderabad should be renamed as Nagarjuna University. This will fulfil the aspirations of the people of Andhra Pradesh. I am thankful for the opportunity given to me to express my views.

**श्रो एम० राम गोपाल रेड्डी (निजामाबाद) :** उपर्युक्त महोदय, मैं प्रधान मंत्री और शिक्षा मंत्री दोनों को वशाई देना चाहता हूँ कि उन्होंने हैदराबाद यूनिवर्सिटी सम्बन्धी विल जितनी जल्दी हो सकता था, उतनी जल्दी इस सदन के सामने पेश किया है। यह यूनिवर्सिटी एक सैटल यूनिवर्सिटी होगी और उस में पूरे देश के विद्यार्थियों को लेने की गुंजायश रखी गई है। इस लिहाज से हैदराबाद सिटी और ग्रान्थ प्रदेश को एक नई चीज मिलने वाली है, जिस से हैदराबाद सिटी और ग्रान्थ प्रदेश की शोभा बहुत बढ़ जायेगी।

यहां पर उस यूनिवर्सिटी के मीडियम आफ इंस्ट्रक्शन की चर्चा की गई है। मैं चाहता हूँ कि यूनिवर्सिटी में अंग्रेजी और हिन्दी दोनों में शिक्षा की व्यवस्था होनी चाहिए। ग्रान्थ प्रदेश के लोग हिन्दी के विरोधी नहीं हैं। वे हिन्दी को दिल में चाहते हैं। इस लिए उस यूनिवर्सिटी में मीडियम आफ इंस्ट्रक्शन हिन्दी भी होना चाहिए। मैं मंत्री महोदय से प्रार्थना करता हूँ कि जिस दिन वह यूनिवर्सिटी काम करना शुरू करे, उसी दिन से हर सैक्षण में हिन्दी की तालीम की व्यवस्था होना जरूरी है।

जब पूरे भारतवर्ष से विद्यार्थी वहां आ रहे हैं, तो विद्यार्थियों की कमी नहीं होगी। 15 अगस्त तो बहुत करीब है, लेकिन अगर कम से कम महात्मा गांधी के जन्म-दिन से यह यूनिवर्सिटी काम करना शुरू कर दें, तो बहुत अच्छा हो। हैदराबाद में बहुत सी बिल्डिंग है, निजाम की बहुत बड़ी कोठी भी है। फिलहाल यूनिवर्सिटी को उस में रखा जा सकता है। आनंद्र प्रदेश की गवर्नरेंट इस बारे में बातचीत कर रही है।

जहां तक इस बात का ताल्लुक है कि इस यूनिवर्सिटी का नाम हैदराबाद यूनिवर्सिटी होना चाहिए, या नागार्जुन यूनिवर्सिटी होना चाहिए, मैं कहना चाहता हूँ कि वहा एक नागार्जुन इंजीनियरिंग कालेज पहले से भीजूद है, जिस को नागार्जुन इंजीनियरिंग यूनिवर्सिटी बनाने का सवाल किया जा रहा है। ऐसी हालत में दो नामों में नवादुम होने का इमकान है। इस यूनिवर्सिटी को जो नाम दिया गया है, वह बहुत अच्छा है। जिस नाम की चर्चा पहले में की जा रही है, इस बबन उम को बदलने में लोगों के दिनों में मुश्किल होने का इमकान हो सकता है।

मत्ती महोदय ने जो विशेषक पेश किया है, मैं उस का पूरा पूरा समर्थन करता हूँ, और आप को धन्यावाद देता हूँ कि आप ने मुझे समय दिया।

**SHRI P G MAVALANKAR (Ahmedabad):** Sir, I warmly welcome this Bill. I am glad it has come in response to the long-standing demands and aspirations of our brethren from Andhra Pradesh. Some of the pre-

vious speakers have already mentioned about the agitation that took place in Andhra. I do not think they need be apologetic about it. After all, sometimes agitations take place only because certain legitimate demands are not met in time by the authorities concerned. Personally speaking, I would have liked this university to be created without any agitation, but perhaps we can say that one of the important fringe benefits of this agitation has been that the people of Andhra, particularly Hyderabad, have got a University.

**MR. DEPUTY-SPEAKER:** A very big cost to pay for a university.

**SHRI P. G. MAVALANKAR:** I am happy because this is one more significant instance of the Centre's attention being further focussed on the people living in the southern part of this great country. Although we have of late a proliferation of universities in this country and there is the danger of a number of sub-standard institutions coming up, nonetheless in view of the largeness of the country and its variety, you will agree, as a Professor, that we do need many more universities and colleges. I do hope, however, that this new university will not be just one more university, but that it will establish new traditions and new patterns both in terms of research and teaching as years go by.

**MR DEPUTY-SPEAKER:** You may continue tomorrow

18.00 hrs.

*The Lok Sabha then adjourned till Eleven of the clock on Wednesday, August 7, 1974 Sravana 16, 1896 (S).*