

(2) The Constitution (Amendment) Bill, 1967— (<i>Amendment of Eighth Schedule</i>) by Shri Erasmo De Sequeira	1214
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LOK SABHA

Thursday, November 16, 1967/Kartika 25,
1889 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

KRISHNA-GODAVARI WATER DISPUTE

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- *91. SHRI K. LAKKAPPA :
SHRI S. A. AGADI :
SHRI SIDDAYYA :
SHRI J. MOHAMED IMAM :
SHRI RAGHUVIR SINGH
SHASTRI :
SHRI DEORAO PATIL :
SHRI ESWARA REDDY :

Will the Minister of IRRIGATION AND POWER be pleased to state :

(a) the broad details of the decision arrived at a meeting of the Chief Ministers of Mysore, Maharashtra and Andhra Pradesh held recently with the Prime Minister in regard to Krishna-Godavari Water dispute; and

(b) if no decision has been taken, the reasons therefor ?

THE MINISTER OF IRRIGATION AND POWER (DR. K. L. RAO): (a) and (b). The Prime Minister had meetings with the Chief Ministers of Mysore, Maharashtra and Andhra Pradesh on the 17th August, 1967 and again on the 6th October, 1967. Various aspects of the Krishna-Godavari dispute were discussed. Further discussions are expected to be held soon.

SHRI K. LAKKAPPA : What are the facts placed before the meeting when the Chief Ministers of the respective States decided to sit for negotiations, and what are the broad principles when the discussion took place, and what are the conclusions that they have arrived at in that meeting ?

DR. K. L. RAO : As I submitted already, various aspects of this problem

are under consideration, and they are now being discussed. For example, the diversion of the waters of the Krishna to irrigate and produce power, the correct amount of water that is in the river to be shared and the question of the crest gates in Andhra Pradesh, are some of the important problems that have been discussed, and any other problems connected with these are also under discussion. It may be appreciated that in view of the complicated nature of the problem, it will take some time, and this is being discussed at the very highest level.

SHRI K. LAKKAPPA : Is it not a fact that the Chief Minister of Mysore has vehemently put forth the plea that the opening of the crest gates which had not been contemplated in the first stage of the Nagarjunasagar project was not correct and that this is a point in which the Commission has agreed, and may I know how far that fact has figured in the meeting and what are the decisions taken on that point ?

DR. K. L. RAO : As I submitted already, that was one of the subjects that was discussed and no decision has yet been taken on any of those aspects.

SHRI SIDDAYYA : Is it not a fact that the Government of Mysore has asked the Union Government that if the matter is not settled within the 31st October this year, the matter has to be referred to arbitration and, if so, what is the reaction of the Government ?

DR. K. L. RAO : It is true that that is what they said, but later on, in view of the meetings that are being held, they have not reiterated their earliest request.

SHRI S. D. PATIL : What are the difficulties facing the Central Government for referring the dispute to arbitration when the application sent by the concerned State Governments for reference of the dispute to arbitration is already before the Central Government ?

DR. K. L. RAO : It is obvious that a settlement by mutual agreement is the best and that will create a spirit of friendliness

and it will be the opposite effect if any other method is resorted to. So far we have not referred any river water dispute to arbitration. We are always trying to see whether we can settle this by mutual agreement, and that is the process which is now being adopted.

SHRI P. VENKATASUBBAIAH : In view of the fact that the important question of sharing the waters of the Krishna-Godavari has to be settled in a very amicable manner so as to satisfy the needs of the various regions, may I know whether, during the course of these discussions, the award that has been given by Mr. Hafiz Mohammed Ibrahim, who was then the Irrigation Minister, was taken into consideration and to what extent the utilisation of the waters has taken place in accordance with that award?

DR. K. L. RAO : My hon. predecessor, Mr. Hafiz Mohammed Ibrahim, has laid a statement. I would not call it an award. He has laid a statement as a result of a number of enquiries, suggesting certain solution to the problem, and at the moment, while a large number of projects have been sanctioned in Mysore and Maharashtra, for the last seven years practically very little—except one or two minor tanks—nothing has been sanctioned in Andhra Pradesh. We are trying to settle this issue as early as possible.

SHRI NATH PAI : Mr. Speaker, despite the valiant efforts of Dr. Rao, this remains with us and with it remains the bitterness vitiating the relations between the States. So many States are concerned, and this problem needs to be solved speedily as you will readily agree, Mr. Speaker. May I, therefore, suggest very seriously to Mr. Rao that much as we appreciate his efforts we are equally aware of the failure of his efforts in this direction. Now that the politicians have failed in solving this issue, will he try to take recourse to the provisions in the Constitution to create a body of experts drawn from the whole country, who will be charged with evolving principles about the distribution of the waters of rivers and streams in the country and get a satisfactory and speedy solution as quickly as possible? May I tell him that we appreciate his efforts but let us also agree that he

has failed, but the issue needs to be solved. If that is the position, why not avail ourselves of the provisions of the Constitution to create a permanent body of experts to solve this problem?

DR. K. L. RAO : I thank the hon. Member for the very kind sentiments expressed. It is quite correct that we should not allow this dispute to grow, as it unnecessarily creates bitterness in the minds of a number of people. It is also to be appreciated that attempts are now being made at the highest level, at the level of the Prime Minister, and we should allow some time and if these efforts fail, then the necessary steps will be taken under the Act.

SHRIMATI LAKSHMIKANTHAMMA : Before taking a decision, may I know whether the Government will keep in view the interests of the country as a whole, instead of satisfying different States? Is it also a fact that some Members of Parliament from States other than these three States visited Nagarjunasagar recently, in October, and they said that the work on the crest gates should proceed and no obstacle should be placed on it in the interests of the country?

DR. K. L. RAO : It is appreciated that the interests of the country must prevail. But, at the same time, the various aspects of the different States concerned must also be taken into account and every effort will be made to reconcile the interests of both the States as also the country.

SHRI RANGA : Is it not a fact that not only the Andhra Pradesh Government but also the Mysore Government is opposed to further diversion of waters through the Koyna project and may I know whether the Government are willing to invoke the aid of an international expert in studying the records that are being kept and also make researches and studies in the Hydrological Research Institute at Poona so that there would be no scope at all for any gerrymandering in the readings of floodwaters and all the rest of it?

DR. K. L. RAO : I do not think it is necessary to resort to any international expert. We have got a sufficient number of fully-equipped and good engineers in this country.

SHRI RANGA : We want impartial experts who would not have any interests in this or that State or the other.

DR. K. L. RAO : I may submit that there are a sufficient number of good men here who are quite impartial.

SHRI RANGA : The other aspect of the question has not been answered : that is in regard to the diversion of water in the Koyna.

DR. K. L. RAO : As I have said, that is also one of the questions which are being discussed and nothing has been decided on that aspect.

SHRI RANGA : Mysore is also opposed to it.

SHRI SHIVAJI RAO S. DESHMUKH : Will the hon. Irrigation Minister tell us as to what exactly were the specifications technically cleared when technical sanction was accorded to the Nagarjunasagar project? What was specifically referred to in regard to the height of the dam, the position of the crest gates and the reservoir level? May I know whether the question of discharges to Sivasailam was also discussed and, if so, what was the decision arrived at when the technical sanction was given?

DR. K. L. RAO : I would say this is a very minor detail in the whole aspect of the problem. Whenever we sanction a project we do not sanction it for a particular height or consider the minute detail of the gate. We always sanction a project for the utilisation of water—so much amount of water for irrigating so much acres of land. The question of the gate is an engineering detail which has to be evolved during the course of further investigation at the time of construction. Anyway, the present problem the hon. Member has referred to is under very serious consideration.

SHRI SHIVAJI RAO S. DESHMUKH : Sir, my question has not been answered. It may be a minor detail but the House is interested in the minor detail. What was the design that was approved about the height of the dam?

SHRI RANGA : 543.

DR. K. L. RAO : It requires a lot of explanation. In Nagarjunasagar Project detailed sanction was given to build the dam for a width corresponding to the full reservoir level. There is no change at all in the designed full reservoir level. The water level in the reservoir however was to be at a certain level and, later on, it was changed. The same procedure was adopted in the case of Koyna and many other projects.

SHRI TENNETI VISWANATHAM : The Minister was pleased to say that there were three points mainly discussed—firstly, diversion of the Koyna into the Arabian Sea, secondly, the quantity of water and, thirdly, the question of crest gates. On all these three points I want to put questions. Is it not a fact that under the 1951 Agreement only 67.5 TMC of water and nothing more was allowed to be diverted into the Arabian Sea for the purpose of generation of electricity in Trombay? Secondly, so far as the quantity of water was concerned, is it not a fact that three times, once at Hyderabad, once at Poona and on a third occasion at Bangalore experiments on models were conducted and the figures of the quantity of overflow on the Krishna at Bezwada Anicut were checked up with the research results and the readings maintained at Vijayawada coincided with the results of these experiments? So far as the crest gates are concerned, is it not a fact that when sanctioning the Nagarjunasagar project the crest gates or radial gates were part of the designs that were sanctioned and that...

SHRI K. LAKKAPPA : It was not in the 1951 agreement.

MR. SPEAKER : Let the Minister answers it.

SHRI TENNETI VISWANATHAM : Is it not a fact that when the Nagarjunasagar scheme was sanctioned in 1960, as per the designs made in 1958, the crest gates were part of those designs, and if the above facts are correct, what remains to be discussed further?

DR. K. L. RAO : I would not like to answer in detail the various aspects of

what the hon. Member has asked because, as I said, we are now engaged in trying to get a harmonious solution for the whole problem and these various aspects which are connected are all being looked into. I am surprised that hon. Members get more information than what is available.

SHRI D. C. SHARMA : From the replies given by the hon. Minister I thought that he was subordinating the national interest to the regional interest. We should achieve self-sufficiency in food. If regional interests are going to prevail and these disputes go on hanging in the air, our programme of self-sufficiency in food will be retarded to that extent.

DR. K. L. RAO : What I was submitting was that while the national interest should be kept in view, it is also necessary to look into the various regional imbalances, the requirements of the various States and try to meet them as far as possible and have a combination of both the interests kept in view.

MR. SPEAKER : Shri Sheo Narain. Krishna river is in South India.

SHRI SHEO NARAIN : I am interested in the whole country. Since the Irrigation Minister is himself an expert engineer, how much time will he take to make the three Chief Ministers agree to make a settlement? If they could not arrive at a settlement, why could the Government not ask a new team to make a settlement of the dispute?

DR. K. L. RAO : As I said, the hon. Prime Minister is now seized of the problem and, therefore, the highest attention is being paid to it.

श्री तुलसी दास जाधव : क्या मिनिस्टर महोदय कृपा करके बतायेंगे कि जिन-जिन कचमेन्ट एरिया में जितना-जितना पानी है, उस पानी का डिवाजन किस बेस पर किया है? जैसे 800 टो० एम० सी०, 600 टो० एम० सी०, 400 टो० एम० सी० महाराष्ट्र के लिये किया है, यह डिवाजन किस बेस पर किया है? यह पानी पूरा न मिलने से महाराष्ट्र की जो स्कीम है इरिगेशन को, वह अमल में नहीं आती है, ऐसी हालत में इनका निकास जल्दी

से जल्दी क्यों नहीं करते हैं। स्कीम बनी हुई है, लेकिन जिनके कचमेन्ट एरिया में पानी ज्यादा है, उनको न देते हुए दूसरी जगह पर देते हैं, इसकी क्या वजह है?

DR. K. L. RAO : So far as the question of the division of the waters is concerned, it is a matter of detail which I do not want to go into. As the hon. Member has mentioned, in the case of Krishna river the main difficulty is that a certain amount of water has already been committed and projects sanctioned. By the time the dispute arose, 70 per cent of the water had already been committed. Therefore, there is a certain amount of difficulty in treating it as an entirely fresh river, because it will mean reviewing every project already sanctioned, costing crores of rupees. So, it is a difficult matter to be gone into. With regard to irrigation projects in Maharashtra the policy of the Government is that every economic irrigation project on the Krishna basin will be sanctioned and I am glad that most of the projects have been sanctioned so far.

श्री अटल बिहारी वाजपेयी : श्रीमान्, नदी-पानी विवादों को मुख्य मंत्रियों या प्रधान मंत्रों के निर्णय पर छोड़ने के बजाय, जिनके लिये कि राजनीतिक कारणों की उपेक्षा करना कठिन होता है, सरकार इन विवादों को पंच फैसले के लिये क्यों नहीं सौंपती है, ऐसे पंच फैसले के लिये (आर्बिट्रेशन के लिये) जिसका निर्णय मानने के लिए सब बन्धे हों?

DR. K. L. RAO : I think the hon. Member was not here when I submitted earlier that the best way to settle this kind of disputes is by negotiation. A great and eminent jurist, Sir B. N. Rau, Chairman of the Indus Commission in 1941-42 stated that the only method for satisfactory solution of river disputes is by negotiation and not by engaging in legal combats and that is why I say that every effort must be made to settle by mutual friendly agreement.

श्री नीतिराज सिंह : देश के अनेक राज्यों के बीच—जैसे महाराष्ट्र-मैसूर-आन्ध्र के बीच गोदावरी-कृष्णा का मामला, मध्य प्रदेश-महाराष्ट्र-गुजरात के बीच नर्बदा

घाटी योजना का मामला—इनके पानी के बटवारे का झगड़ा बहुत दिनों से चल रहा है और हमेशा यह कहा जाता है कि बातचीत हो रही है। बातचीत होते-होते बहुत समय निकल गया है। हर स्टेट हर समय अपनी-अपनी अलग-अलग बात कहता है और उसमें ऐसा प्रतीत होता है कि केन्द्र में कुछ विशिष्ट सूबों के लिये कुछ विशेष पैरीकारो होते हैं। ऐसी दशा में क्या सिंचाई मंत्री महोदय एक हाई-पावर्ड कमेटी बना कर . . .

MR. SPEAKER : Just now that question was asked and an answer given. There was only a change in language. That is all. Now, next question.

MEDICAL TREATMENT OF THE LATE
DR. RAM MANOHAR LOHIA, M.P.

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- *92. SHRI S. M. BANERJEE :
SHRI VIRENDRAKUMAR
SHAH :
SHRI SHIVA CHANDRA JHA :
SHRI RAGHUVIR SINGH
SHASTRI :
SHRI MADHU LIMAYE :
SHRI YASHPAL SINGH :
SHRI NITIRAJ SINGH
CHAUDHARY :
SHRI A. B. VAJPAYEE :
SHRI YAJNA DATT SHARMA :
SHRI SHARDA NAND :
SHRI KANWAR LAL GUPTA :
SHRI N. S. SHARMA :
SHRI P. K. DEO :
SHRI RAMAVATAR SHASTRI :

Will the Minister of HEALTH and FAMILY PLANNING be pleased to state:

(a) whether Government ought to have given a special medical treatment to the late Dr. Ram Manohar Lohia, as a Member of Parliament;

(b) whether the attention of Government has been drawn to the Press Report that there was a negligence in the operation and later in the treatment of the late Dr. Lohia; and

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

THE MINISTER OF STATE IN THE
MINISTRY OF HEALTH, FAMILY
PLANNING AND URBAN DEVELOP-
MENT (DR. S. CHANDRASEKHAR) :

(a) The late Dr. Ram Manohar Lohia was given the best available medical attention warranted by his condition.

(b) Yes.

(c) The record was examined by senior medical officers and no negligence in the operation or the subsequent treatment of Dr. Ram Manohar Lohia was found.

SHRI S. M. BANERJEE : I want to know whether it is a fact that this operation which, according to the doctors takes normally 30 minutes, took 3½ hours and knowing fully well that Dr. Lohia was a patient of high blood pressure—his blood pressure was not stabilised; that is a second charge—

whether these things had been considered, and whether it is also a fact that on the 7th of the last month, when they wanted to open the whole thing, the Medical Superintendent, Brig. Lal, was behaving like Hamlet, "to open or not to open" the whole thing and waited several hours until Dr. Koshi forced his decision on him that it has to be opened and cleaned. What are the facts ?

DR. S. CHANDRASEKHAR : We have a detailed statement on this. Since these questions are likely to come up, I cannot answer them in part. Therefore, with your permission, I would like to give a detailed statement on it. May I read it ?

श्री मधु लिमये : मैं आज नोटिस आफिस में गया और मैंने पूछा कि क्या इस पर कोई आप का निवेदन है क्योंकि मैं जानता था कि कोई तफसील वाला निवेदन आ लेकिन वह मुझे नहीं मिला, तो आखिर इस का क्या मतलब है ?

MR. SPEAKER : May I suggest that the hon. Minister may please place it on the Table of the House and we may take it up on some other day.

श्री मधु लिमये : इसको फिर अगली बार लिया जाय।

MR. SPEAKER : He will place it on the Table of the House today. We shall take it up on some other day.

SHRI KANWAR LAL GUPTA : After the Question Hour.

MR. SPEAKER : Not after the Question Hour. It will be within the Question Hour. We can have it on next Thursday.

FERTILIZER PLANT IN COOPERATIVE
SECTOR

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*93. SHRI BHOGENDRA JHA :
SHRI C. JANARDHANAN :

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

(a) whether the scheme to set up a big fertilizer plant in the Co-operative sector in collaboration with the Co-operative League of America has been finalised;

(b) if so, the broad details thereof;

(c) the estimated cost thereof; and

(d) when the plant is likely to be set up ?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND SOCIAL WELFARE (SHRI RAGHU RAMAIAH) : (a) Yes, Sir.

(b) A letter of intent has been issued to M/s. Indian Farmers Fertilizer Co-operative Ltd., a fully Indian-owned concern, for the establishment of a fertilizer factory at Kandla. The project will have a capacity of 215,000 tonnes of nitrogen. 127,000 tonnes of P_2O_5 and 66,000 tonnes of K_2O .

(c) The preliminary estimate of cost is Rs. 89.25 crores, of which Rs. 38.17 crores is in foreign exchange; but this estimate is being reviewed.

(d) By 1971-72.

श्री भोगेन्द्र झा : अध्यक्ष महोदय, यह अमरीका के सहकारी संघ के साथ समझौता बातचीत जिस आधार पर चल रही है उसमें जितना अंश मंत्रों महोदय ने बयान किया है उसके अलावा क्या और कोई शर्त है जिस तरिके की शर्त आमतौर से अमरीकी समझौते के साथ की जाती रही है या उसमें केवल उतना ही बातें हैं जिनका कि ब्योरा उन्होंने दिया है और यह कि उसके प्रबन्धकों में कौन लोग होंगे ?

SHRI RAGHU RAMAIAH : The Government of India felt that probably the figures are on the high side. So, we are examining it on our own. As regards other conditions, we have issued a letter of intent in favour of M/s. Indian Farmers Fertiliser Cooperative Ltd. in which the various cooperatives in the following States have agreed to take part, namely, Punjab, Haryana, Uttar Pradesh, Gujarat, Rajasthan, Madhya Pradesh, Maharashtra, Andhra Pradesh, Mysore, Madras and Orissa. So far as the foreign exchange portion is concerned, it will be by way of a loan and the only condition is that there will be an agreement between the Indian Farmers Fertiliser Cooperative Ltd. and the Fertiliser Cooperative International Organisation whereby the selection of processes, engineering and construction, will be done with the assistance of the International Cooperative organisation. They will also be in management for a period until by mutual agreement, the Indian Farmers Fertiliser Cooperative Ltd. can take it over. It will be based on indigenous naphtha. If there are any other particular questions to be asked, I will be happy to reply to them.

श्री भोगेन्द्र झा : जो इस प्रोजेक्ट के बारे में सिहावलोकन हो रहा है और उसके बारे में उन्होंने दिया है उस सिहावलोकन में उधर से अमरीकी सहकारी संघ से भी कोई मांग आई है या अपनी ओर से ही यह खर्च की कटौती करना भारत सरकार उसको ज़रूरी समझ रही है और इसके बारे में सिहावलोकन हो रहा है ?

SHRI RAGHU RAMAIAH : So far as engineering, construction and technical