

Shri K. D. Malaviya: It is just the other way about.

Mr. Speaker: If it is not available, then what is the meaning in proceeding further? I believe what the hon. Member wants to know is whether gas is available in sufficient quantity or not.

Shri Nath Pai: He was only gassing about it.

Shri K. D. Malaviya: It is just the other way about. The original estimate was that there would be a fairly good quantity of oil and along with it some gas. It now seems that there will be more gas from the Cambay oil-field than oil, because we are getting many wells which are producing cent per cent gas.

Shri S. C. Samanta: May I know in how many cases the drilling had to be stopped for the outflow of the gas in this area?

Shri K. D. Malaviya: Sometimes, when the pressure increases very much on account of the natural gas emanating from the well, we suspend the drilling operations. Perhaps, when we know that we are likely to get only natural gas, which is not to be exploited, we do not drill there, because we do not need to exploit that gas immediately.

Shri Hem Barua: In view of the fact that the hon. Minister has stated that some gas in Assam is proposed to be released for domestic purposes, may I know whether a part of the gas that will be available at Nunmati will be released for domestic use?

Shri K. D. Malaviya: These schemes are being worked by the local Government, namely the Assam Government, and they are at it. I am not able to give the details here.

Shri T. B. Vittal Rao: In a statement in reply to another question it was stated that 43 deep wells had been drilled, of which 22 were oil wells, 7 were gas wells, 6 were dry and 8 were being tested.

Shri K. D. Malaviya: In which area?

Shri T. B. Vittal Rao: In the Gujarat region. But the hon. Minister has said now that in Cambay, all the wells are cent per cent gas.

Shri K. D. Malaviya: I did not say so. I never said so. Perhaps, the figures that are being quoted by my hon. friend are in respect of Cambay. When I said that out of 22 wells so many wells were oil-producing, I meant that they did not produce gas, and many of them produced oil of a very little quantity which was not worth exploiting. Some of the wells are producing a great quantity of natural gas, which might be more than perhaps half a dozen wells in number. So, there is a quantitative difference between wells and wells.

Shri Sonavane: May I know when the distribution of gas for domestic use will take place, and whether the price would be cheaper than that of soft coke?

Shri K. D. Malaviya: Where?

Shri Sonavane: From Ankleshwar.

Shri K. D. Malaviya: The gas utilisation from Ankleshwar will take two or three or four years to come about.

Shri Hem Barua: May I know whether Government propose to divert a part of the \$100.00 million credit from ENI for the purpose of building up a gas fractionating plant at Naharkotiya?

Shri K. D. Malaviya: There is a scheme for a gas fractionating plant. Perhaps it is not conceived in connection with Naharkotiya.

Arms Rules

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*686. { **Shri Hem Raj:**
Shri M. L. Dwivedi:
Shri D. C. Sharma:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 489 on the

14th August 1961, and state the progress since made for making rules under the Indian Arms Act?

The Minister of State in the Ministry of Home Affairs (Shri Datar): Draft rules have been prepared and sent to State Governments for their comments. The rules will be finalised as expeditiously as possible after they are received.

Shri Hem Raj: The Arms Act was passed three or four years back. But the rules have still not been finalised. How much more time will be taken to finalise the rules?

Shri Datar: The Act was passed in December 1959 by Parliament. Immediately thereafter draft rules were framed and we have sent them to various State Governments. The replies are still being awaited.

Shri Hem Raj: Have State Governments been reminded to expedite the replies?

Shri Datar: Yes, a number of times.

Shri D. C. Sharma: Rules are an integral part of every Act that we pass. I cannot understand how an Act can exist when there are no rules.

Shri Datar: Already, there are the rules of 1920 still in force.

Shri D. C. Sharma: A new Act requires new rules. How can a new Act be without its own rules; and how can it function under the old rules?

Shri Datar: Till the old rules are replaced by the new rules, they continue in force.

Shri Tangamani: The Act was passed as early as in 1958. How much more time do they propose to take to frame rules? More than three years have passed. I think last year also this was raised.

Shri Datar: It is barely two years since the Act was passed but we are requesting them to expedite their comments on the rules as early as possible.

Shri Achar: May I know which of the States have sent their replies and which have not? Is Mysore one of the States which have sent their replies?

Shri Datar: They have not yet sent it.

Shri Hem Raj: Under the present Act, we have widened the powers of the officials to grant licences. Under the old rules, those very officials were very strict about granting licences and they are not granting licences. What steps are the Central Government taking to instruct State Governments to act according to the provisions of the present Act?

Shri Datar: Already we have informed the State Governments that they should liberally exercise the rules in respect of the grant of licence to possess arms, subject to general conditions of security.

Shri Braj Raj Singh: On a point of order. The Minister admits that the Act was passed two years back. Under that Act, we liberalised the conditions with regard to grant of licences to the public. The old rules contain certain provisions which require a certain status for the applicant for the grant of a licence. Those rules are still in force. Unless those rules are repealed, the new Act cannot be put into operation.

It is within the purview of the Government of India to frame rules. The State Governments have got nothing to do with it. Their opinions can be sought, but the Government of India have to frame rules. Without framing rules, the new Act cannot be put into operation. The public are being put to hardship.

Shri Datar: The hon. Member has not heard the reply. We have prepared draft rules and sent them to State Governments.

Shri Braj Raj Singh: We do not want draft rules. We want real rules.

Shri Datar: They will be finalised after the opinions of State Governments are received.

Shri Braj Raj Singh: The point is . . .

Mr. Speaker: I have heard the point of order. The Central Government are not the agency to implement the rules and regulations. The agency of the State Governments has to be used for this purpose. Therefore, draft rules have been sent to them for their comments, to ascertain from them if they find any difficulty in practice in implementing them. The Central Government can only enunciate rules. Implementation is left to the States. If some trouble arises, it is the State Governments who have to deal with it. So the draft rules have been sent to the various States for their comments.

It is not as if there is any delay in this matter. The States have not sent their replies. Hon. Members can ask the hon. Minister to send them reminders to expedite their replies.

Shri T. B. Vittal Rao: Is there no time-limit fixed for receipt of replies? We passed the Act in 1958. We are now in 1961 and 1962 is coming. If this is the amount of delay, what is the use of the Act? It was passed as early as in 1958.

Shri Datar: The Act was passed in December 1959. In January 1960, we sent draft rules, and we are awaiting their replies.

Mr. Speaker: That is all right.

Shri Braj Raj Singh: The main difficulty is this . . .

Mr. Speaker: There is no question of difficulty. Until the new rules are framed, the old rules will continue.

Shri Braj Raj Singh: The point is that the new Act has provisions which have been liberalised in respect of grant of licences.

Mr. Speaker: Can it be insisted upon the very next day? Why did not hon. Members insist upon the rules be-

ing part of the Act itself? (*Interruption*).

Mr. Speaker: Rules will have to be framed taking into account the experience of States. There are various States and this has to be gathered from them.

The difficulty that hon. Members are feeling is that the new rules, which are liberal in respect of grant of licences, have not come into force along with the Act and therefore, the old rules continue. If the old rules continue on the ground that the new rules have not been framed, it will be not implementing the Act at all for a number of years and the Act thus becomes absolutely infructuous for a number of years. Therefore, they are anxious that the new rules should be enforced as quickly as possible. That is what they desire.

Shri Braj Raj Singh: Under the old Act, the officer who has to grant licence has got wide discretion. The new Act provides that this discretion shall be taken away. Elections are approaching and the officers are using their discretion to grant licences to their own persons. The Act is not being implemented.

Mr. Speaker: Unless the hon. Member means that hon. Members when they stand for election should have revolvers in their pockets, there is no purpose in saying this.

Shri Braj Raj Singh: What about the public?

Mr. Speaker: I am really surprised at this.

Shri Datar: I shall request State Governments to expedite their replies.

Mr. Speaker: I am against this kind of utilisation of every opportunity to bring in the elections here. If larger numbers of people are given revolvers, the hon. Member may not be able to stand at all for election. The less the number of rifles the better.

Sardar Hukam Singh: The Committee on Subordinate Legislation always take into account whether any

delay has been caused in framing rules under a new Act. Probably in this particular case also, it was taken into account.

We have fixed a time-limit that in no case should the delay in framing rules exceed more than six months. Even in that case, a six months' delay is also inordinate and it must be explained. I am not sure of this particular Act, but I will find out. I have just made a note and I will later put it up before Parliament as to why this delay has taken place, and whether the rules under the old Act have caused some difficulty. We will try to explain the position.

Mr. Speaker: I would make a general suggestion to hon. Ministers. Whenever under a Central Act rules have to be framed, it is no doubt desirable that the State Governments should also be consulted. But let there be a deadline of, say, six months of the passing of the Act. Otherwise, it would be useless. If rules are framed, sent to State Governments, and they are finalised thereafter within this period, it would serve the purpose. There is one advantage with regard to rules; for making rules from time to time, hon. Ministers need not come to the House. They may frame rules and then place them on the Table of the House. There is that flexibility under the rules. Even if, in practice, some rules are found to be difficult, let them be implemented. Thereafter, let them be changed from time to time. The hon. Chairman of the Committee will also insist upon not extending the time-limit beyond six months.

Shri Braj Raj Singh: In this case, more than a year has elapsed.

Mr. Speaker: This is for hereafter.

Sardar Hukam Singh: We suggested a time-limit of three months, but the Ministry took objection to that saying that in some cases it might not be practicable or possible to finalise them within three months. So, we have given the limit, and the Government

have agreed, that in no case it should exceed six months.

Shri Tyagi: It may go down as a mandate to the Government, since you have already been pleased to give a ruling.

Mr. Speaker: I have requested them.

उत्तर-प्रवेश-बिहार सीमा

*६८७. श्री म० ला० द्विवेदी : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि गंगा तथा घाघरा नदियों के बहाव के कारण बिहार तथा उत्तर प्रदेश राज्य सरकारों के बीच जो सीमा संबंधी विवाद हो गया है उसको मुलझाने के लिये केन्द्रीय सरकार ने क्या कदम उठाये और अब मामला किस स्थिति में है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) : दोनों राज्य सरकारों के मुख्य मंत्रियों ने प्रधान मंत्री से अनुरोध किया है कि वे गंगा और घाघरा नदियों के साथ साथ पक्की सीमा निर्धारित करने के लिये एक मध्यस्थ नियुक्त कर दें। राज्य सरकारें मध्यस्थ को निर्णय के लिये सौंपे जाने वाली समस्याओं को अंतिम रूप दे रही हैं। इस के बाद अगली कार्यवाही की जाये

I shall read it in English also.

A request has been made to the Prime Minister by the Chief Ministers of the two State Governments to appoint an arbitrator for the settlement of a firm boundary between the States along the rivers Ganga and Ghagra. The terms of reference for the arbitrator are being finalised by the State Governments. Further action will be taken when this has been done.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूँ कि प्रधान मंत्री के पास इस प्रकार की